



29 August 2018

**Request for Secretary's Environmental Assessment Requirements**

*Sydney Metro City & Southwest – Crows Nest Over Station Development*

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## Glossary and Abbreviations

Term	Definition
<b>concept SSD Application</b>	A concept development application as defined in section 4.22 of the EP&A Act, as <i>a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications</i>
<b>Council</b>	North Sydney Council
<b>CSSI</b>	Critical State Significant Infrastructure
<b>CSSI Approval</b>	The approval under the EP&A Act for the construction of the <i>Sydney Metro City and Southwest Chatswood to Sydenham</i> project, as amended by subsequent modification applications. The CSSI project (application number SSI 15_7400) was approved by the Minister for Planning on 9 January 2017 and has been amended on 18 October 2017 (Modification 1), 21 December 2017 (Modification 2), 22 March 2018 (Modification 3) and 13 December 2017 (Modification 4). Any reference to the CSSI Approval is a reference to the most current version of the that approval as amended by any subsequent modification application.
<b>detailed SSD Application</b>	The SSD Application (or applications) made after a concept SSD Application is approved, that seeks consent for the design and to physically carry out the proposal
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
<b>EIS</b>	Environmental Impact Statement
<b>heritage item</b>	An item of environmental heritage listed in Schedule 5 of North Sydney LEP 2013 and on the State Heritage Register under the Heritage Act 1977 (NSW)
<b>NSLEP</b>	<i>North Sydney Local Environmental Plan 2013</i>
<b>NSDCP</b>	<i>North Sydney Development Control Plan 2013</i>
<b>OSD</b>	Over Station Development as defined in the CSSI Approval- Includes non-rail related development that may occupy land or airspace above, within or in the immediate vicinity of the CSSI but excluding spaces and interface works such as structural elements that may be constructed as part of the CSSI Approval to make provision for future developments
<b>Secretary</b>	Secretary of the NSW Department of Planning and Environment, or their delegate
<b>SRD SEPP</b>	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
<b>SSD</b>	State Significant Development
<b>Sydney Metro Authority</b>	The applicant for the concept SSD Application
<b>Sydney Metro City &amp; Southwest – Chatswood to Sydenham project</b>	Construction and operation of a metro rail line and associated stations between Chatswood Station and just north of Sydenham Station. The project is approximately 16.5 kilometres long (of which approximately 15.5 kilometres is located in underground rail tunnels) between Chatswood and Sydenham, including the construction of a tunnel under Sydney Harbour, links with the existing rail network, seven metro stations, and associated ancillary infrastructure. The Metro stations are located at:

	<ul style="list-style-type: none"> <li>• Crows Nest</li> <li>• Victoria Cross</li> <li>• Barangaroo</li> <li>• Martin Place</li> <li>• Pitt Street</li> <li>• Central (new underground platforms)</li> <li>• Waterloo</li> </ul> <p>This part of the project will operate between Chatswood and Sydenham Stations and also includes the upgrades of Sydenham Station.</p>
<b>Sydney Metro City &amp; Southwest- Sydenham to Bankstown Upgrade</b>	The T3 Bankstown Line is being upgraded to Sydney Metro standards between Sydenham and Bankstown, including the upgrade of all 10 stations. These works are the subject of a separate Critical State Significant Infrastructure project (application number SSI 17_8256) which was lodged with DPE in September 2017. This application is yet to be determined.
<b>Sydney Metro CSSI</b>	Sydney Metro City & Southwest- Chatswood to Sydenham project
<b>TfNSW</b>	Transport for NSW

## 1. Introduction

Sydney Metro is more than just a public transport project – it's a defining city building opportunity.

Australia's biggest public transport project presents a major opportunity to shape Sydney for generations to come, contributing a unique legacy for our evolving global city.

Not only will Sydney Metro move more people safely and reliably than ever before, it will unleash the potential of Sydney as a growing global city – providing opportunities to revitalise precincts and communities.

The NSW Government has identified stations on the Sydney Metro City & Southwest alignment that can be better integrated with the communities and public spaces around them. This includes the construction of buildings on top of these stations and commercial, residential, community and retail opportunities.

Through urban design principles and place making, Sydney Metro stations will be more than somewhere to catch the train; they will be the centre of communities through a variety of uses.

Sydney Metro will consult with communities on how to best integrate station development and deliver stations and buildings that are thriving, welcoming hubs for everyone to enjoy.

### 1.1. Sydney Metro and over station development

The New South Wales (NSW) Government is implementing *Sydney's Rail Future*, a plan to transform and modernise Sydney's rail network so that it can grow with the city's population and meet the needs of customers in the future (Transport for NSW, 2012). Sydney Metro is a new standalone rail network identified in *Sydney's Rail Future*.

It is Australia's biggest public transport project, consisting of Sydney Metro Northwest (Stage 1), which is due for completion in 2019 and Sydney Metro City & Southwest (Stage 2), which is due for completion in 2024 (Refer to **Figure 1**).

Stage 2 of Sydney Metro City & Southwest includes the construction and operation of a new metro rail line from Chatswood, under Sydney Harbour through Sydney's CBD to Sydenham and on to Bankstown through the conversion of the existing line to metro standards.

