

# **REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS**

## **VICTORIA CROSS OVER STATION DEVELOPMENT (OSD)**

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PREPARED FOR LENDLEASE

**URBIS**

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# 1. INTRODUCTION

In accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (the Act), this report forms a request for Secretary's Environmental Assessment Requirements (SEARs) to guide the future development of the Victoria Cross Over Station Development (OSD). This request relates to land generally described as 155-167 Miller Street, 181 Miller Street, 187-189 Miller Street, and part of 65 Berry Street, North Sydney (the site).

The Minister for Planning granted development consent to the Concept SSD DA for the proposed development on 18 December 2018. This report is prepared by Urbis Pty Ltd on behalf of Lendlease (Victoria Cross) Pty Limited (the applicant) to inform the preparation of an Environmental Impact Statement (EIS) relating to a Detailed State Significant Development Application (SSD DA) for the Victoria Cross OSD.

Figure 1 below illustrates the location of the Victoria Cross Metro Station. It is noted that the Victoria Cross OSD relates only to the 'Victoria Cross South' site, no works are proposed on the Victoria Cross North site as part of the Detailed SSD DA.

Figure 1 – Victoria Cross Station/OSD Location Map



Source: Sydney Metro

The development is classified as SSD pursuant to clause 19(2)(a), Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* as it is for the purposes of a 'commercial premises or residential accommodation' within a rail corridor or associated with railway infrastructure and has a capital investment value of more than \$30 million.

To support the request for SEARs, this report provides an overview of the proposed development, a summary of the statutory context and key planning considerations associated with the proposal and identifies the expected document deliverables and key stakeholders for consultation.

## 2. BACKGROUND

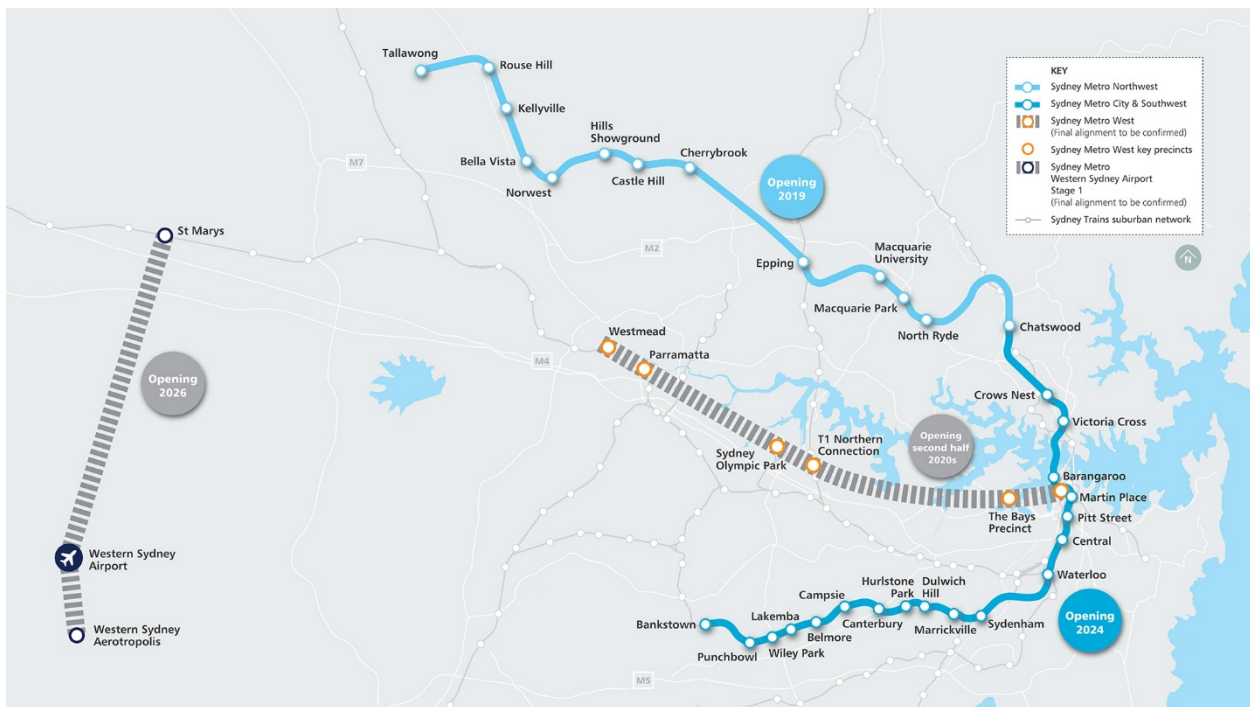
### 2.1. SYDNEY METRO

The New South Wales Government is currently implementing *Sydney's Rail Future*, a long-term plan to increase the capacity of Sydney's heavy rail network through investment in new services and upgrading existing infrastructure, whilst modernising Sydney's rail network to meet the growing needs of customers.

