



Greenwich Community Association Inc
Submission to the NSW Department of Planning and Environment

Concept State Significant Development Application SSD 18_9579
Sydney Metro Crows Nest Over Station Development

Due Date for Submission 6 January 2019

Status of Greenwich Community Association Inc

The Greenwich Community Association (GCA) is a non-profit incorporated community forum dedicated to gathering and promoting the views and interests of the residents of Greenwich. It was established as an association over 70 years ago and has extensive experience in the planning issues affecting the community – see our website: <http://www.greenwich.org.au/>

The GCA objects to the SSD 18_9579 (Concept SSD) for the reasons outlined below.

The GCA requests the Minister or the appointed delegate to reject the Concept SSD for the reasons outlined in **Objection 1**.

In the alternative, the GCA requests the Minister or the appointed delegate to reject the Concept SSD for the reasons outlined in **Objections 2-5**.

Objection 1

The proponent of SSD 18_9579 (Concept SSD) seeks to support its application by reference to two planning pathways:

- consistency with the draft Sydney Metro Crows Nest (OSD) site re-zoning proposal (which foreshadows amendments to height and FSR provisions of the North Sydney Local Environmental Plan 2013) and the draft St Leonards and Crows Nest 2036 Plan (the 2036 Draft Plan)
or
- Clause 4.6 variation request within the terms of the current North Sydney Local Environmental Plan 2013.

The assessment processes for the two pathways are completely different and should not be addressed in the same application.

The consultation deadline for the OSD site re-zoning proposal is 6 January 2019 and the consultation deadline for the 2036 Draft Plan is 8 February 2019.

The Department of Planning's own Summary of the St Leonards and Crows Nest planning process is as outlined below. It is noted that finalisation of both the 2036 Plan and the OSD site re-zoning will not occur until **after** response to the feedback from the community in respect of both proposals.

It is likely that finalisation of the OSD site re-zoning proposal and the 2036 Draft Plan will take some time, given the anticipated volume and complexity of community submissions and the need to respond to feedback.



To require community members to make submissions in respect of the Concept SSD at the same time as they are making submissions on the very documents that should, in their finalised form, underpin the possible amendments to the North Sydney Local Environmental Plan 2013 and the final St Leonards and Crows Nest 2036 Plan is illogical and draws into question the commitment of the Department of Planning to a genuine community consultation process.

In summary

The exhibition of the Concept SSD should be cancelled and exhibition should recommence only after amendments to the North Sydney Local Environmental Plan 2013 have been gazetted pursuant to finalisation of the re-zoning proposal for the OSD and after finalisation of the St Leonards and Crows Nest 2036 Plan.

If the proponent wishes to proceed with its Concept SSD immediately it should be required to do so by reference to planning documents that are already finalised viz the North Sydney Local Environmental Plan 2013 only and not to the OSD re-zoning proposal and the 2036 Draft Plan.

Objection 2

The GCA affirms that the grounds of its objection to the OSD site re-zoning proposal outlined in its submission of 2 December 2018 (copy attached) apply equally to the Concept SSD.

Additional comments/objections are included as **Objections 3- 5**.

The grounds of objection outlined in the GCA submission of 2 December 2018 include, but are not limited to, the following:-

2.1 Unacceptable impacts of proposed building heights

Incompatibility with village character of Crows Nest and Willoughby Road

The proposed heights of the buildings on the OSD site will result in a very bulky development. The development will overlook and overpower other sites in the vicinity, especially those to the east towards Crows Nest and Willoughby Road, and will undermine the village character that is supposed to be a key element of the St Leonards and Crows Nest 2036 Plan.

Substantial overshadowing of residential areas

The 27 storey towers will cause substantial overshadowing of residential areas to the west of the Pacific Highway. This is shown clearly in the Design Testing section of the Metro Detailed Design Study which notes overshadowing all morning up to 12:00md in mid-winter.

The Concept SSD appears to show no impediment to the construction of a single tower on Site A which would only add to the bulk and overshadowing of the developments and to their impact on the surrounding streets.

A development of no less than two towers on Site A should be mandated.

2.2 Unacceptable impacts of proposed FSR changes

Increased population impacts of residential FSR

The increase in the FSR will result in 350 apartments on the site.

Increasing the amount of residential space allowed on the site will increase the population in the area which will already be excessive with the current developments in and around St Leonards. Many members of the community have expressed serious concerns about the massive growth in population in the Precinct.

Increasing the population in the Precinct will have a major impact on infrastructure and this is one of the greatest community concerns. Education and community facilities are addressed in part in the 2036 Draft Plan but the road system in the Precinct is finite. In spite of attempts to reduce the dependence of residents, workers and the general public on cars and to increase active transport opportunities the greater population will inevitably

generate more traffic. Thus traffic increases will have a major detrimental effect on the road system surrounding the Precinct. The population in the Precinct should be limited and capped at every opportunity where the Department can take some leadership.