The project also involves the delivery of seven (7) new metro stations, including a new station at Crows Nest. Once completed, Sydney Metro will have the ultimate capacity for 30 trains an hour (one every two minutes) through the CBD in each direction - a level of service never seen before in Sydney.

Early planning is also well underway for Sydney Metro West, a new railway for Western Sydney. Sydney Metro West will double the rail capacity of the Parramatta to Sydney CBD corridor and will establish future capacity for Sydney's fast growing west. Sydney Metro West will serve five key precincts at Westmead, Parramatta, Sydney Olympic Park, The Bays and the Sydney CBD. The project will also provide an interchange with the T1 Northern Line to allow faster connections for customers from the Central Coast and Sydney's north to Parramatta and the Sydney CBD. The NSW Government has announced that an initial \$3 billion has been reserved for the Sydney Metro West project. Early funding will allow Sydney Metro to start designing new metro railway stations and precincts and complete geotechnical investigations, as well as commence the planning approvals process. Feedback received from stakeholders, the community and local councils is helping to determine the best route

alignment and we are continuing community and industry consultation to get the best outcomes for customers and communities.



**Figure 1** – Sydney Metro alignment map  
*Source: Sydney Metro*

On 9 January 2017, the Minister for Planning approved the Sydney Metro City & Southwest - Chatswood to Sydenham application lodged by TfNSW (now Sydney Metro Authority) as a Critical State Significant Infrastructure project (reference SSI 15\_7400), hereafter referred to as the CSSI Approval. This approval includes all physical work required to construct the CSSI, including the demolition of existing buildings and structures on each site. Importantly, the CSSI Approval also includes provision for the construction of below and above ground structure and other components of the future over station development (OSD) (including building infrastructure and space for future lift cores, plant rooms, access, parking and building services, as relevant to each site). The rationale for this delivery approach, as identified within the CSSI application for the Sydney Metro project, is to enable OSD to be more efficiently built and appropriately integrated into the metro station structure.

It should be noted that the specific use and fit out of the OSD spaces (including retail spaces not required for the operation of the station) conceptually provisioned for in the CSSI application did not form part of the CSSI Approval. As noted in Condition A4 of the approval the use and fit out of these spaces require separate development approval.

The EIS for the Chatswood to Sydenham component of the City & Southwest project also identified that future OSD would be subject to a separate assessment process.

Since the CSSI Approval was issued, Sydney Metro has further developed and refined the City & Southwest project. Four modification applications have subsequently been lodged and approved to amend the CSSI Approval as outlined below:

- Modification 1- Victoria Cross Substation and Artarmon Substation: relocation of the northern services building from 194-196A Miller Street to 50 McLaren Street with the inclusion of a new station entrance at this location referred to as Victoria Cross North. The modification also included the relocation of the substation at Artarmon from Butchers Lane to 98-104 Reserve Road. This modification application was approved on 18 October 2017.
- Modification 2- Central Walk: additional works at Central Railway Station including construction of a new eastern concourse, a new eastern entry, upgrades to suburban platforms and provision for a future extension of Central Walk. This modification application was approved on 21 December 2017.
- Modification 3- Martin Place Metro Station: changes to Martin Place Station in order to align with the Unsolicited Proposal by Macquarie Group Limited (Macquarie) for the development of the station precinct. The proposed modification involves a larger reconfigured station layout, provision of a new unpaid concourse link and retention of the existing MLC pedestrian link and works to connect into the Sydney Metro Martin Place Station. It is noted that if the Macquarie proposal does not proceed, the original station design remains approved. This modification application was approved on 22 March 2018.
- Modification 4- Sydenham Station and Metro Train Facility: changes to the Sydenham Station and precinct works, the Sydney Metro Trains Facility South, works to Sydney Water's Sydenham Pit and Drainage Pumping Station and ancillary infrastructure and track and signalling works. This modification application was approved on 13 December 2017.

The CSSI Approval as modified allows for all works to deliver Sydney Metro between Chatswood and Sydenham Stations and also includes the upgrade of Sydenham Station.

The remainder of Stage 2 of the City & Southwest project (Sydenham to Bankstown) proposes the conversion of the existing heavy rail line from west of Sydenham Station to Bankstown to metro standards. This part of the project, referred to as the Sydenham to Bankstown upgrade, is the subject to a separate CSSI Application (reference SSI 17\_8256) for which an Environmental Impact Statement was exhibited between September and November 2017. The Preferred Infrastructure Report was exhibited earlier this year and the application is currently being assessed by the NSW Department of Planning and Environment (DPE).

## 1.2. Crows Nest over station development

Sydney Metro is seeking to deliver OSD above the approved Crows Nest Station. The purpose of this report is to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) to accompany a concept State Significant Development (SSD) Application. The concept SSD application for Crows Nest will seek approval for a concept proposal only.

The Crows Nest Station precinct is located between the Pacific Highway and Clarke Street (eastern side of the Pacific Highway) and Oxley Street and south of Hume Street, Crows Nest (**Figure 2**).