Sydney Metro is Australia's biggest public transport project. In 2024, Sydney will have 31 metro railway stations and a 66km standalone metro railway system – the biggest urban rail project in Australian history. There will be ultimate capacity for a metro train every two minutes in each direction under the Sydney city centre.

Sydney Metro Northwest, formerly the North West Rail Link, is the first stage of Sydney Metro and will be the first fully-automated metro rail system in Australia. Sydney Metro City & Southwest is the second stage. New metro rail will become the fastest, easiest and most reliable journey between the Sydney and Parramatta CBDs under the proposed Sydney Metro West project. The railway servicing the new Western Sydney Airport will also be developed and delivered by Sydney Metro. This is illustrated in the Figure 2 below.

Figure 2 – Sydney Metro Alignment Map



Source: Sydney Metro

Services will start in 2019 in the city's north west with a train every four minutes in the peak. Sydney Metro will be extended into the CBD and beyond to Bankstown in 2024. There will be new metro railway stations underground at Crows Nest, Victoria Cross, Barangaroo, Martin Place, Pitt Street, Waterloo and new metro platforms under Central.

Lendlease will deliver the Sydney Metro Victoria Cross integrated station development. This will include the new Victoria Cross metro station, a commercial office building above the station's southern entrance, underground pedestrian connections, new retail spaces and improvements to the public domain.

As the new Victoria Cross Station is built underground, the integrated station development will be able to be built above the station at the same time. This helps reduce community impacts and allows for the building to be completed close to when Sydney Metro services start in 2024. On 9 January 2017, the Minister for Planning approved the Sydney Metro City & Southwest - Chatswood to Sydenham development application lodged by Transport for NSW (TfNSW) as a Critical State Significant Infrastructure project (reference SSI 15\_7400) (CSSI Approval).

The terms of the CSSI Approval includes all works required to construct the station, including the demolition of existing buildings and structures on both sites. The CSSI Approval also includes construction of below and above ground structures associated with the metro station structure for appropriate integration with the OSD.

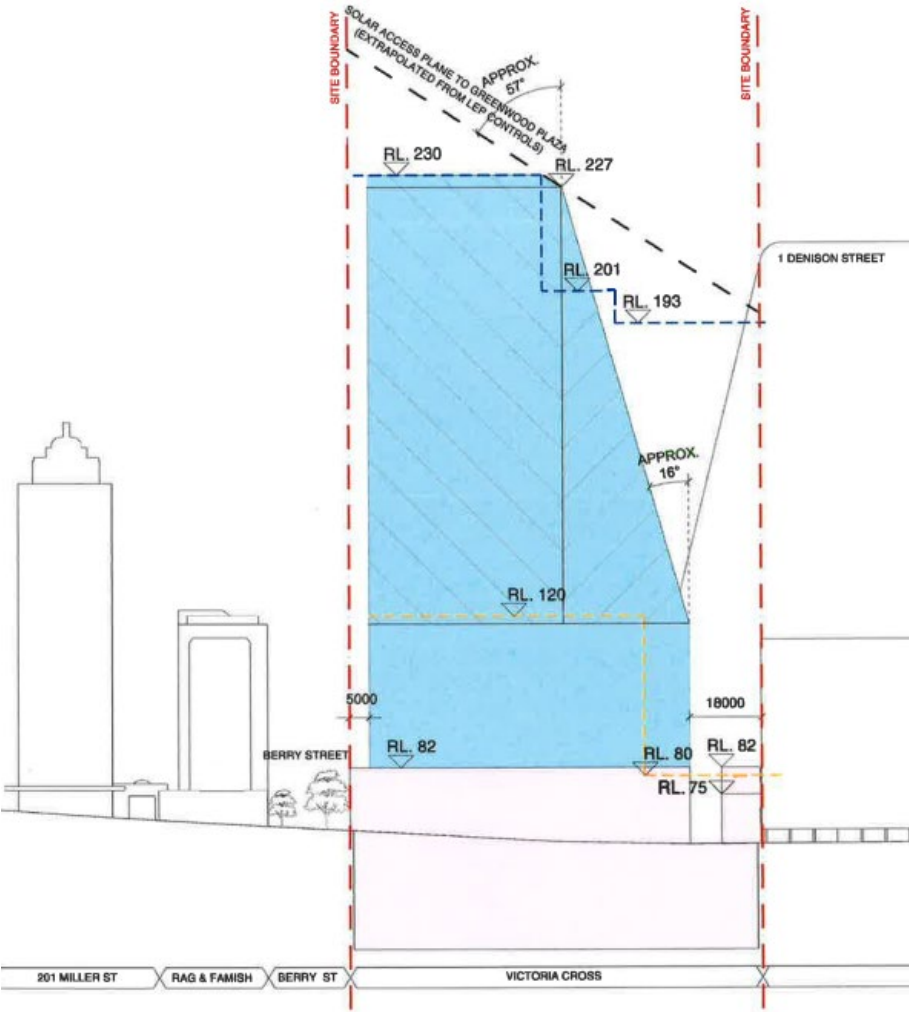
## **2.2. CONCEPT PROPOSAL (SSD17\_8874)**

