



**NSLPP MEETING HELD ON 08/06/2022**

**Attachments:**

1. Planning Proposal
2. Urban Design Report/Reference Design

**ADDRESS/WARD:** 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, Crows Nest (W) – also known as ‘Five Ways Triangle site.’

**PROPOSAL No:** PP 3/22

**PROPOSAL:** To amend North Sydney Local Environmental Plan 2013 as follows:

- Increase the maximum height of buildings limit from 16m to 63.5m;
- Introduce a maximum Floor Space Ratio (FSR) of 5.8:1; and
- Increase the minimum non-residential FSR from 0.5:1 to 2.5:1.

The Planning Proposal is also accompanied by a suite of suggested site-specific development controls to be incorporated within North Sydney Development Control Plan (NSDCP) 2013.

**OWNER:** Deicorp Projects (Crows Nest) Pty Limited, Anastasia Markakis and Dimitrios Markakis.

**APPLICANT:** Deicorp Projects (Crows Nest) Pty Limited

**AUTHOR:** Katerina Papas, Senior Strategic Planner

**DATE OF REPORT:** 2 May 2022

**DATE LODGED:** 19 January 2022

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## EXECUTIVE SUMMARY

On 19 January 2022, Council received a Planning Proposal to amend *North Sydney Local Environmental Plan 2013 (NSLEP 2013)* as it relates to land at 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, Crows Nest, also known as 'Five Ways Triangle site.'

The planning proposal seeks to amend NSLEP 2013 as it relates to the subject site as follows:

- Increase the maximum building height control from 16m to 63.5m;
- Impose a maximum Floor Space Ratio (FSR) of 5.8:1; and
- Increase the minimum non-residential FSR from 0.5:1 to 2.5:1.

The intent of the proposal, as reflected in the accompanying indicative reference scheme, is to facilitate the delivery a 16-storey mixed-use building comprising a total of 18,566 sqm Gross Floor Area (GFA), with approx. 129 apartments located above 8,002 sqm of commercial floor space and 247 car spaces over 7 basement levels.

The Planning Proposal is also accompanied by suite of suggested site-specific development controls to be incorporated within North Sydney Development Control Plan 2013 (NSDCP 2013) to provide greater certainty over a future built form on the site.

On balance, the Planning Proposal is considered to have strategic and site-specific merit as it:

- does not contradict the ability to achieve the objectives and actions of high-level planning policies and strategies;
- is generally consistent with the provisions of the *St Leonards and Crows Nest 2036 (2036 Plan)* and accompanying Ministerial Direction; and
- the bulk and scale of any future development on the site, and associated impacts to the surrounding environment and wider community, has the ability to be appropriately mitigated as part of the implementation of appropriate standards within NSDCP 2013 and the development application process.

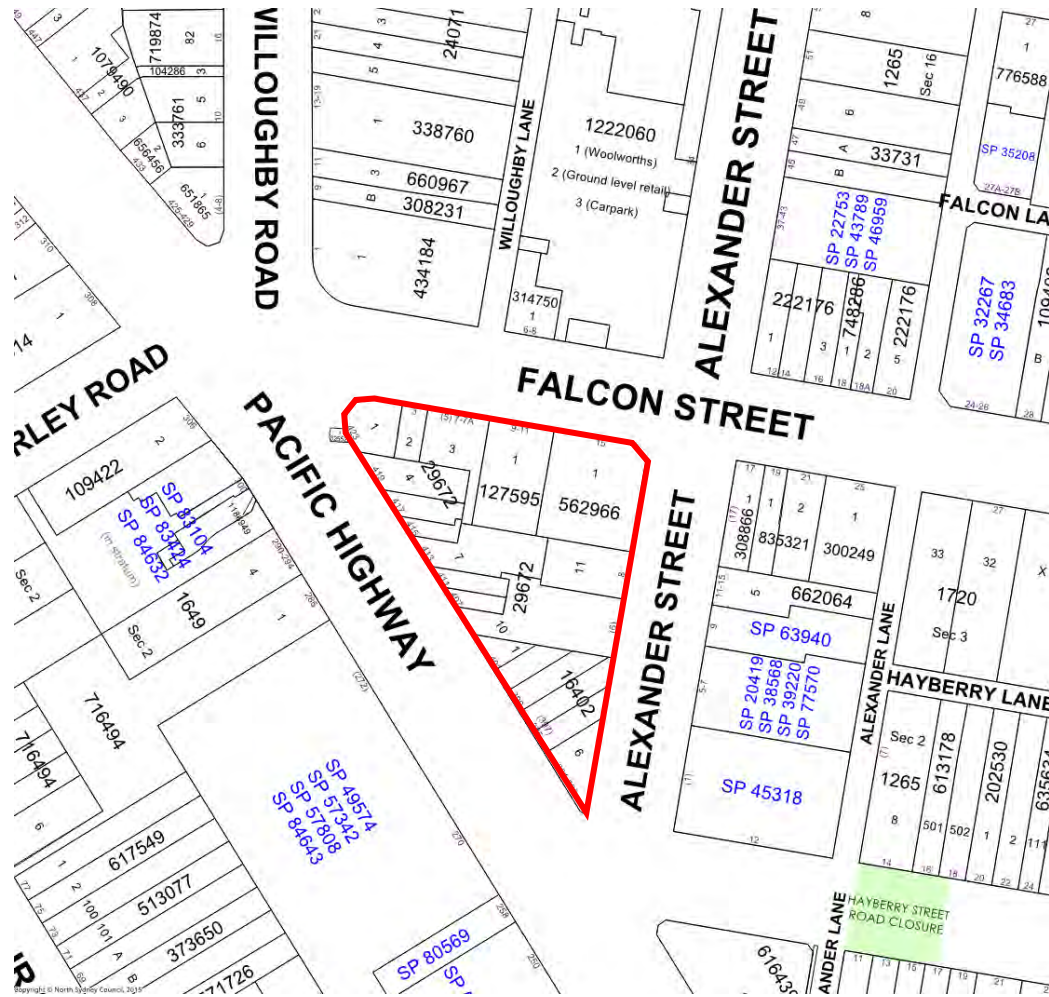
The Planning Proposal is considered satisfactory to be forwarded to the Department of Planning and Environment (DPE) seeking a Gateway Determination, subject to:

- the planning proposal being amended to a maximum building height of 56m; and
- the preparation of site-specific DCP provisions that satisfactorily address the recommendations of this report with respect to podium height and treatment, setbacks, building mass and transition, heritage, future public open space/through-site links and parking rates.