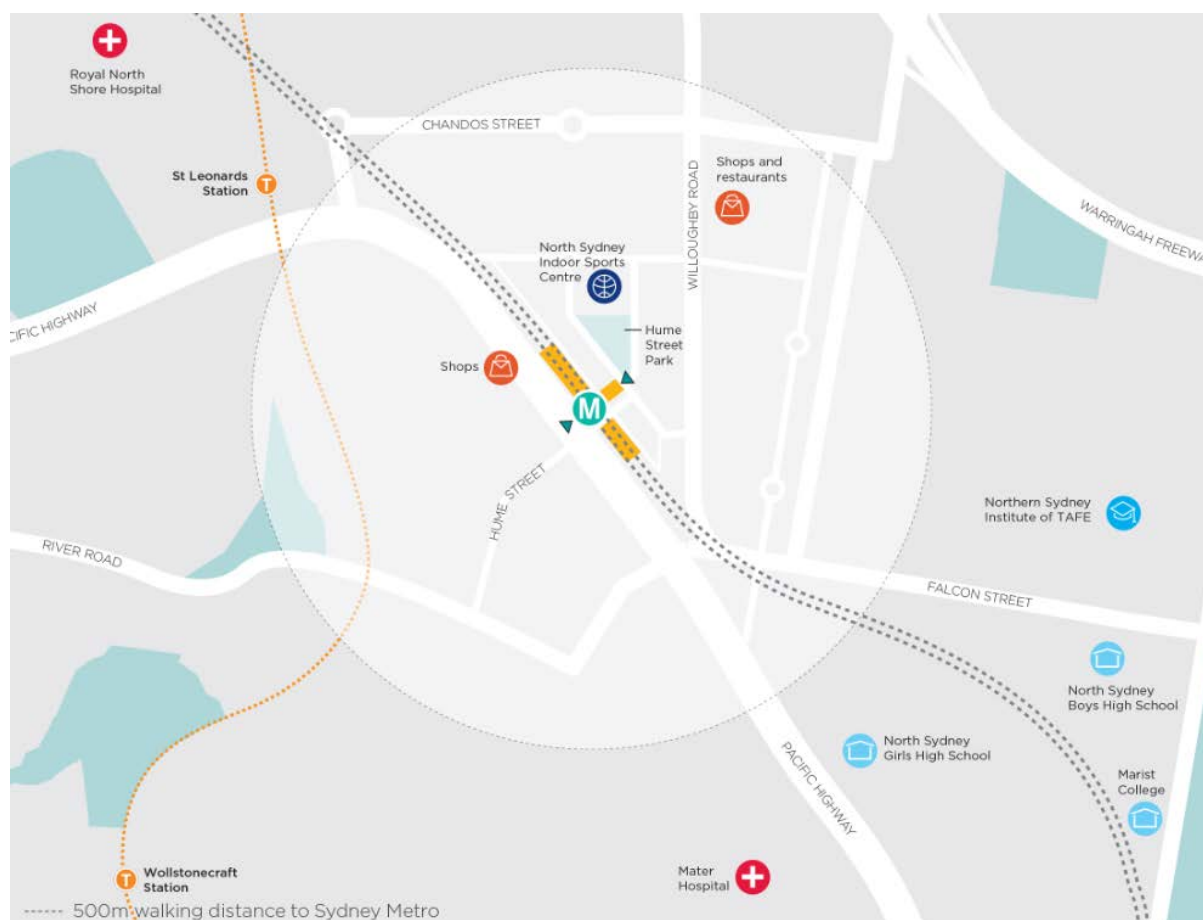


Figure 2 - Crows Nest Station location plan

The concept proposal for Crows Nest OSD will complement the St Leonards commercial core and will seek to minimise overshadowing and amenity impacts, and integrate with the broader Crows Nest village including Willoughby Road. It provides an opportunity for a mixed-use development that capitalises on its immediate access to Australia's biggest public transport project, that delivers significant improvements to the amenity of the local area. This is in alignment with the vision for the area in key strategic planning documents, including the *North District Plan* and the *St Leonards and Crows Nest Station Precinct Interim Statement*.

The concept SSD Application will be made under Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and will seek consent for land uses, maximum building envelopes, maximum building heights, a maximum gross floor area, pedestrian and vehicle access, circulation arrangements and associated car parking. The applicant requests that this application be treated as a concept development application under Section 4.22 of the EP&A Act.

Should the concept SSD Application be approved, Sydney Metro will release the site to market where the successful tenderer will be responsible for submitting a detailed SSD Application (or applications) for the design and construction of the OSD in accordance with the concept approval.

As the development is within the railway corridor, is associated with railway infrastructure and is for commercial office, hotel and residential accommodation with a Capital Investment Value of more than \$30 million, the project is identified as State Significant Development (SSD) pursuant to Schedule 1, 19(2)(a) of the *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP).

To support the request for SEARs, this report provides an overview of the background to the project, the site location and its context, the nature of the proposal, the statutory context, key environmental and planning issues associated with the proposal, expected report and document deliverables and identifies the key stakeholders for consultation.

### **1.3. Crows Nest Station - delivery approach**

The construction of the Sydney Metro presents an exciting opportunity to incorporate global best practice for place-making and environmentally sustainable development, and to apply innovative thinking to create new city icons. The new metro stations will contribute to Sydney's reputation for design excellence and leave a lasting legacy.