The Minister for Planning granted development consent to SSD 17\_8874 for Concept Approval of a commercial mixed-use Over Station Development (OSD) above the new Sydney Metro Victoria Cross Station on 18 December 2018. This Development Consent includes:

- A maximum building envelope, including street-wall and setbacks for the over station development
- A maximum building height of RL 230 or 168 metres, providing:
  - Approximately 40 commercial storeys and 2 additional storeys for rooftop plant for the high-rise portion of the building envelope
  - Approximately 13 storeys for the lower eastern portion of the building envelope at RL 118 or 55 metres
  - A maximum gross floor area (GFA) of 60,000sqm, excluding station floor space
  - Basement car parking for a maximum 150 parking spaces

The Concept SSD DA instrument of approval does not consent to any physical works commencing on site until a Detailed SSD DA is granted for the site. This request for SEARs relates to a future Detailed SSD DA to physically commence works on site, in general accordance with the terms and conditions of SSD 17\_8874.

Figure 3 – Approved Concept SSD DA Building Envelope



Source: SSD 17\_8874 Approved Plans (Miller Street Elevation)



## 3. THE SITE AND SURROUNDS

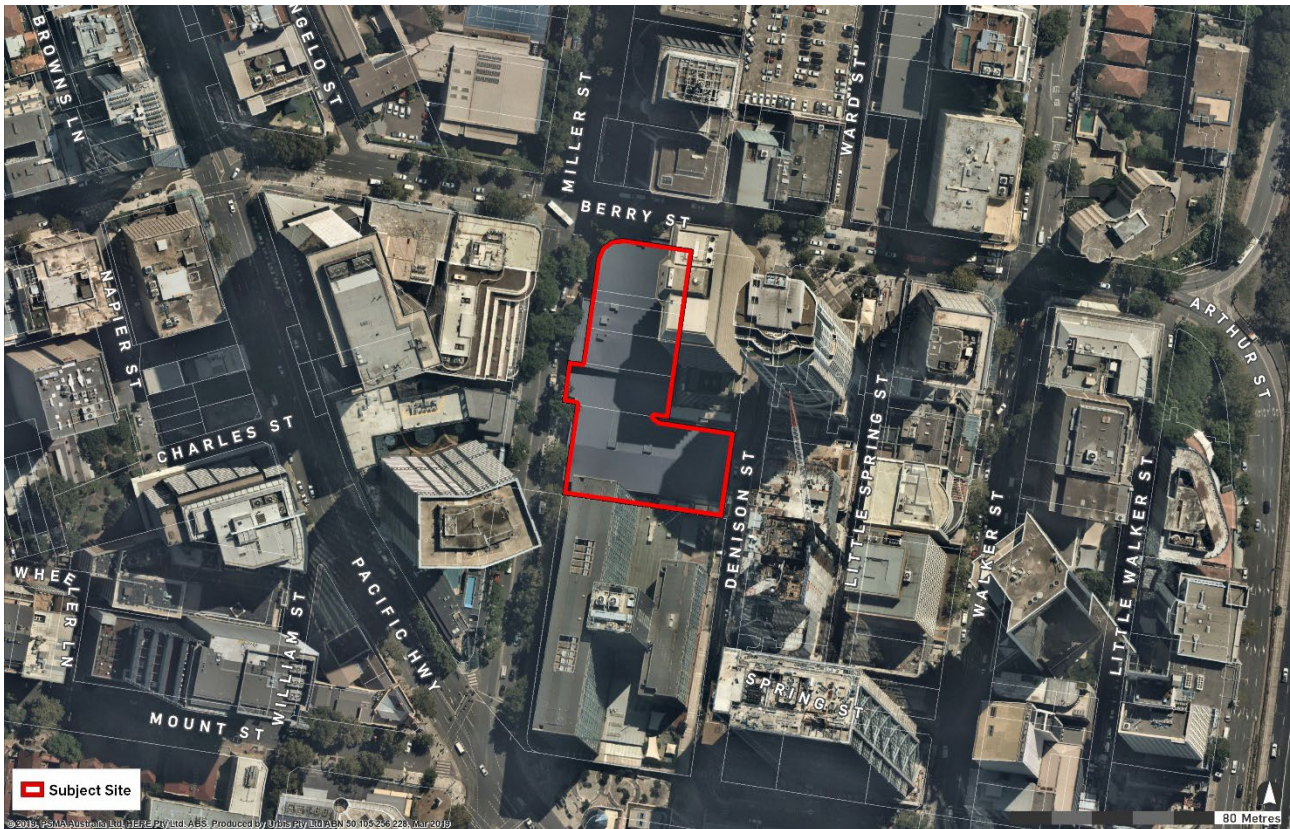
### 3.1. LOCATION

The site is located on the south-east corner of the Berry Street and Miller Street intersection, North Sydney (see Figure 4). The site occupies various addresses/allotments and is legally described as follows:

- 155-167 Miller Street (SP 35644) (which incorporates lots 40 and 41 of Strata Plan 81092 and lots 37, 38 and 39 of Strata Plan 79612)
- 181 Miller Street (Lot 15/DP 69345, Lot 1 & 2/DP 123056, Lot 10/DP 70667)
- 187 Miller Street (Lot A/DP 160018)
- 189 Miller Street (Lot 1/DP 633088)
- Formerly part 65 Berry Street (Lot 1/DP 1230458)

The site is an irregular shape with street frontages of approximately 37 metres to Berry Street, 34 metres to Denison Street and 102 metres to Miller Street, yielding an overall site area of approximately 4,815 square metres.

Figure 4 – Site Aerial



Source: Nearmap

### 3.2. SITE SURROUNDS

The site is located within the North Sydney Centre which forms part of the North Sydney Local Government Area (LGA). The North Sydney CBD is situated approximately 3 kilometres north of Sydney CBD and 5 kilometres southeast of Chatswood.

North Sydney Centre is a “strategic centre” as identified in Sydney’s overarching strategic plan, *A Plan for Growing Sydney*. It is Sydney’s third largest commercial precinct, after Sydney CBD and North Ryde/Macquarie Park, functioning as a fundamental component of the cities Global Economic Corridor.



The surrounds are predominantly occupied by a range of high density commercial and residential developments. The site is generally bound as follows:

- **North** – Berry Street directly to the north along with the heritage listed Rag & Famish Hotel. Further north beyond the pub are high density residential and commercial developments.
- **South** – The site abuts the MLC Building to the south with higher density commercial developments towards North Sydney Station and Greenwood Plaza. Sydney Harbour is further south.
- **East** – Groupm House (65 Berry Street) and Denison Street are situated immediately east of the site. Immediately east of Denison Street are the Alexander Apartments/Beau Monde Apartments, a 36 storey residential building. Further east is similar high-density commercial developments towards the Warringah Freeway and Cahill Expressway.
- **West** – Miller Street abuts the site to the west along with various high-density commercial buildings. The Pacific Highway is located further to the west.

Residential areas radiate from the site after the immediate surrounds.

### 3.3. OPPORTUNITIES AND CONSTRAINTS

Having regard to the Concept SSD DA approved envelope, site analysis, and relevant strategic planning objectives, the proponent has identified a range of opportunities and constraints associated with the Victoria Cross OSD as described below.

#### 3.3.1. Opportunities

Opportunities relating to the delivery of an OSD project on the site include:

- Develop a landmark tower which integrates with the Sydney Metro project and specifically, the future development of the Victoria Cross Station.
- Contribute positively to the emerging changes in development pattern and the skyline throughout the North Sydney CBD.
- Optimise on the Sydney Metro and Victoria Cross CSSI to promote the North Sydney CBD through a significant addition in commercial floor area
- Job creation through construction and building operation supporting economic growth within the North Sydney CBD and New South Wales.
- Allow for the creation of an integrated station precinct, where station, OSD and public domain function as a whole, contributing to the diversity, amenity and commercial sustainability of North Sydney.
- Maximise existing and future public transport infrastructure within the locality and on site.

#### 3.3.2. Constraints

The following constraints are relevant to consider when proposing an OSD proposal on the site:

- There are a several local heritage items within the surrounds such as the MLC Building (abutting the site to the south) and the Rag & Famish Hotel to the north. The proposed design will require adequate consideration of these heritage items through an appropriately sited design which respects existing heritage fabric.
- The proposal will need to ensure there is no additional overshadowing from the tower to the two nearby “special areas” and public recreation zoned land identified in the *North Sydney Local Environmental Plan 2013* (NLEP 2013). This notably includes the Greenwood Plaza and Miller Street special areas.
- Due to the scale and height of the development, visual impacts to existing surrounding development throughout the immediate and wider context requires careful consideration. In particular, the views, vistas and sightlines, as well as impacts to nearby sensitive land uses including residential areas.
- Integrating structures, access, vertical circulation, mechanical systems etc. with the approved CSSI project.

## 4. THE PROPOSED DEVELOPMENT

The proposal is an innovative design that ensures Victoria Cross is a transformational and integrated development which cumulatively improves both public benefits and commercial outcomes. Creating a new heart for the North Sydney CBD, the proposal is centred around the Victoria Cross Metro Station that elevates North Sydney CBD through design excellence and which delivers a streamlined experience for site users.

### 4.1. DESCRIPTION OF PROPOSAL

The Detailed SSD DA will seek detailed approval for the OSD above the approved Victoria Cross Station (CSSI). This will be accompanied by two clause 4.6 variations (height and setback) to the local planning controls, and a modification to the building envelope approved under the Concept SSD DA.