It is also recommended that the applicant's indicative reference scheme be amended in accordance with Council's recommendations, prior to being placed on public exhibition.

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LOCATION MAP



## DESCRIPTION OF PROPOSAL

The subject Planning Proposal (PP3/22) seeks to amend the *North Sydney Local Environmental Plan 2013 (NSLEP 2013)* as it relates to land located at 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, Crows Nest, also known as "Five Ways Triangle Site" (the site). The Planning Proposal seeks the following amendments to NSLEP 2013:

- Increase the maximum height of buildings limit from 16m to 63.5m;
- Introduce a maximum Floor Space Ratio (FSR) of 5.8:1; and
- Increase the minimum non-residential FSR from 0.5:1 to 2.5:1.

The key objectives of the Planning Proposal as described by the applicant are as follows:

- *To implement the planning framework identified in the St Leonards and Crows Nets 2036 Plan, thereby the objectives of Greater Sydney Region Plan and the North District Plan;*
- *To establish planning controls allowing renewal of the site and realisation of its significant potential to contribute to Crows Nest;*
- *To provide infrastructure that meets the needs of the existing and future community;*
- *To meet the forecast housing needs of the North Sydney Community; and*
- *To provide non-residential floor space that enables and supports the growth of Crows Nest and St Leonards as a medical and education precinct.*

The Planning Proposal is accompanied by an indicative reference design to demonstrate what could be achieved on the site if the proposed amendments were implemented. It would accommodate a 16 storey mixed-use building of approximately 18,566sqm Gross Floor Area (GFA), comprising 8,002sqm commercial floor space within the podium levels and approx. 129 apartments incorporated within a residential tower above the podium.

**TABLE 1: Numerical overview of reference design**

<b>Building Height</b>	63.5m <ul style="list-style-type: none"> <li>• Podium 3 storeys + mezzanine</li> <li>• Tower 13 storeys</li> </ul>
<b>Floor Space Ratio (FSR)</b>	5.8:1 (total)
<b>Non-Residential Floor Space Ratio (FSR)</b>	2.5:1
<b>Gross Floor Area</b>	18,566sqm (total) <ul style="list-style-type: none"> <li>• 8,002 sqm non-residential GFA</li> <li>• 10,564 sqm residential GFA (129 apartments)</li> </ul>
<b>Car Parking</b>	247 car spaces over 7 basement levels

To provide increased certainty, the proposal is accompanied with suggested amendments to *North Sydney Development Control Plan 2013 (NSDCP 2013)* to assist in the future assessment of any development application. The proposed controls relate to setbacks, podium/street wall heights, pedestrian through-site links and vehicular access.



**FIGURE 1: Proposed building envelope represented by the planning proposal**

## **PANEL REFERRAL**

On 23 February 2018, the Minister for Planning released a section 9.1 Direction which outlines the instances when a Planning Proposal must be referred to a Local Planning Panel for advice prior to a council determining whether that Planning Proposal should be forwarded to the Department of Planning and Environment (DPE) for the purposes of seeking a Gateway Determination.

All Planning Proposals are required to be referred to the Local Planning Panel, unless they meet any of the following exemptions:

- the correction of an obvious error in a local environmental plan;
- matters that are of a consequential, transitional, machinery or other minor nature; or
- matters that Council's General Manager considers will not have any significant adverse impact on the environment or adjacent land.

The Planning Proposal does not meet any of the exemption criteria and therefore must be referred to the Local Planning Panel for advice prior to Council making any determination on the matter.

## **BACKGROUND**

The subject Planning Proposal (PP3/22) represents the third attempt by the applicant, Deicorp Property (Crows Nest) Pty Ltd, who has submitted two previous planning proposals for the Five Ways Triangle site. The first Proposal (PP4/20) was withdrawn in September 2020. The second Proposal (PP7/20) was refused by Council and the Sydney North Planning Panel (SNPP) at rezoning review in October 2021. Further details are provided below.

### ***Planning Proposal 4/20 (Withdrawn) – Sept 2020***

On 25 June 2020, Planning Proposal (PP4/20) was lodged by Deicorp Projects (Crows Nest) Pty Limited to amend NSLEP 2013 as it relates to land at the Five Ways Triangle site. The proposal sought to amend NSLEP 2013 as follows:

- Increase the maximum building height limit from 16m to 140m;
- Introduce an overall maximum Floor Space Ratio (FSR) control of 12:1; and
- Increase the minimum non-residential FSR from 0.5:1 to 3:1.

It was envisaged that the proposed amendments would deliver a 36-storey mixed-use building with a 5-storey commercial podium and 31-storey tower above comprising approx. 310 apartments; a 2,000sqm community space; and 3 basement levels with 400 car spaces.

The Proposal was accompanied by a non-binding letter of offer to enter into a Voluntary Planning Agreement (VPA) to provide a 2,000sqm community building or affordable housing onsite up to a total value of \$20 million.