In November 2017, the NSW Government decided to adopt an integrated station development model for the Chatswood to Sydenham component of the City & Southwest project. This will ensure high quality integrated development outcomes are achieved including ensuring that Crows Nest station has supporting land uses to activate the station precinct. These integrated station developments will be welcoming and inclusive, serving as focal points for local communities. They will provide new places for people to work, live, shop and play, with public spaces designed to encourage walking, cycling and social interaction. This approach will support the NSW Government's planning strategies and objectives to grow high-value jobs, provide workers with better access to employment, and create liveable and sustainable centres.

Other benefits of the integrated station development delivery approach include:

- Efficiencies in terms of time and cost in the procurement for the delivery of the station and OSD
- Reduction of community impacts and the length of time required to deliver the final Crows Nest Station precinct outcomes.

## 2. The site

### 2.1. Location

The site is located within the North Sydney Local Government Area.

The Crows Nest Station precinct has been divided into three separate sites as illustrated in **Figure 3** and described below:

- **Site A:** Six lots in the block bound by the Pacific Highway, Hume Street, Oxley Street and Clarke Lane (497-521 Pacific Highway, Crows Nest)
- **Site B:** Three lots on the southern corner of Hume Street and Pacific Highway (477-495 Pacific Highway, Crows Nest)
- **Site C:** One lot on the north-western corner of Hume Street and Clarke Street (14 Clarke Street, Crows Nest).

Sites A, B and C have a combined site area of 6,356 square metres.



Figure 3 – Site Plan

### 2.2. Site context – St Leonards and Crows Nest Priority Precinct

North Sydney Council prepared the *Crows Nest Planning Study* in 2010 to direct future development and infrastructure provision in Crows Nest. This study recognised the need for updated planning controls to support development in Crows Nest. Council commenced further studies in 2016 which focused on identifying localities or streets important to the community and identifying land use, built form and public domain priorities.

In July 2016, DPE announced it would also be undertaking strategic planning investigations into revitalising the surrounds of St Leonards railway station and the proposed Crows Nest Station. This process resulted in the announcement of a St Leonards and Crows Nest Priority Precinct in June 2017. In August 2017, DPE released the *St Leonards and Crows Nest Station Precinct Interim Statement* (Interim Statement), with a draft planning package currently being prepared. These strategic investigations identify redevelopment sites within



the precinct and provide the strategic planning framework to guide future development and infrastructure delivery. It is noted that the Crows Nest station precinct is identified in the Interim Statement as being located in the 'St Leonards and Crows Nest Station' character area which is identified as a centre with new development providing opportunities for a mix of commercial, retail, community and public domain uses that complement St Leonards and Crows Nest.

Crows Nest is unique compared to other Sydney Metro City & Southwest sites in that it is currently located in an area that transitions from high density at St Leonards to lower density at Crows Nest. The proposed OSD will integrate with the future development context in the immediate vicinity, while also having a close relationship to the rapidly evolving St Leonards Precinct.

St Leonards Station less than 600 metres to the northwest of the site. The Pacific Highway - a major regional road - separates the site from other retail developments and medium density residential developments to the west. The topography of the area slopes downwards to the north from Falcon Street along the ridge-line of the Pacific Highway.

To the east of the Crows Nest site is Hume Street Park, which is proposed to be expanded and redeveloped as a recreational and cultural facility under North Sydney Council plans. The higher density area of St Leonards lies to the north-west of the site, and to the east of the site is Willoughby Road, the popular main street of Crows Nest.

### 2.3. Site photographs

To provide a visual point of reference for this SEARs request, a series of photographs have been provided below. Photographs of the component properties of the site are provided below with **Figures 4 to Figures 6** and show the former buildings on the site prior to their demolition in accordance with the CSSI Approval. **Figures 7 to Figures 9** show the current status of the CSSI approved works on the site, as of early June 2018.



**Figure 4 –** Development on Site A prior to demolition works commencing





**Figure 5** – Development on Site B prior to demolition works commencing



**Figure 6** – Development on Site C (right) prior to demolition works commencing





**Figure 7** – Status of CSSI works on Site A as of early June 2018



**Figure 8** – Status of CSSI approved works on Site B as of early June 2018



**Figure 9** – Status of CSSI approval works on site C as of early June 2018

## 2.4. Legal description

The site comprises a number of individual properties in three blocks fronting the Pacific Highway and Clarke Street, Crows Nest. These comprise the following properties:

### Site A:

- 497 Pacific Highway (Lot 2 in DP 575046)
- 501 Pacific Highway (Lot 1 in DP 575046)
- 503-505 Pacific Highway (Lot 3 in DP 655677)
- 507-509 Pacific Highway (Lot 4 in DP 1096359)
- 511-519 Pacific Highway (SP 71539)
- 521-543 Pacific Highway (Lot A and Lot B in DP 374468)

### Site B:

- 477 Pacific Highway (Lot 100 in DP 747672)
- 479 Pacific Highway (Lot 101 in DP 747672)
- 491-495 Pacific Highway (Lot 100 in DP 442804)

### Site C:

- 14 Clarke Street (Lot 1 in SP 52547)



## 2.5. Pre-SEARs consultation

Prior to the lodgement of the SEARs request, Sydney Metro held four community information sessions in July 2018 aimed at seeking early feedback from the community on a concept proposal for the development above Crows Nest Station. For the purposes of this consultation, the concept proposal comprised two 27-storey residential buildings (Site A), a 17 storey hotel or commercial development (Site B) and an 8 storey commercial building (Site C).