The Detailed SSD DA seeks approval for the following key components (indicatively illustrated in Figure 5):

- Construction of a new commercial office tower with a maximum building height of RL 230 or 168 metres (approximately 42 storeys).
- The commercial tower will comprise approximately 40 commercial office levels, and two levels of rooftop plant.
- The commercial tower includes a maximum GFA of approximately 60,000sqm, excluding floor space approved in the CSSI.
- Integration with the approved CSSI proposal including though not limited to:
  - Structures, mechanical and electronic systems, and services; and
  - Vertical transfers.
- Use of spaces within the CSSI 'metro box' building envelope for the purposes of:
  - Retail tenancies not required to service the Metro;
  - Commercial office space and commercial office lobbies;
  - 150 car parking spaces within the basement for the purposes of the commercial office;
  - End of trip facilities; and
  - Loading and services access.
- Utilities and services provision.
- Signage locations (building identification signs).
- Stratum subdivision.

The proposal provides high value commercial floorspace in a singular tower form to deliver an integrated development where the OSD, future Victoria Cross metro station and the public domain function together. Retail uses will be located at the ground floor and podium levels of the development (within the metro box envelope) to interact with the through site link/metro entry on Miller Street, Denison Street entry and other public domain works undertaken as part of the approved CSSI.

The proposed OSD tower massing has been specifically designed to maximise building separation to the neighbouring MLC heritage building to the south of the site. This provides increased solar penetration to the laneway and greater appreciation to the heritage fabric of the MLC building's façade.

The design of the tower is horizontally articulated to create reference points which integrate with neighbouring heritage buildings, such as the Rag and Famish to the north and the MLC building to the south. Vertical expressions throughout the tower break up the built form and provide connectivity for an integrated workplace.

Overall, the proposal responds to the key site constraints, such as surrounding heritage building's setbacks and visual and view impacts (solar access & overshadowing). The OSD integrates with the metro station and public domain elements whilst addressing planning and design elements identified in the relevant legislation.

Figure 5 – Indicative Victoria Cross OSD



Source: Bates Smart

## 4.2. RELATED APPLICATIONS

The OSD has been specifically designed to integrate with the approved future metro station (CSSI). With regards to CSSI related works, any changes to the “metro box envelope” and public domain will be pursued in satisfaction of the CSSI conditions and do not form part of the scope of the Detailed SSD DA or the Concept SSD DA (illustrated in ‘pink’ in Figure 5).

The Detailed SSD DA for the Victoria Cross OSD will however be lodged concurrently with a modification to the approved building envelope (Concept SSD DA) for changes proposed to the proposed commercial tower. Modifications to the approved OSD building envelope are required through a formal modification of the Concept SSD DA as per clause 4.55(2) of the Act.

The proposed changes to the OSD envelope include:

- Amend the dimensions of the building ‘chamfer’ above the Miller Street special area setback; and
- Relocation of building massing from the lower portion of the tower, north of the through-site link, to the high-rise levels increasing building separation to the heritage listed MLC building.

The revised building envelope improves solar access to the through-site link and poses no impact to the Greenwood Plaza special area solar access plane compared to the approved envelope. Furthermore, modifications to the Miller Street “chamfer” are generally consistent with the bulk and scale of the approved cantilever over the Miller Street setback compared with the approved concept building envelope.

The EIS to be prepared in support of the Detailed SSD DA and associated documentation will consider the relationship between the Detailed SSD DA and related applications.

## 5. PLANNING CONTEXT

The relevant statutory planning policies that apply to the proposed development are as follows:

- *Environmental Planning and Assessment Act, 1979 (NSW) (The Act)*
- *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55)*
- *Statement of Environmental Planning Policy No.64 – Advertising Signage (SEPP 64)*
- *North Sydney Local Environmental Plan 2013 (NSLEP)*

### 5.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Act establishes the assessment framework for SSD, and in Section 4.36 indicates that a state environmental planning policy may declare a development to be SSD.

Under section 4.5(a) of the Act, the Minister is the consent authority for SSD development applications if the Independent Planning Commission has not been declared to be the consent authority for the development by an environmental planning instrument.

This Detailed SSD DA is a staged development application as per Division 4.4 of the EP&A Act 1979 and as such the Detailed SSD DA must not be inconsistent with the approved Concept SSD DA which is to be concurrently amended.

### 5.2. STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011 (SRD SEPP)

The SRD SEPP has the purpose of identifying development that is SSD, state significant infrastructure (SSI) (including critical) and regionally significant development.

Pursuant to clause 19(2), Schedule 1 of the SRD SEPP indicates that the following development is SSD:

*Development within a rail corridor or associated with railway infrastructure that has a capital investment value of more than \$30 million for any of the following purposes:*

- a) commercial premises or residential accommodation,*
- b) container packing, storage or examination facilities,*
- c) public transport interchanges.*

As the proposal is for the purposes of a 'commercial premises' associated with railway infrastructure and has a capital investment value of more than \$30 million, it classifies for SSD for the purposes of the EP&A Act. The Detailed SSD DA will be assessed under the relevant provisions of Part 4 of the EP&A Act.