On 23 September 2020, Council advised the applicant that it had progressed a preliminary assessment of the proposal against the strategic framework in place at the time of lodgement (i.e. *draft St Leonards and Crows Nest 2036 Plan*) and was unlikely to support the progression of the proposal to a Gateway Determination.

An initial review of the Proposal against the final *St Leonards and Crows Nest 2036 Plan (2036 Plan)*, published on 29 August 2020, had also been undertaken and due to the level of inconsistency between the proposal and outcomes of the *final 2036 Plan*, Council advised the applicant the proposal could not be supported.

Planning Proposal (PP4/20) was formally withdrawn by the applicant on 29 September 2020, with the intention of submitting a new planning proposal responding to the final 2036 Plan.

#### ***Planning Proposal 7/20 (Refused) - May 2021***

On 4 December 2020, Planning Proposal (PP7/20) was lodged by Deicorp Projects (Crows Nest) Pty Limited. The Proposal sought to amend NSLEP 2013 as follows:

- Increase the maximum building height limit from 16m to 75m;
- Introduce an overall FSR control of 9.3:1; and
- Increase the minimum non-residential FSR control from 0.5:1 to 2.5:1.

It was envisaged the proposed amendment would deliver a 19-storey mixed use building comprising 29,820sqm GFA, with 8,002 sqm of commercial floor space and approx. 233 apartments within two residential towers above, and 7 basement levels with 385 car spaces.

The Proposal was accompanied by an offer to enter into a VPA to provide either a monetary contribution for improved open space and community facilities, or dedication to Council of an unspecified number of 1-bedroom apartments within the proposed development for affordable key worker housing.

An assessment of the Proposal against the final *2036 Plan* was completed and referred to the North Sydney Local Planning Panel (NSLPP) on 5 May 2021. The NSLPP recommended Council not support the progression of the proposal to a Gateway Determination due to the level of inconsistency between the proposal and outcomes of the 2036 Plan.

On 24 May 2021, Council resolved not to support the planning proposal proceeding to a Gateway Determination for the reasons outlined in the assessment report.

The applicant lodged a request for a Rezoning Review with the DPE on 17 August 2021. The rezoning review request was heard by the Sydney North Planning Panel (SNPP) on 18 October 2022, where it recommended the planning proposal should not be submitted for a Gateway Determination as it had not demonstrated strategic merit. The SNPP concurred with Council's assessment that the proposed variations to the 2036 Plan with respect to height and FSR were significant, and undermined the overall intent of the 2036 Plan, having regard to the Plan's Vision, Objectives and Actions.

## DETAIL

### 1. Applicant

The Planning Proposal was lodged by Gyde Consulting on behalf of Deicorp Projects (Crows Nest) Pty Limited, the owner of 18/19 allotments comprising the subject site.

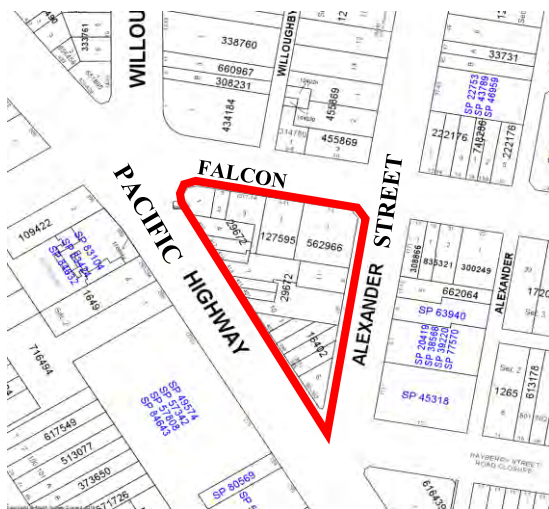
### 2. Site Description

The subject site comprises of 19 allotments of land. The legal property description is outlined in Table 2.

No	Street	Lot	DP / SP
3	Falcon Street	2	DP 29672
7-7A	Falcon Street	3	DP 29672
9-11	Falcon Street	1	DP 127595
15*	Falcon Street	1	DP 562 966
8	Alexander Street	11	DP 29672
391-393	Pacific Highway	6	DP 16402
395	Pacific Highway	5	DP 16402
(397)		4	DP 16402
399	Pacific Highway	3	DP 16402
401	Pacific Highway	2	DP 16402
		1	DP 16402
407	Pacific Highway	10	DP 29672
(6)	Alexander St	9	DP 29672
411	Pacific Highway	8	DP 29672
413	Pacific Highway	7	DP 29672
415	Pacific Highway	6	DP 29672
417	Pacific Highway	5	DP 29672
419	Pacific Highway	4	DP 29672
423	Pacific Highway	1	DP 29672

\* Site under options agreement.

Re: 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, Crows Nest (also known as 'Five Ways Triangle site')



**FIGURE 2: Subject Site**



**FIGURE 3: Aerial Photo**

The subject site is bound by Falcon Street to the north, Alexander Street to the east, and the Pacific Highway to the south-west. The site is 3,200.6sqm in area. It is triangular in shape with a frontage of approximately 70m to Falcon Street, 85m to Alexander Street and 110m to the Pacific Highway. The land generally falls in a south-easterly direction from its north-western corner down to its south-eastern corner. There is an approx. 2m fall eastwards across the site’s Falcon Street frontage; a 3m fall southwards along its Pacific Highway frontage and a 1m fall southwards across its Alexander Street frontage.

The site contains a number of buildings ranging from 1-4 storeys in height in a variety of building styles and sizes. All buildings are constructed to address their respective frontages, with the exception to Alexander Street, where vehicular access points and odd building angles to allotment boundaries are provided. All buildings appear to have been originally constructed prior to the 1980s and have had a low level of maintenance.