Many of the apartments in the development will be below acceptable standards as indicated in the solar insolation testing illustrated in the Metro Detailed Design Study. There has to be a better solution.

Inadequate non-residential FSR

An increase in non-residential FSR is a positive step but there should be more commercial space to contribute towards a better balance of commercial and residential in the precinct.

The *St Leonards Crows Nest Economic Feasibility Review* prepared for the NSW Department of Planning by SGS Economics and Planning <https://www.planning.nsw.gov.au/-/media/Files/DPE/Other/st-leonards-and-crows-nest-market-feasibility-review-2018-11-05.ashx> p 18 highlights the reduction in commercial office space in St Leonards and Crows Nest - “Approximately 17,000 sqm of office floor space was **permanently withdrawn** between July 2016 and January 2017 with **the total reduction across the whole of 2016 being 30,000 sqm – a decline of 8.6% of total office stock (Knight Frank 2017)**”.

It is clear that developers have a clear preference for residential development so it is left to the Department to take the lead and require a larger proportion of commercial development on the sites. At least the southern tower on Site A should be fully commercial. This will overcome its limitations as a residential development and have the effect of reducing the overall population of the precinct. The 2,700 sqm allocated for commercial on Site C is not a sufficient proportion and should be increased, even allowing for the hotel/commercial space of 15,200 sqm on Site B (refer **Objection 4**).

The location of the sites above the Metro Station and within easy walking distance of St Leonards Station and their proximity to the cafes, restaurants and shopping opportunities in Crows Nest will be attractive to commercial tenants. Strong commercial developments on the sites could provide a catalyst for the rebirth of St Leonards/Crows Nest as a major employment centre.

In summary

The Concept SSD foreshadows impacts that are inconsistent with the principles of the 2036 Draft Plan, namely preservation of the village character of the Crows Nest/Willoughby Road precinct and the right of residential areas on the western side of Pacific Highway to a minimum of 3 hours of sunlight.

The proposed land use in the Concept SSD is inconsistent with designation of St Leonards and Crows Nest in the North District Plan as a key employment, health and education precinct.

The proposed increase in residential housing supply will result in unacceptable levels of population increase in an area that lacks appropriate infrastructure or the scope to provide it in accessible locations.

The Concept SSD fails to provide adequate commercial office space relative to the objectives of the North District Plan to create 16,500 jobs at a location best served to do so.

Objection 3

The Environmental Impact Statement (EIS) and appendices contain information that is inaccurate or misleading and should be removed/amended.

Appendix JJ

The stated purpose of the report included as Appendix JJ to the EIS for the Concept SSD at p 6 is inconsistent with the Executive Summary p 5. Furthermore, the table that details a comparison of current and proposed planning controls is buried on p 19 of a 32 page report and could be overlooked, given the vast amount of material included in this Concept SSD EIS.

This comparison should be incorporated into the main body of the EIS as the proposed change to height controls, in particular, is a significant aspect of the proposal that must be emphasised in the interests of transparency.

Misleading depiction of relative building heights in Figure 2 of EIS p 25

The axonometric diagram (at 45 degrees angle and south-east perspective) in Figure 2 on p 25 of the EIS ignores perspective and appears to have been included selectively to show that the proposed buildings over the Crows Nest Station are relatively small when compared to future and existing high-rise developments in St Leonards.