It is noted that clause 11 of SRD SEPP 2011 states that Development Control Plans (DCPs) do not apply to SSD.

### 5.3. STATE ENVIRONMENT PLANNING POLICY (INFRASTRUCTURE) 2007

The relevant matters for consideration in the *Infrastructure SEPP 2007* include referral requirements for development. Clause 85 of Division 15 (Railways) indicates that development in or adjacent to a rail corridor must be referred to the relevant rail authority. As per clause 85, the consent authority must provide notice to the relevant rail authority within seven days after the application is made for their consideration prior to the determination of the Detailed SSD DA.

Pursuant to clause 104 (Traffic Generating Development) and Schedule 3 of the SEPP, the detailed proposed triggers consultation with the NSW Roads and Maritime Services (RMS), as the commercial GFA



is greater than 10,000sqm. RMS have been identified in Section 8 of this report as a relevant consultation stakeholder.

## **5.4. SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005**

The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP) is a regional planning instrument that aims to ensure the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained as a natural and public asset of national significance.

The site is within the Sydney Harbour Catchment. Therefore, clause 26 of the SREP is relevant to the consideration of the proposed development with regards to the maintenance, protection and enhancement of views. Matters to be taken into consideration in relation to these elements of clause 26 include:

- 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; and*
- c) *The cumulative impact of development on views should be minimised.*

The EIS accompanying the Detailed SSD DA will provide an assessment against clause 26 of the SREP including an assessment of visual and view impacts associated with the Victoria Cross OSD.

## **5.5. STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND (SEPP 55)**

SEPP 55 provides a State-wide 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.

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 the SSD DA.

## **5.6. STATEMENT OF ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE (SEPP 64)**

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

The scope of the Detailed SSD DA seeks consent for the display of various signage types. Clause 13 of SEPP 64 indicates that a consent authority must not grant consent to display signage unless it is consistent with the objectives of the policy and complies with the assessment criteria contained within Schedule 1.

The EIS will include an assessment of the indicative signage zones and detailed signage included in the SSD DA against the objectives of this policy and the assessment criteria contained within Schedule 1.

## **5.7. NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2013 (NSLEP)**

The *North Sydney Local Environmental Plan 2013* (NSLEP) is the principal local planning instrument applying to the site, establishing (amongst other things) the permissible land uses, key development standards, and heritage conservation requirements. It is noted that the approved Concept SSD DA complied with the amended NSLEP 2013 development standards with the exception of the height of building control (clause 4.3) and Miller Street setback area (clause 6.4). The Concept SSD DA was supported by two clause 4.6 variations to permit the development notwithstanding the exceedance of these two development standards.

The site is located within the B3 Commercial Core zone. The objectives of the zone are:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*

- *To maximise public transport patronage and encourage walking and cycling.*
- *To prohibit further residential development in the core of the North Sydney Centre.*
- *To minimise the adverse effects of development on residents and occupiers of existing and new development.*

The proposed development including commercial premises is permitted with consent in the zone and is consistent with the zone objectives.

The site is subject to four maximum height of building development standards. The northern portion (majority of the site) is subject to a height limit of RL 230m, the central portion of the site has a height limit of RL 201m, whilst the southern portion has a split height limit of RL 193m (Miller Street frontage) and RL 135m (Denison Road frontage).

The Victoria Cross OSD is proposed to comply with the maximum height control applying to the site, however, exceeds the central height control of RL 201m. This building height exceedance will be documented within the concurrent modification to the Concept SSD DA building envelope, however the Detailed SSD DA will be accompanied by a clause 4.6 variation to the height of building standard for abundant caution.

The site is located within the North Sydney Centre. Division 1, Part 6 of the NSLEP provides additional development standards for development within the North Sydney Centre, which include:

- Clause 6.3(2) prohibits development that would result in a net increase in overshadowing between 12:00pm and 2:00pm on land which is identified as a “special area” on the North Sydney Centre Map or land zoned RE1 Public Recreation. There are three “special areas” of note within the vicinity of the site including
  - Brett Whiteley Plaza;
  - Greenwood Plaza; and
  - Miller Street Special Area;
- Clause 6.3(3) allows the consent authority to consider variations in the maximum height of buildings if the development complies with specific overshadowing parameters to the private open space or habitable room windows to nearby residential properties/dwellings outside the North Sydney Centre.
- Clause 6.4 has specific street setback controls along Miller Street ranging from 6-11.5 metres in relation to the site. There are encroachment allowances within these areas.
- The site is not subject to specific FSR controls.

The above provisions of the NSLEP will be addressed in the EIS associated with the Detailed SSD DA. It is noted that while the proposed variation to clause 6.4 will be addressed within the concurrent Concept SSD DA modification application, the Detailed SSD DA will be accompanied by a clause 4.6 variation to the Miller Street setback control for abundant caution.

## **5.8. NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013**

As previously stated, clause 11 of the SRD SEPP states that development control plans do not apply to State significant development.