The key feedback from the community included wanting more greenspace and community facilities incorporated into the design of the Crows Nest integrated station development.

Sydney Metro has listened, and our specialist design team is now drawing inspiration from some of the world's most memorable city-shaping projects to look at ways we can incorporate innovative greenspace ideas and community facilities into the design.

In this regard, the proposal as described in Section 3.1, seeks SEARs for a concept proposal which proposes the following:

- a range of building heights which align with heights proposed in the draft planning package currently being prepared by DPE
- a mix of land uses which respond to both the housing and employment targets identified in the *North District Plan* and which will complement and support existing businesses in Crows Nest and St Leonards
- opportunities for community uses on Site A (refer Figure 7) including childcare and community space/s which will add to the vibrancy and place-making opportunities of the development and provide increased amenity for workers, residents and visitors.

## 2.6. Opportunities and constraints

The following opportunities and constraints for the Crows Nest OSD have been identified following a site analysis, an assessment against relevant strategic planning objectives and consideration of the feedback provided by the community during Sydney Metro's pre-SEARs lodgement consultation:

### **Opportunities**

- Providing jobs, homes and community spaces in direct proximity to high frequency public transport
- Providing a landmark project that firmly establishes Crows Nest within Global Sydney and reinforces the primacy of the station entrance in the streetscape
- Alignment with State and local strategic planning objectives, including the *St Leonards and Crows Nest Station Precinct Interim Statement* and the *North District Plan*
- Seamless integration and connectivity with a world-class metro station
- Complement the character and amenity of the Crows Nest village and neighbouring areas including Hume Street Park
- Support and complement existing businesses including in the health, innovation and knowledge sectors



### ***Constraints***

- Potential overshadowing of public spaces, including Hume Street Park, Willoughby Road and Ernest Place - this can be minimised through sensitive design of the development
- Restrictive existing statutory planning framework in terms of height and density controls
- Compared to the existing built form of Crows Nest, there is potential for visual impact and view loss (only affecting a small number of existing buildings)
- Heritage impacts, including on the 'Brutalist Style' St Leonards Centre

### 3. Description of proposed development

#### 3.1. The proposal

The concept SSD Application will seek concept approval for building envelopes on Sites A, B and C above the Crows Nest Station. The concept SSD Application will specifically seek approval for the following:

- maximum building envelopes on the three sites, including streetwall heights and setbacks as illustrated in the plans at **Attachment A**
- maximum building heights of approximately:
  - **Site A (North):** RL 183 metres (27 storeys, including a podium comprising station and OSD uses)
  - **Site A (South):** RL 183 metres (27 storeys, including a podium comprising station and OSD uses)
  - **Site B:** RL 155 metres (17 storeys, including two station levels)
  - **Site C:** RL 127 metres (8 storeys, including two station levels)

***Note:** the RL's nominated above for Sites A and B are to the top of the roof slab and therefore, exclude parapets, lift overruns, rooftop plant and any rooftop embellishment including greenspace etc.*

- maximum gross floor area (GFA) of approximately 58,500 square metres for the OSD comprising:
  - Residential: approximately 37,500 square metres
  - Hotel or commercial: approximately 18,300 square metres
  - Commercial: approximately 2,700 square metres
- Land uses:
  - **Site A** (North and South): residential (approximately 350 apartments) and community uses (ie. childcare centre, public open space)
  - **Site B:** hotel (approximately 260 hotel rooms and associated conference facilities) or commercial
  - **Site C:** commercial
- the use of approximate conceptual areas associated with the OSD which have been provisioned for in the Crows Nest station box (CSSI Approval) including areas above and below ground level
- approximately 150 car parking spaces on Sites A and B associated with the proposed commercial, hotel and residential uses
- loading, vehicular and pedestrian access arrangements
- strategies for utilities and services provision
- strategies for managing stormwater and drainage
- a strategy for the achievement of ecological sustainable development
- a public art strategy
- indicative signage zones
- a design excellence framework
- the future subdivision of parts of the OSD footprint, if required.

As this 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 proposed location of the building on each site is illustrated in the Location Plan provided at Figure 10 below.



**Figure 10** – Proposed location of buildings on the site

The total GFA for the integrated station development, including the station GFA (i.e. retail, station circulation and associated facilities) and the OSD GFA is approximately 63,500 square metres, equivalent to a floor space ratio (FSR) of 10:1. Non-residential GFA of 22,500 square metres is proposed (equivalent to an overall FSR of 3.54:1) comprising 1,500 square metres of station retail floor space (conceptually approved under the CSSI Approval), 18,300 square metres of hotel/commercial floor space (Site B) and 2,700 square metres of commercial floor space (Site C).

The concept proposal includes opportunities for community uses and green/ open space in the development on Site A. This space has the potential to be used for a range of community uses including childcare facilities and recreational space which take advantage of the sites accessibility above the metro station.

Through design development post the CSSI Approval, pedestrian access to the metro station is proposed from the Pacific Highway and from Clarke Street, opposite the Hume Street Park. Vehicular access to the site including separate access to the loading docks and parking is proposed from Clarke Lane.