No details have been provided indicating the extent of non-residential floorspace or number of dwellings currently provided on the subject site. The applicant suggests an estimated 4,600sqm GFA and 154 jobs is currently provided on the site.

The buildings are principally used for retail purposes (generally at ground level), commercial offices (generally above ground level) and shop-top housing. No 8. Alexander Street is currently being used as vehicle repair station. A large-scale third-party advertising sign is located atop the building at 423 Pacific Highway, which is prominent at the intersection of the Pacific Highway and Falcon Street.



**FIGURE 4: View of north-western frontage (Pacific Highway)**



**FIGURE 5: View of western frontage (Pacific Highway)**





**FIGURE 6: View of south-western frontage (Pacific Highway)**



**FIGURE 7: View of south-eastern frontage (Alexander Street)**



**FIGURE 8: View of north-eastern frontage (Alexander Street)**

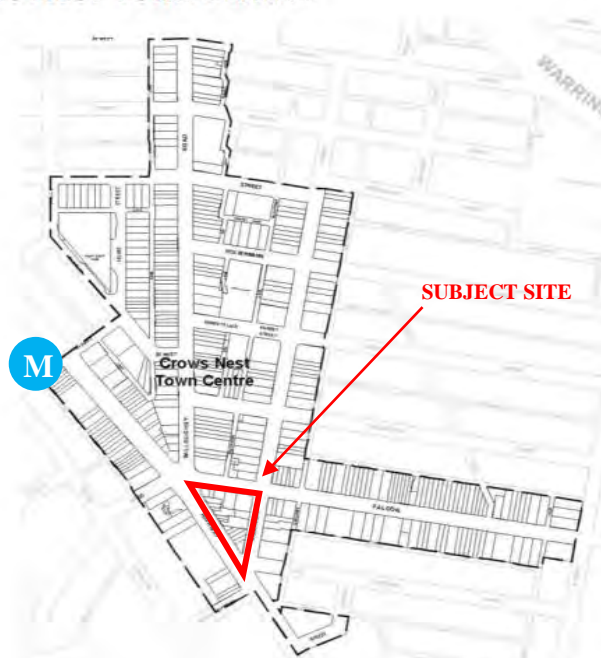


**FIGURE 9: View of north-eastern frontage (Falcon Street)**

### 3. Local Context

The subject site is located in the southern portion of the Crows Nest Town Centre (refer to Figure 10), which forms an integrated extension to the specialised centre of St Leonards, which is identified as a 'Strategic Centre' under the relevant Regional Plan and District Plan.

#### CROWS NEST TOWN CENTRE



**FIGURE 10: Crows Nest Town Centre – Locality Area under Part C of NSDCP 2013**

St Leonards Railway Station is located approx. 800m walk to the north-west, which provides regular services to the south to Sydney City CBD, and to the north to Chatswood, Macquarie Park and Hornsby. The future Crows Nest Metro Station is located approx. 300m to the north-west of the site.

To the north of the subject site, on the opposite side of Falcon Street are:

- 1 Willoughby Road, which contains a 3-storey pub, which is also listed as a local heritage item under *NSLEP 2013*.
- 6-8 Falcon Street, which contains a 2-storey commercial building currently being used as a restaurant; and
- 10 Falcon Street, which contains a 3-storey building comprising ground level retail facilities (including a supermarket) and a mixture of commercial and public car parking above.

Further to the north lie a mixture of 2-4 storey commercial buildings and mixed-use buildings. To the east of the subject site, on the opposite side of Alexander Street, are a mixture of 2-4 storey commercial and mixed-use buildings. Further to the east are a mixture of low scale detached and semi-detached residential buildings which form part of the Holtermann Estate Heritage Conservation Area (HCA) as identified under *NSLEP 2013*. North Sydney Girls High School is also located to the south-east.

To the south-west of the subject site, on the opposite side of the Pacific Highway, are a mixture of 2-5 storey commercial buildings and 5-6 storey mixed-use buildings. Further to the south-west are predominantly residential flat buildings ranging from 3-8 storeys in height, with a number of single storey attached dwellings also observed.

#### **4. Current Planning Provisions**

The following subsections identify the relevant principal planning instruments that apply to the subject site.

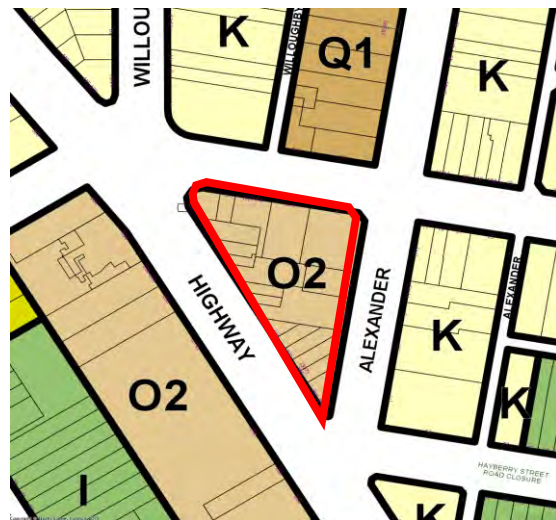
##### **4.1 NSLEP 2013**

*NSLEP 2013* was made on 2 August 2013 through its publication on the NSW legislation website and came into force on the 13 September 2013. The principal planning provisions relating to the subject site under *NSLEP 2013* are as follows:

- Zoned *B4 Mixed Use* (refer to Figure 11);
- A maximum building height of 16m (refer to Figure 12);
- A minimum non-residential floor space ratio of 0.5:1 (refer to Figure 13).