Notwithstanding this, the North Sydney Development Control Plan 2013 provides a reference point for the detailed design of buildings including local design considerations such as waste management, access and loading, and local character. These will be considered as relevant in the development of the detailed design.

## **5.9. STRATEGIC PLANNING FRAMEWORK**

The following strategic planning documents are applicable to the subject site and proposed development:

- Greater Sydney Region Plan (A Metropolis of Three Cities)
- North District Plan for Sydney



- NSW Long Term Transport Master Plan 2012 (Updated 2014)
- Future Transport Strategy 2056
- Development Near Rail Corridors and Busy Roads – Interim Guidelines
- Sydney's Rail Future 2012
- Sydney's Cycling Future 2013
- Sydney's Walking Future

## 6. OVERVIEW OF KEY PLANNING CONSIDERATIONS

The key planning considerations relevant to the Victoria Cross OSD have been identified below, including a brief discussion of their relevance to the Detailed SSD DA.

### **Compliance with Strategic and Statutory Plans**

The EIS will include a comprehensive assessment of the proposed development against the relevant strategic and statutory provisions previously identified.

### **Consistency with the Concept SSDA Approval**

As stated in Section 4.2, a concurrent modification to the Concept SSD DA will be prepared and submitted with the Detailed SSD DA. The proposed modifications to the approved building envelope are minor in nature and will facilitate the delivery of the proposed OSD tower design.

The EIS will demonstrate how the revised envelope provides an improved design for the OSD, allowing for greater delineation and solar access to the podium through site link (laneway) associated with the Metro, whilst ensuring no additional environmental impacts to the surrounds.

### **Integration with the Sydney Metro Station CSSI Approval**

The detailed OSD will be specifically designed to integrate with the future Victoria Cross Metro Station. Physical and visual connectivity to and from the Metro Station will underpin the interaction with the station's concourse and ground floor activity of the OSD, acting as a gateway to the commercial tower above.

As per condition A26 of the Concept SSD DA, prior to the lodgement of the Detailed SSD DA the Sydney Metro will revise the Victoria Cross Over Station Development Design Guidelines (October 2018).

The EIS will document how the detailed design addresses the interface between the OSD and the Victoria Cross Metro Station, in addition to responding to the revised Guidelines as per condition A26 of the Concept SSD DA. In addition, the EIS in conjunction with the Construction Management Plan will provide a description and assessment of the proposed construction staging of the OSD and Metro Station.

### **Urban Design and Built Form**

While the proposed building envelope and the public domain works will form part of separate, related applications, the EIS will provide an assessment of the detailed design response of the development with regards to the surrounding context of the North Sydney Centre as well as the integration with the new Sydney Metro Station infrastructure (SSI).

The architectural and urban design response will demonstrate how the orientation, height, bulk, scale, massing and setbacks of the proposed development will be appropriately situated within the context of the site and the existing and future desired character of the North Sydney CBD. In addition, the EIS will provide a comprehensive assessment with regards to view sharing and visual impacts, in particular to surrounding residential properties as well as solar access (particularly to the "special areas") and any overshadowing to public recreation areas. Detailed shadow diagrams and an overshadowing analysis will be submitted with the application.

### **Design Excellence**

As per condition A28 of the Concept SSD DA and the endorsed Sydney Metro Design Excellence Strategy, prior to the lodgement of the Detailed SSD DA the applicant shall consult further with the Sydney Metro Design Review Panel. The Design Review Panel is to review and provide further advice on the Detailed SSD DA for the tower, including an assessment against endorsed site-specific principles, benchmarks and the DEEP Design Excellence Report.

### **Clause 4.6 Variations (Height and Setback)**

As previously stated, the Detailed SSD DA will be accompanied by two clause 4.6 variation requests for the height of building standard (at RL 201m only) and the proposed cantilever over the ground floor Miller Street setback.

The EIS will outline how the Detailed SSD DA remains consistent with the Concept SSD DA building envelope as proposed to be modified. The EIS will also demonstrate how the two variations sought are consistent with the relevant objectives of clause 4.6, proposing a more suitable design to provide for a greater public benefit that poses no additional environmental impacts.

## Heritage

There are several heritage items proximate to the site. These sites have been and will continue to be carefully considered throughout the process. A Heritage Impact Statement will accompany the EIS and application.

## Traffic, Access, Parking and Public Transport

In conjunction with the EIS, a traffic and parking assessment will be prepared to address the design of the site access arrangements and the ongoing operation of the basement car parking area. The report will examine:

- Car parking demand
- Access arrangements (loading, servicing etc.)
- Pedestrian and bicycle movements
- Green travel plan initiatives
- Impacts on the existing transport infrastructure
- Construction management impacts (i.e. traffic impact during construction)

The Sydney Metro provides a considerable increase to the capacity of Sydney's public transport network. The proposed development compliments the public infrastructure project by delivering an integrated mixed-use transit-oriented development which maximises on this asset.