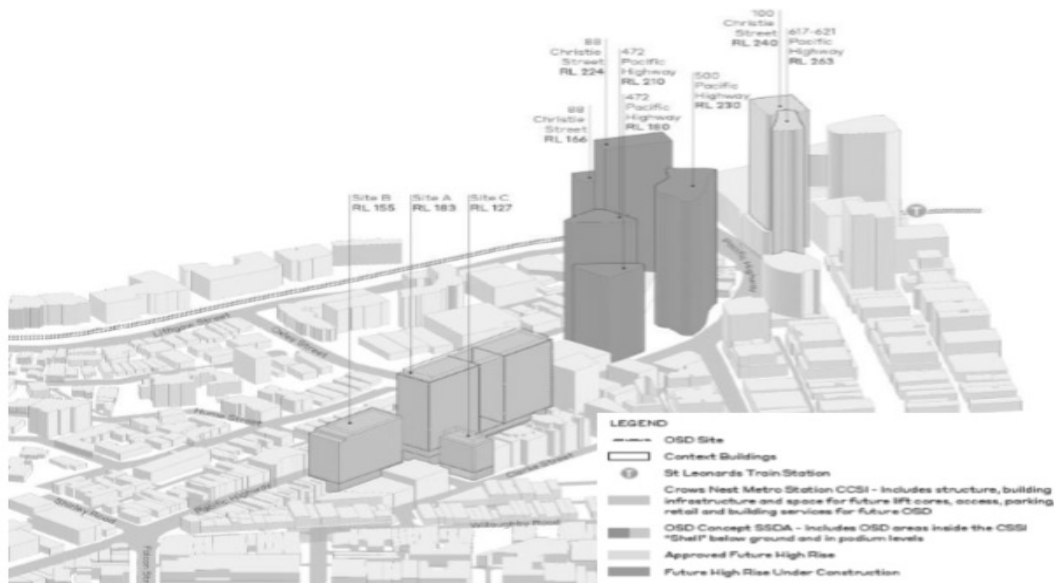
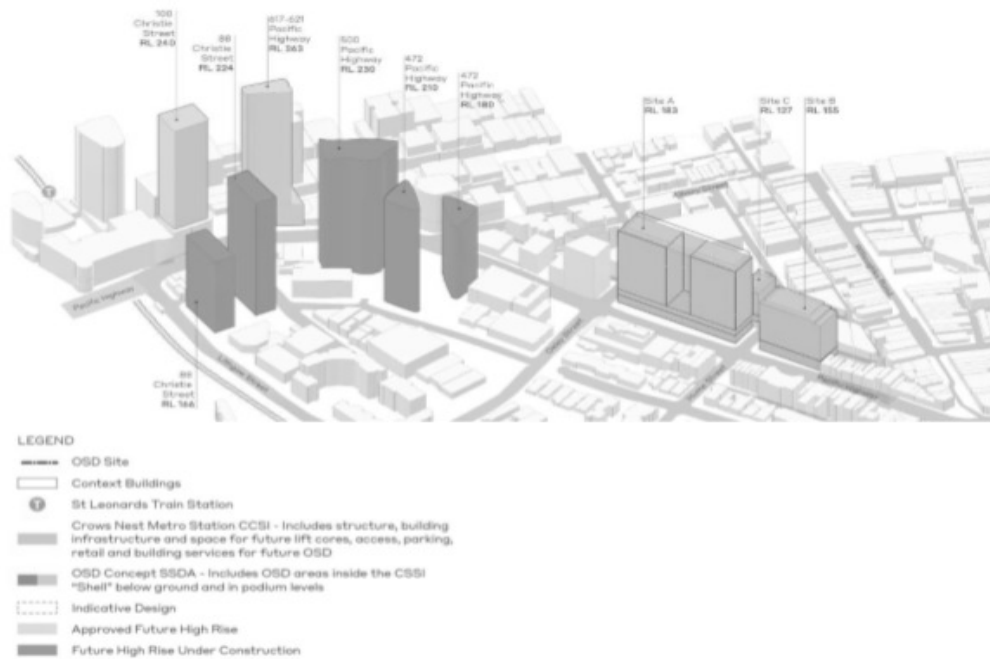


Figure 2 – Proposed Crows Nest OSD building envelope (axonometric diagram) and future high rise development in the St Leonards Town Centre

The tower at 472 Pacific Highway is at RL 180 roughly the same as the two 27 storey towers proposed in the OSD (RL 183) and as a result the two towers would look very much taller than depicted in this distorted image.

The depiction in Figure 2 should be contrasted with the more accurate depiction of the scale of the development in Figure 38 on p 98 of the EIS.



The height and bulk of the proposed development relative to adjacent developments is also more accurately depicted in Figure 4 on p 32 and Figure 9 on p 42 of the EIS.





In summary

The Concept SSD EIS and appendices contain information about /depictions of the development that are misleading or inaccurate.

The development proposed in the Concept SSD represents a significant change in land use. The documentation to support a development that has such long term, irreversible impacts must be accurate and material must not be incorporated on a selective basis to secure the objectives of the proponent.

Important information that goes to the essence of a proposal should be included in the main body of a document and not buried on p 19 of an appendix.

Objection 4

The Concept SSD proposes that Site B be designated for hotel/tourist accommodation. It asserts that this “*additional tourist and visitor accommodation (is) to service the Royal North Shore Hospital Health Precinct and the neighbouring education and health precincts. There is an ongoing focus on visitor accommodation and tourism as being a key economic driver in Sydney, as well as the need for short term accommodation around health and education clusters/precincts. This needs to be underpinned by sustainable growth in the visitor accommodation capacity, if the sector is to continue to increase in size and importance. The proposed mixed-use development responds directly to this by providing additional visitor accommodation capacity in this location*”.

The EIS contains no business case or data in support of the need for hotel/tourist accommodation.