**FIGURE 11: NSLEP 2013 Zoning Map extract**  
The subject site is zoned B4 Mixed Use



**FIGURE 12: NSLEP 2013 Height of Buildings Map extract**  
The subject site has a maximum height of 16m



**FIGURE 13: NSLEP 2013 Non-residential Floor Space Ratio Map extract**  
The subject site must provide a minimum non-residential floor space of 0.5:1



**FIGURE 14: NSLEP 2013 Heritage Map extract**  
The subject site is identified as being in the vicinity of a number of local heritage items

The site is in the vicinity of the Holtermann Estate Heritage Conservation Area and located directly opposite 5 items of heritage significance (refer to Figure 14), these include:

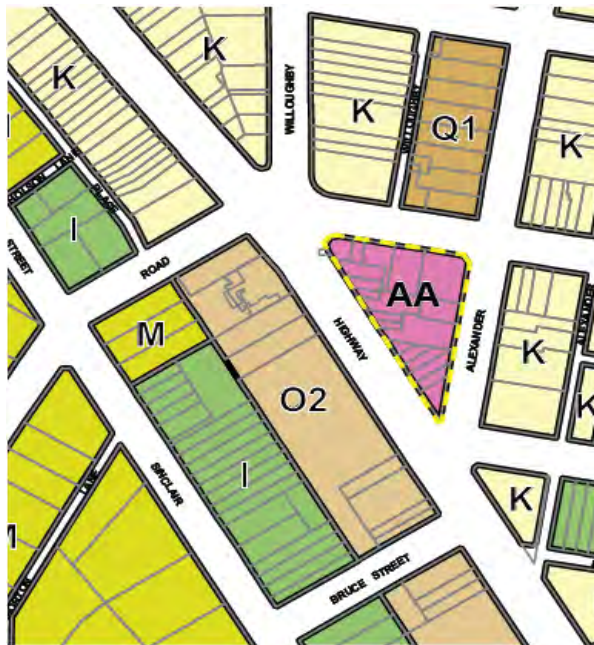
- |         |                         |  |
|---------|-------------------------|--|
| • I0150 | 286–288 Pacific Highway | Former North Shore Gas Co office           |
| • I0151 | 306 Pacific Highway     | Bank                                       |
| • I0152 | 308 Pacific Highway     | Former National Australia Bank             |
| • I0172 | 429 Pacific Highway     | Willoughby House, former OJ Williams store |
| • I0181 | 1–3 Willoughby Road     | Crows Nest Hotel                           |

## 5. Proposed Amendment to NSLEP 2013

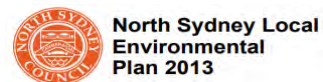
The Planning Proposal seeks to achieve the objectives and intended outcomes by amending NSLEP 2013 as follows:

- Amending the Height of Buildings Map from 16m to 63.5m;
- Amending the Floor Space Ratio Map to impose a maximum floor space ratio of 5.8:1;
- Amending the Non-Residential Floor Space Ratio Map from a minimum non-residential floor space ratio of 0.5:1 to 2.5:1.

The Planning Proposal anticipates that the Maps to NSLEP 2013 would be amended similar to those depicted below in Figures 15, 16 and 17.



**FIGURE 15: Extract of proposed amendment to the Height of Buildings Map – Sheet HOB\_001**



Height of Buildings Map - Sheet HOB\_001

Maximum Building Height (m)

A	1	TS	26
B	8.5	UN	30
K	10	U2	33
L	11	WR1	40
M	12	WR2	42
N1	13	X	49
N2	14.5	Y	50
O1	15	Z	56
O2	16	AD	132
Q1	19, 15	AF	180
Q2	20	Area 1	Refer to Clause 4.3A
R	21	Area 2	Refer to Clause 4.3A(2A)
S	24	Area 3	Refer to Clause 4.3A(2B)
T1	25		

Maximum Building Height (RL m)

	0 - 20
	21 - 40
	41 - 60
	61 - 80
	81 - 100
	101 - 120
	121 - 140
	141 - 160
	161 - 180
	181 - 200
	200 +

A new key would be required as follows:

AA	63.5
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**FIGURE 16: Extract of proposed amendment to the Floor Space Ratio Map – Sheet FSR\_001**



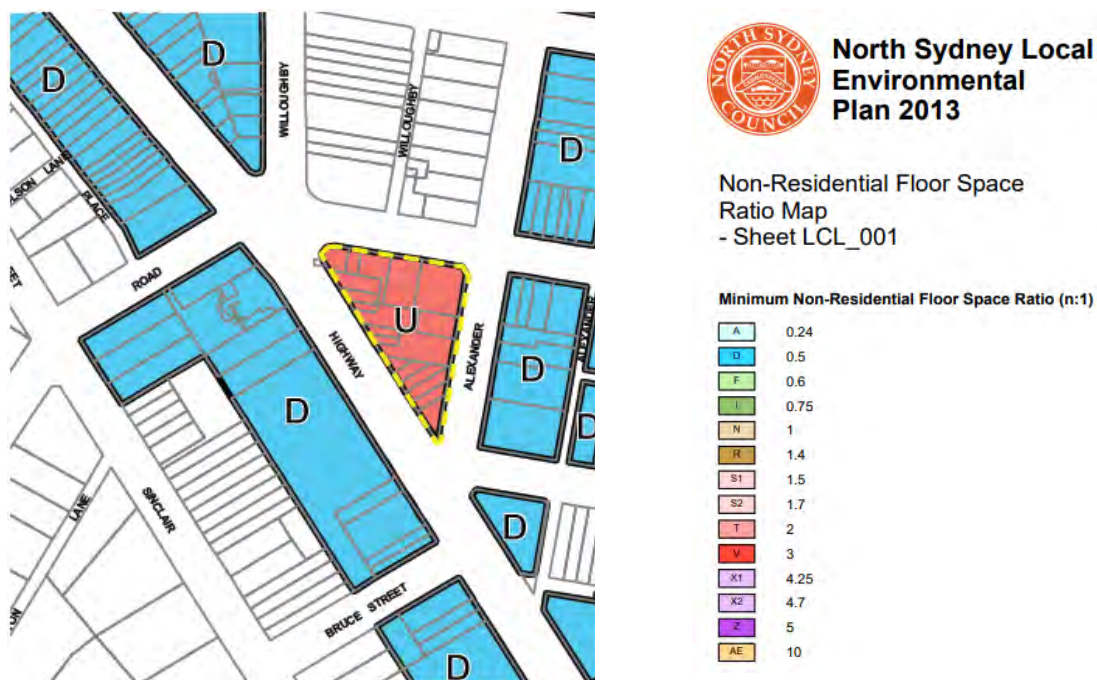
Floor Space Ratio Map - Sheet FSR\_001

Maximum Floor Space Ratio (n:1)