## Utilities, Infrastructure and Services

An assessment will be required to determine existing infrastructure and servicing capacities and any additional requirements for future connection. This will be addressed in the EIS with supporting documentation

## Ecologically Sustainable Development

An ecologically sustainable development (ESD) Strategy will be included as part of the EIS. The EIS and ESD Strategy will demonstrate how the proposed development achieves the relevant Concept SSD DA sustainability targets, relevant sustainability requirements, and integrates sustainable transport initiatives in the design.

## Airspace Operations

The current published Obstacle Limitation Surface (OLS) height across the site is 156m AHD. The maximum permanent building height at 230m AHD (RL) therefore will penetrate the OLS and will require approval as a controlled activity under the *Airports Act 1996*. This approval has been issued as part of the Concept SSD DA.

The EIS will consider any further impact of the detailed design of the OSD on Sydney Airport and its operation to ensure compliance with the relevant legislation. Consultation will be undertaken with Sydney Airport for the Detailed SSD DA as may be required by the relevant legislation.

## Development Contributions

North Sydney Council has a development contributions plan, notably, *North Sydney Section 94 Development Contributions Plan 2013*. The EIS will need to address and consider the development contributions plan.

## Noise and Vibration

A noise and vibration impact assessment will be provided as part of the EIS and will undertake a comprehensive assessment of the noise impacts/emissions to and from the site and the Metro station in relation to surrounding sensitive land uses. In addition, consideration will be given to the cumulative impacts of the proposed development throughout construction.

## Wind Impacts

Wind impacts will be considered and discussed in the EIS with any recommended mitigation measures required to deliver a comfortable pedestrian environment outlined within the Detailed SSD DA.

## **Construction Management**

Construction management is a key planning consideration for the proposed development of the site in terms of the impacts to the Metro and surrounding areas (e.g. traffic, pedestrian movement etc.). A Construction Management Plan (CMP) will be provided as part of the EIS for the Detailed SSD DA.

## 7. EXPECTED DELIVERABLES

To assist in confirming the SEARs, the following are the expected deliverables (reports & documentation) to support the EIS for the Detailed SSD DA:

- DA Form and fees
- Owner's Consent
- QS Cost Report
- Environmental Impact Statement (EIS)
- Matrix of compliance with Concept SSD DA Conditions
- Clause 4.6 Variation Request(s)
- Evidence of compliance with the Design Excellence Strategy
- Site Survey Plan
- Stratum Subdivision Plan
- Architectural Plans (detailed drawings)
- Architectural Design Report
- Signage Details
- Landscape Plans
- Urban Design Report
- Visual and View Impact Assessment
- Shadow and Solar Access Analysis
- Biodiversity Development Assessment Report (waiver from NSW OEH)
- Acoustic and Vibration Assessment
- Pedestrian Wind Environment Study
- Transport, Traffic and Parking Report (accessibility impact assessment, pedestrian and bicycle movements, road safety audit)
- Heritage Impact Assessment
- Stormwater Management Plan
- Infrastructure Management Plan
- Waste Management Plan
- Sustainability / ESD Statement
- Stakeholder Engagement Summary
- Construction Management Plan (inclusive of traffic and pedestrian management plan)
- Model as per North Sydney Council requirements

## 8. CONSULTATION

The applicant has undertaken early consultation to inform the evolution of the architectural plans and proposal to date. This early consultation has included:

- Meeting with the NSW Department of Planning and Environment – 18 March 2019
- Meeting with North Sydney Council – 28 February 2019
- Ongoing consultation with Sydney Metro – frequent and ongoing
- Sydney Metro Design Review Panel (DRP) – 25 February 2019 & 19 March 2019

The EIS will outline the detailed consultation strategy for all stages of the planning process. It is anticipated that the following stakeholders will be engaged at various stages throughout the process:

- NSW Government Architect's Office
- NSW Department of Planning and Environment
- Transport for NSW (including Sydney Metro and Roads and Maritime Services)
- Sydney Airport Corporation Limited/ Civil Aviation Safety Authority
- Sydney Coordination Office
- North Sydney Council
- Heritage Council NSW
- Fire and Rescue NSW
- Ausgrid
- Sydney Water
- Sydney Metro DRP
- Surrounding Owners/Occupiers



## 9. CONCLUSION

This report has been prepared to request SEARs from the Secretary of the NSW Department of Planning and Environment for the proposed development for the Victoria Cross OSD. The request relates to a Detailed SSD DA to the previously approved Concept SSD DA (SSD 17\_8874).

The proposed OSD includes a commercial high-rise tower up to approximately 168 metres (RL 230) or 40 storeys high. The proposal is an innovative and unique design that integrates with the approved Victoria Cross Station CSSI project to deliver high-value commercial floor space. The proposal will contribute to the activation of North Sydney CBD and will maximise existing and future public transport infrastructure within the locality and on site.

This report is considered sufficient to enable the Secretary to issue the SEARs in order to prepare an EIS for the proposed development.

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