Public domain works around the site will be delivered as part of the CSSI Approval. Notwithstanding, the OSD will be appropriately designed to complement the station and activate the public domain. Provision for retail tenancies to activate the public domain are included in the ground floor of Sites A, B and C, as part of the CSSI Approval. Future detailed development applications will seek approval for the fitout and specific use of this retail space.

Architectural drawings illustrating the building envelopes are included at **Attachment A**.

A photomontage of an indicative building for Site C using the proposed building envelope is provided in **Figure 11**.



**Figure 11** – Indicative building based on the proposed building envelope for Site C, viewed from Hume Street Park

### 3.2. Proposed built form and access

The proposed OSD will appropriately transition from the St Leonards high density core to the Crows Nest Village. The three primary buildings on Site A (Building North and Building South) and Site B will be of varying heights, providing undulation and visual interest to the skyline. A small scale commercial building is proposed on Site C opposite Hume Street Park (refer Figure 11). The OSD will seamlessly integrate with the metro station and provide pedestrian entrances onto the Pacific Highway and Clarke Street.

### 3.3. Proposed commercial floor space

A significant amount of commercial floor space will be provided in line with NSW Government strategic objectives for the St Leonards/Crows Nest area. A non-residential FSR of approximately 3.54:1 will ensure that the area meets its employment targets and provides more jobs closer to homes. The proposed inclusion of a hotel and associated conferencing facilities will complement and service neighbouring businesses including in the health, innovation and education sectors, as well as providing local employment opportunities.

### **3.4. Relationship of the proposal to the approved Crows Nest Station**

The future Crows Nest Station and associated above and below ground elements are currently subject to detailed design development. The above ground components of the metro which include the station entrance, retail opportunities, emergency egress, station plant and shared loading docks on Clarke Lane, will inform the future design of the OSD at the ground and podium levels.



## 4. Planning Context

The following are the key relevant legislation and planning instruments that will apply to the proposed development:

- *Environmental Planning and Assessment Act, 1979 (NSW) (EP&A Act)*
- *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)*
- *State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)*
- *North Sydney Local Environmental Plan 2013 (NSLEP)*
- *North Sydney Development Control Plan 2013 (NSDCP)*
- *Sydney Metro Planning Study 2016 (North Sydney Council)*

### 4.1. Environmental Planning and Assessment Act, 1979

The EP&A establishes the assessment framework for SSD. Section 4.12(8) requires that a development application for SSD is to be accompanied by an EIS in the form prescribed by the *EP&A Regulation*.

Pursuant to Section 4.22 of the EP&A Act, a Concept DA may be made setting out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent DA or DAs.

### 4.2. State Environmental Planning Policy (State and Regional Development) 2011

The SRD SEPP identifies development which is considered to be State significant. Clause 19(2) of Schedule 1 of the SRD SEPP provides 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 comprises a development within the railway corridor, is associated with railway infrastructure, is for the purposes of commercial premises and residential accommodation and has a Capital Investment Value in excess of \$30 million, it qualifies as SSD for the purposes of the EP&A Act.

In accordance with Clause 8(2) of the SRD SEPP, all parts of a single Development Application are also declared SSD for the purposes of the EP&A Act. This applies to the potential community use/s and hotel component of the concept SSD Application proposed on Sites A and B, respectively (i.e. the whole of the proposed development is therefore considered to be SSD).

### 4.3. North Sydney Local Environmental Plan 2013

The *North Sydney Local Environmental Plan* (NSLEP) establishes the key land use and built form controls that currently apply to the site. Notably:

- The site is zoned B4 Mixed Use and the proposed commercial, residential, hotel, retail and community uses are permissible with consent in the zone and consistent with the zone objectives
- The site is subject to two different height controls, with a 10m height control on Site B and a 20m height control on Site A (both North and South) and Site C
- There is no maximum FSR control applying to the site
- The site is subject to two different minimum non-residential FSR controls, with a 0.5:1 control on Sites B and C and a 1.5:1 control on Site A (both North and South)
- There are no heritage listed items on site however, there is a locally listed heritage item (St Leonards Centre) opposite the site on Clarke Street.

The current building height and floor space controls applying to the site under NSLEP will need to be amended through a separate planning process. Amendments to the planning controls including the building heights and FSR will be sought concurrently with the EIS, with the process for amending the controls to be undertaken by DPE.

#### 4.4. North Sydney Development Control Plan

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* (NSDCP) provides a reference point for the design of the building envelope and future buildings, specifically in relation to tower setbacks, building separation, street-wall heights and the like. These controls will be considered as relevant in the development of the concept design.

#### 4.5. Sydney Metro Planning Study 2016

In response to the State Government's 2015 Sydney Metro announcement, North Sydney Council has prepared the *Sydney Metro Planning Study* to inform and guide the planning and design of the Victoria Cross and Crows Nest Stations. The study identifies key opportunities that are primarily related to public domain and transport opportunities within the wider Crows Nest precinct. It further promotes a mix of land uses at Crows Nest that take advantage of the opportunities afforded by the metro development, contributing to activation and amenity of the public domain, and to the economic and social diversity of the locality. The proposal positively responds to these opportunities and objectives.