N	1
S	1.85
UN	3.5
X	4.27
Z	5.6
ZA1	6
ZA2	6.1
ZA3	6.3
AM	6.4
AMC	6.6
AB1	7
AB2	7.5
AF	11.5
AD	18
ADP	25.4

A new key would be required as follows:

Z2	5.8
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**FIGURE 17: Extract of proposed amendment to the Non-Residential FSR Map – Sheet LCL\_001**

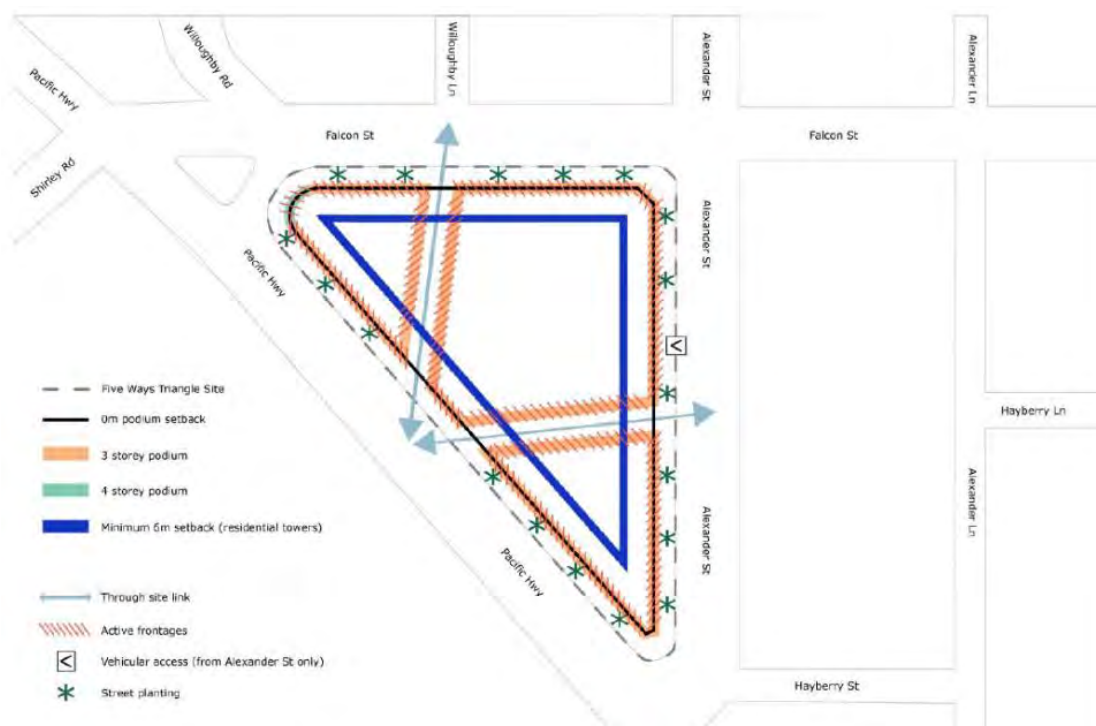
**A new key would be required as follows:**

**U** 2.5

## 6. Proposed Amendment to NSDCP 2013

The Planning Proposal is accompanied by suite of suggested site-specific development controls to be incorporated within Part C of *NSDCP 2013* to provide greater certainty over the future delivery of the site development. The proposed controls relate to setbacks, podium/street wall heights, pedestrian through-site links and vehicular access.

<b>TABLE 3: Proposed site-specific DCP controls</b>	
	<b>Proposed control</b>
<b>Accessibility and permeability</b>	Pedestrian through site links to Willoughby Lane and Hayberry Lane be provided through the Five Ways Triangle site (refer to Figure 15).
<b>Setbacks</b>	Greater ground level setbacks along street frontages with high levels of pedestrian activity (adjacent to through site links) on the Five Ways Triangle site (refer to Figure 15).
<b>Podiums</b>	A podium of 3 storeys on the Five Ways Triangle site, except for a 4 storey element on the corner of Pacific Highway and Falcon Street, with a minimum setback of 6m above the podium. Architectural and design features for the purposes of articulation within the upper setback will be considered where appropriate.
<b>Car accommodation</b>	Vehicle access to the Five Ways Triangle site must be provided from Alexander Street, between Falcon Street and Hayberry Street (refer to Figure 15).



**FIGURE 18: Proposed through-site links (Applicant draft site-specific DCP)**

## 7. STRATEGIC POLICY CONTEXT

### 7.1 Greater Sydney Regional Plan

In March 2018, the NSW Government released *A Metropolis of Three Cities – Greater Sydney Region Plan* (Regional Plan). It provides a 40-year vision of Sydney to be a city where people will live within 30 minutes of jobs, education and health facilities, services and great places.

The Regional Plan seeks to provide an additional 725,000 homes and 817,000 new jobs by 2036 to accommodate Sydney’s anticipated population growth of 1.7 million people. It identifies five districts within Greater Sydney, of which the North Sydney LGA is part of the North District. The District Plans, consistent with the Regional Plan, were released at the same time as the Regional Plan.