Furthermore, it is submitted that the OSD location is not the optimal location for such premises for the following reasons:

- the lack of quality commercial offices premises and the focus on the development of residential accommodation rather than additional commercial office space makes it unlikely that there will be increased demand for hotel accommodation in the business sector
- hospital and medical services are located around Royal North Shore Hospital. Many visitors to the hospital may have limited mobility, so it is appropriate that any hotel accommodation be located close to St Leonards Station rather than Crows Nest. It is also noted that the Quest Hotel in Aitchison Street has now been completed and there are several small hotels/motels close to Royal North Shore Hospital that could be expanded if demand rises
- accommodation demand arising from educational institutions will not be for short term "hotel" style accommodation foreshadowed by the Concept SSD
- it is unlikely that there will be a high level of demand for tourist accommodation in the area, given that there is already a significant amount of such accommodation in North Sydney and Chatswood.

The Concept SSD should not be assessed until the proponent provides evidence that supports the need for hotel/tourist accommodation.

This evidence should be uploaded to the Department of Planning website before assessment is made.

In the event that the proponent fails to provide the required evidence, the Concept SSD should be refused.

In the event that the Concept SSD is approved as exhibited:-

- the approval for a hotel/tourist accommodation operation must be consistent with the North District Plan objective to increase employment in the St Leonards and Crows Nest area. Approval should be given for a full-service hotel only, not serviced apartments or similar operation, as the latter use will add little to employment numbers
- the terms of approval must be clear that a change of use to residential will not be permitted without lodgement of a new State Significant Development Application for the entire OSD site.

In summary

The EIS and supporting documents provide no evidence in support of the need to supply hotel/tourist accommodation in the St Leonards Crows Nest area.

The Crows Nest OSD is not an appropriate location for hotel/tourist accommodation to meet the needs articulated in the EIS.

The proponent must provide evidence of the need for such accommodation before assessment of the Concept SSD

In the event that such evidence is not produced, the Concept SSD should be refused.

In the event that the Concept SSD is approved as exhibited, the conditions of consent should require that the operation of the hotel/tourist accommodation is a full service facility consistent with the objectives of the North District Plan to increase employment in the precinct.

Objection 5

The Concept SSD proposal on exhibition is totally inconsistent with artist impressions of the station precinct provided to the community in late 2015.

It appears that the need to derive a financial return from the OSD site has overridden an aspiration to provide to the Crows Nest community the much-needed open space depicted in the artist impression below.



As alluded to in ***Objection 2***, the proposed development outlined in the Concept SSD is completely at odds with the objectives of the Sydney Metro Crows Nest Station precinct as articulated by the Greater Sydney Commission. The precinct is intended to be a business/ educational and health precinct. The plans on exhibition have prioritised the provision of residential accommodation.

There is already a surplus of residential accommodation under construction or approved for construction in the St Leonards and Crows Nest precinct, an area that the Department of Planning's own consultants acknowledge is lacking essential infrastructure such as schools and green open space and is facing almost unmanageable traffic congestion.

Whilst it is to be expected that private developers will seek to extract maximum commercial return from the OSD, the community is entitled to hope for something less greedy, a little more in tune with community needs, from a site controlled by a NSW government authority.

If the OSD site above the station is to be developed, we submit that the most appropriate use of the space is to provide a mix of commercial office accommodation, health and educational infrastructure and community facilities. With a station immediately below such facilities, the following benefits could flow to the adjacent community and occupants and visitors to the OSD:-

- consistency with objectives of the North District Plan to promote the precinct as an employment hub and a health and education precinct
- potential to re-locate TAFE facilities to OSD, thereby freeing more space on the current TAFE site for development of a primary/high school with open space
- child care centre
- community meeting rooms
- potential for development of an entertainment precinct (cinemas, theatre etc) as has occurred in Central Park on Broadway
- professional medical rooms and practices
- post office
- indoor sporting facilities
- swimming pool
- outdoor open space
- easy access to public transport.

The uses outlined above will enhance the vibrancy of the OSD, unlike the current proposal that will reduce the site to a multi-story dormitory.

The OSD will become a destination in its own right with consequent high-level patronage of the Metro by occupants and visitors to the OSD. This will, in turn, reduce demand for above ground parking spaces, thereby lowering building height.

In summary

The development proposed in the Concept SSD is totally at odds with the Greater Sydney Commission's objectives for the St Leonards and Crows Nest area

The value capture model of the Concept SSD has no regard to NSW government planning priorities and infrastructure impacts and needs of the community.

The proponent should explore alternative development models that may address state planning objectives and the needs of the community in addition to generating high level patronage on the Metro.

In conclusion, the GCA repeats the request expressed in its submission on the OSD re-zoning that the Minister or the appointed delegate will listen to the community and will engage in genuine community consultation in assessment of the Concept SSD.

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