#### 4.6. Other planning policies

In addition to the above, the following policies apply to the site and will be considered as part of the concept SSD Application:

- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*
- *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65)*
- *A Plan for Growing Sydney*
- *Greater Sydney Region Plan*
- *North District Plan for Sydney*

- *Premier's Priorities*
- *NSW Long Term Transport Masterplan, 2012*
- *St Leonards/Crows Nest Planning Study*
- *St Leonards and Crows Nest Interim Statement, August 2017*
- *Crows Nest Placemaking and Principles Study*
- *Future Transport 2056 Strategy*
- *Development Near Rail Corridors and Busy Roads – Interim Guidelines*
- *Better Placed - an integrated design policy for the built environment of NSW 2017*
- *Planning Guidelines for Walking and Cycling*
- *Sydney's Cycling Future*
- *Sydney's Rail Future*
- *Sydney's Bus Future*
- *Sydney's Walking Future*



## 5. Overview of likely environmental and planning issues

Based on a preliminary environmental assessment of the proposal, the following are the key environmental assessment issues that will need to be considered as part of the concept SSD Application:

- Compliance with strategic and statutory plans
- Urban design and built form
- View and visual impacts
- Impacts on the public domain
- Impact on adjoining properties
- Residential amenity
- Heritage impacts
- Traffic, access and parking
- Interface with Crows Nest Metro station
- Utilities, infrastructure and services
- Ecologically sustainable development
- Airspace operations
- Development contributions
- Noise and vibration
- Construction management

These issues are discussed in further detail below. Additional issues including waste management, stormwater management and flooding, accessibility, and crime prevention through environmental design, will also be addressed as part of the concept SSD Application.

### 5.1. Compliance with strategic and statutory plans

The EIS will assess the proposed development and outline how the proposal is consistent with the strategies and objectives of the revised *North District Plan for Sydney, the St Leonards and Crows Nest Precinct Interim Statement* and other policies outlined in **Section 4** above.

As noted above, the proposal relies on amendments to the maximum building height and floor space controls in NSLEP. The process for amending NSLEP will be undertaken by DPE and will need to be finalised prior to the determination of the concept SSD Application.

### 5.2. Urban design and built form

The proposed development will significantly alter the existing built form on the site. The EIS will need to assess the urban design and built form outcomes arising from the project, and make recommendations in the form of development design guidelines that will inform the future detailed design for the site. The EIS will also incorporate a strategy for how the future buildings within the proposed envelopes are capable of achieving design excellence.

An architectural design statement will be submitted as part of the EIS to explain the design principles for future development at the site, with specific consideration given to overall site layout, interface with the metro station, integration with public domain, façade, massing, setbacks, building articulation and materials. Additionally, an indicative design will be submitted showing one potential built form option within each of the proposed building envelopes.

The EIS will need to assess the impact of the proposed built form on neighbouring areas including development on the western side of Pacific Highway, Willoughby Road, Hume Street Park and Ernest Place in terms of overshadowing and its consistency with the existing and emerging built form of St Leonards-Crows Nest.

### **5.3. View and visual impacts**

The EIS will include an assessment of the visual impact of the proposed concept from key vantage points. A visual impact assessment will identify the visual changes and impacts on the site and its surrounds including Willoughby Road and Hume Street Park.

Photomontage images will be prepared to demonstrate the visual impact of the proposal.

### **5.4. Impacts on the public domain**

The EIS will provide a detailed overshadowing analysis which assesses the impact of the proposal on the surrounding public domain. This includes impacts on the pedestrian environment of the surrounding streets, and the overshadowing impact to public open spaces, including Willoughby Road, Hume Street Park and Ernest Place.

The EIS will also need to consider the wind impacts created by the development. A wind study will be prepared to ensure that the proposed development (as an integrated station development) does not reduce the existing pedestrian amenity of the immediate surroundings and to make recommendations for wind mitigation measures to inform the future detailed design. The study will compare and analyse the current situation with the likely impacts created by the proposal, and also take into consideration the station development and the surrounding environment.

### **5.5. Impacts on adjoining properties**

Given the location of the site, which is in close proximity to high density land uses in St Leonards and the low density land uses in Crows Nest (and neighbouring areas), the EIS will need to consider the impacts on adjoining properties specifically in relation to solar access, view loss and privacy. It will also need to detail how these impacts can be further mitigated as part of the detailed SSD Application.

### **5.6. Residential amenity**

The EIS will demonstrate that the proposed building envelope on Site A will be capable of delivering residential development which is consistent with *State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings* as well as the provisions of the Apartment Design Guide (ADG). A further detailed assessment of the ADG will be completed with each future DA when a detailed design scheme has been prepared.

## 5.7. Heritage Impacts

The impact of the proposed concept on surrounding heritage items, including the locally listed *St Leonards Centre* (Item I0141) will be addressed in the EIS. A Heritage Impact Statement will be prepared as part of the EIS.

## 5.8. Traffic, access and parking

A traffic and parking assessment will be prepared for the EIS which will assess the site access arrangements and the design and impact of the proposed car parking and loading docks.