St Leonards is identified a ‘Strategic Centre’ and part of the ‘Eastern Economic Corridor’ under the Regional Plan, which is considered to be of national significance. St Leonards is also identified as a ‘Planned Precinct,’ of which the NSW Department of Planning and Environment (DPE) is identified as the agency responsible for land use and infrastructure planning and delivery within the identified Planned Precincts.

### 7.2 North District Plan

In March 2018, the NSW Government released the North District Plan, which covers the LGAs of North Sydney, Hornsby, Ku-ring-gai, Ryde, Hunter Hill, Lane Cove, Willoughby, Mosman and Northern Beaches.

The North District Plan sets the following relevant targets:

- **Employment:** an additional 16,400 jobs by 2036 in the St Leonards and Crows Nest Planned Precinct;
- **Housing:** an additional 3,000 dwellings by 2021 for the North Sydney LGA; an additional 25,950 dwellings by 2021 for the North District; and an additional 92,000 dwellings by 2036 for the North District.

Following the directions from the Greater Sydney Commission (GSC), North Sydney Council has put in place its Local Housing Strategy (LHS) and the Local Strategic Planning Statement (LSPS) which form part of the hierarchy of plans and provides alignment with the North District Plan.

### 7.3 St Leonards and Crows Nest 2036 Plan (2036 Plan)

In July 2016, the Minister for Planning announced that the DPE would undertake a strategic planning investigation into the Crows Nest, St Leonards and Artarmon industrial areas (refer to Figure 19).



**FIGURE 19: St Leonards and Crows Nest Planned Precinct (2036 Plan, p.2)**

On October 2018, the DPE released the *draft St Leonards and Crows Nest 2036 Plan* (draft 2036 Plan) and a suite of supporting documents for public exhibition. The *draft 2036 Plan* outlined capacity for significant residential and employment growth within the precinct (principally as a result of the new Crows Nest Metro station opening in 2024) and identified desired building heights, density (FSR), employment (non-residential FSR), land use, overshadowing and building setback controls. In particular, the draft 2036 Plan nominated the Five Ways Triangle site as a 'significant site,' with no specific height and FSR identified, but instead, a list of criteria to be met in determining an appropriate uplift in development potential.

On 29 August 2020, the 2036 Plan was published. The finalised Plan seeks to provide planning capacity for an additional 16,500 new jobs and 6,683 new homes within the precinct. The finalised 2036 Plan was also accompanied by a Special Infrastructure Contribution (SIC) scheme, to help support identified growth in the precinct. The design priorities and objectives of the 2036 Plan are informed by the planning priorities of the North District Plan.

The final *2036 Plan* diverges from the draft version in a number of ways, including removing 'significant sites' and including site-specific built form and land use provisions. The site-specific height and density provisions set out in the *2036 Plan* for the subject site are as follows:

- a maximum building height of 16 storeys;
- an overall FSR of 5.8:1; and
- minimum non-residential FSR of 2.5:1.

The 2036 Plan is implemented under section 9.1 of the *Environmental Planning & Assessment Act (EP&A Act)* 1979. The supporting Ministerial Direction requires planning proposals for land within the precinct to be consistent with the *2036 Plan*.

#### **7.4 Civic Precinct Planning Study (CPPS)**

On 20 November 2020, Council adopted the *Civic Precinct Planning Study (CPPS)*. The CPPS focuses on the area directly north of North Sydney CBD to Crows Nest and includes the Five Ways Triangle Site.

The CPPS was prepared by Council in response to the construction of the Victoria Cross Metro Station northern portal and aims to provide a holistic and long-term framework for guiding future development interest and improvements in the area.

A key action of the CPPS is to develop the stretch of Pacific Highway along the Civic precinct between North Sydney CBD and St Leonards into a medium-scale environment with increased amenity. A slight increase in height is proposed on the southernmost block of the stretch to provide for a better transition towards the North Sydney CBD (refer to Figures 20-21). To achieve this, the CPPS as adopted recommends the following height and density controls for the Five Ways triangle site:

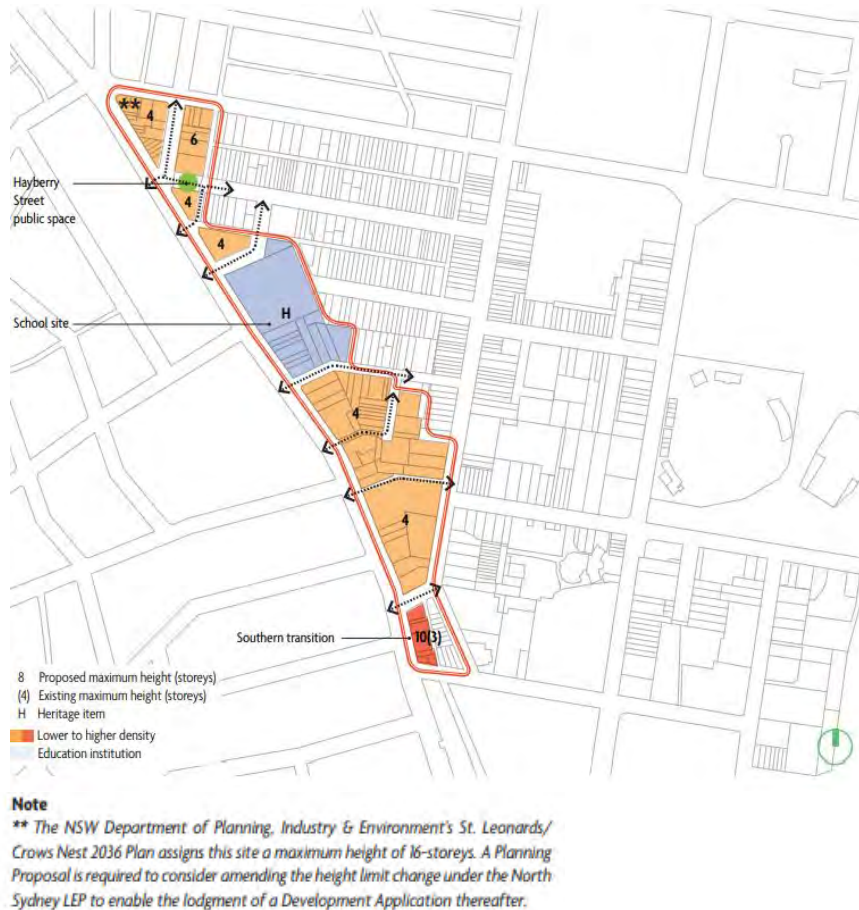
- a maximum building height of 4-storeys; and
- a minimum non-residential FSR of 1:1