The report will also examine:

- the demand for car parking
- details of existing and proposed vehicular access and car parking arrangements for residents, workers and visitors (as relevant)
- the loading and servicing arrangements, noting that some of these are to be shared with the metro station
- traffic impacts on the surrounding road network and intersections including those associated with the integrated station development
- pedestrian and cycle connections/circulation and required upgrades to meet the likely future demand within the precinct and connections to external networks
- existing public transport services and opportunities for greater usage for residents, workers and visitors (as relevant)
- details of sustainable travel initiatives
- construction traffic impacts including the cumulative impacts from the metro station construction and construction on surrounding development sites.

## 5.9. Interface with Crows Nest Station

The interface between Crows Nest Station (CSSI Approval) and the OSD will be specifically addressed in the concept SSD Application to ensure construction and operation of the proposed OSD does not interfere with the metro station in relation to structural integration, station operations, and services and infrastructure provision. The EIS will address these issues demonstrating how the development has been designed to ensure that both elements will be able to work alongside one another during the construction and operation phases of the development.

## 5.10. Utilities, infrastructure and services

The EIS will be required to demonstrate that the future development on the site is capable of being serviced by water, electricity, gas, sewerage, telecommunications and any other related infrastructure.

## 5.11. Ecologically sustainable development

The EIS will address the principles of ecologically sustainable development (ESD) and will set out an ESD strategy that will inform the detailed design of the buildings. The provisions of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* will be addressed under a future DA. The EIS will also address how the relevant sustainability requirements in the *City & Southwest Sustainability Strategy* (Sydney Metro, 2017) are to inform the detailed design of the development and how the development has been designed to promote the use of sustainable transport initiatives.

## 5.12. Airspace operations

The proposed tower is likely to be above the Obstacle Limitation Surface (OLS), being the airspace surrounding Sydney Airport identified as needing protection from obstacles to ensure aircraft safety. The site is in proximity to the PAN-OPS surfaces identified for air navigation. The EIS will therefore need to consider the impact of the towers on Sydney Airport and its operations in order to comply with the relevant legislation and regulations for Sydney Airport. Consultation will be undertaken with Sydney Airport as part of this process.

## 5.13. Development contributions

The EIS will need to consider the application of the *North Sydney Section 94 Development Contributions Plan* (June 2013) and any contributions identified by DPE in the draft planning package for the precinct. These matters will be the subject of further consultation with Council and DPE.

## 5.14. Noise and vibration

A noise and vibration impact assessment will be undertaken as part of the EIS and will address:

- the metro station and associated plant
- general traffic noise from surrounding roads and impact on neighbouring public areas
- ground-borne rail noise and vibration into noise-sensitive areas of the proposed development
- noise emission from the operation of the proposed development including mechanical plantrooms on various floor levels of the building, the general activities associated with rail uses and adjacent buildings
- cumulative impacts during construction
- noise and vibration generated from construction activities and equipment impacting upon existing premises and metro infrastructure

## 5.15. Construction management

Given the nature of the site in close proximity to key roads (including the Pacific Highway), construction management is considered to be a key issue. Accordingly, a Preliminary Construction Environmental Management Statement will be prepared as part of the EIS in order to demonstrate how construction impacts can be managed. The Statement will specifically address traffic management during construction including cumulative impacts from Sydney Metro construction and surrounding development sites.

## 6. Expected deliverables

To assist in confirming the SEARs, the following are the expected reports and document deliverables to support the EIS for the concept SSD Application:

- Owner's consent
- DA form
- Physical model
- Site survey
- QS certification
- Architectural plans
- Architectural design statement / report
- SEPP 65 design statement and ADG assessment
- Visual and view impact analysis (photomontages and assessment report)
- Land use strategy
- Shadow diagrams
- Heritage impact statement
- Wind study
- Transport, traffic, pedestrian and parking report
- Infrastructure and services report
- Structural statement
- ESD strategy
- Crime prevention through environmental design assessment
- Public art strategy
- Noise and vibration report
- Airspace operations report
- Preliminary construction environmental management statement
- Waste management plan
- Stormwater management / flooding report
- Accessibility report
- Stakeholder and community engagement report

## 7. Consultation

As detailed in Section 2.5, early engagement has been undertaken with key stakeholders and the local community as part of preparing for the SEARs request. Sydney Metro will continue to consult with and provide information to the community on the proposal for the Crows Nest OSD during the preparation of the concept SSD Application.

The EIS will include a detailed consultation strategy for each stage of the approvals process, including all pre-lodgement consultation undertaken up to submission of the application. It is anticipated that the following key agencies and stakeholders will be consulted at appropriate stages in the process:

- Department of Planning and Environment (as the assessment authority)
- Sydney Coordination Office
- Transport for NSW
- North Sydney Council
- Roads and Maritime Services
- Sydney Airport Corporation Limited and the Civil Aviation Safety Authority
- surrounding residents and businesses
- local community groups
- broader community.

## 8. Conclusion

This report provides information to assist in the preparation of SEARs for a concept SSD Application for a mixed use development above Crows Nest Station.

The project comprises a unique opportunity to contribute to the legacy of the Sydney Metro program, and deliver a welcoming and inclusive transport hub, boosting accessibility for businesses and residents in the Crows Nest- St Leonards area.

The information detailed in this report is considered sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS.

## **Attachment**

### **Attachment A – Architectural Drawings**