The CPPS also identifies additional public open space opportunities, including the upgrade to public open space at the western end of Hayberry Street, Crows Nest which is in the vicinity of the subject site.

It should be noted that the draft CPPS endorsed by Council for public exhibition on 18 May 2020, proposed an 8-storey height limit for the Five Ways Triangle site. Following the release of the DPE's final 2036 Plan in August 2020 and accompanying Section 9.1 Ministerial Direction, which requires planning proposals be consistent with the 2036 Plan, the draft CPPS was recommended to be amended to reflect a 16-storey height limit for the Five Ways Triangle site, as per the recommendations of the 2036 Plan.



On 20 November 2020, Council considered the amended draft CPPS and resolved that the existing maximum height control under NSLEP 2013 of 16m (approx. 4 storeys) continue to apply to the 'Five Ways Triangle' site under the CPPS.



**FIGURE 20: Implementation plan for Pacific Highway (CPPS, p.33)**



**FIGURE 21: Building height transition along Pacific Highway (CPPS, p.32)**

### 7.5 Local Strategic Planning Statement (LSPS)

The North Sydney LSPS was adopted by Council on 25 November 2019, and subsequently “assured” by the GSC on 20 March 2020.

One of the key roles of the LSPS is to draw together, in one document, the priorities and actions for future land use planning, and present an overall land use vision for the North Sydney LGA for the next 20 years. The LSPS is required to be consistent with the Regional Plan and North District Plan and provide a clear line-of-sight between the key strategic priorities identified at the regional and district level and the local and neighbourhood level.

The LSPS incorporates the *North Sydney Local Housing Strategy (LHS)*, *St Leonards and Crows Nest 2036 Plan (2036 Plan)* and *Civic Precinct Planning Study (CPPS)* into the strategic planning framework and links its implementation to the planning priorities under the North District Plan and the objectives of the Regional Plan. The North Sydney *LHS* identifies the potential for an additional 11,870 dwellings to be delivered by 2036 under the provisions of *NSLEP 2013* and the proposed changes envisaged by the DPE under the *2036 Plan*.

The subject site is located within the area covered by both the DPE's *St Leonards and Crows Nest 2036 Plan (2036 Plan)* and Council's *Civic Precinct Planning Study (CPPS)*. The *2036 Plan* is, however, implemented under section 9.1 of the *EP&A Act 1979*. The supporting *Ministerial Direction 7.11 – Implementation of St Leonards and Crows Nest 2036 Plan* states:

*a planning proposal authority must ensure that a planning proposal is consistent with the St Leonards and Crows Nest 2036 Plan, as approved by the Minister for Planning and Public Spaces and published on the DPIE website on 29 August 2020.*

It further states that the provisions of planning proposals may be inconsistent with the *2036 Plan*, but only if the inconsistencies are of 'minor' significance and the proposal achieves the overall intent of the Plan and does not undermine the achievement of the *2036 Plan's* Vision, Objectives and Actions.

## **8. ASSESSMENT**

### **8.1 Planning Proposal Structure**

The Planning Proposal is considered to be in general accordance with the requirements of section 3.33 of the *EP&A Act 1979* and the DPE's '*Local Environmental Plan Making Guideline*' (December 2021). The Planning Proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed local environmental plan;
- An explanation of the provisions that are to be included in the proposed local environmental plan;
- Justification of the proposal's strategic and site specific merit;
- Identification of associated mapping amendments;
- Details of the community consultation that is to be undertaken in relation to the Planning Proposal;
- A project timeline identifying how the planning proposal is to be implemented, should it progress.

## 8.2 Need for the Planning Proposal

A key objective of the planning proposal is to implement the planning framework identified in the *St Leonards and Crows Nest 2036 Plan (2036 Plan)*. The *2036 Plan* states that changes to a site's existing statutory planning controls will be required to allow development to occur in accordance with the Plan. It explains that it is the responsibility of each relevant council to progress planning proposals and give effect to the provisions of the *2036 Plan*.

## 8.3 Assessment Criteria

Part 3 of the DPE's '*LEP Making Guideline*' (December 2021) outlines the criteria for assessing planning proposals. For a Planning Proposal to be supported to proceed to a Gateway Determination it must demonstrate:

- **strategic merit** - alignment with the NSW strategic planning framework; and
- **site-specific merit** - identify potential environmental, social and economic impacts and proposed mitigation measures and justification.

A planning proposal is deemed to have strategic merit where it will '*give effect to the relevant corridor/precinct plans applying to the site.*' As discussed in section 7.4 of this report, the prevailing relevant precinct plan applying to the subject site is the *2036 Plan*. Council must be satisfied that the provisions of the Planning Proposal will give effect to the intended outcomes of the *2036 Plan*.

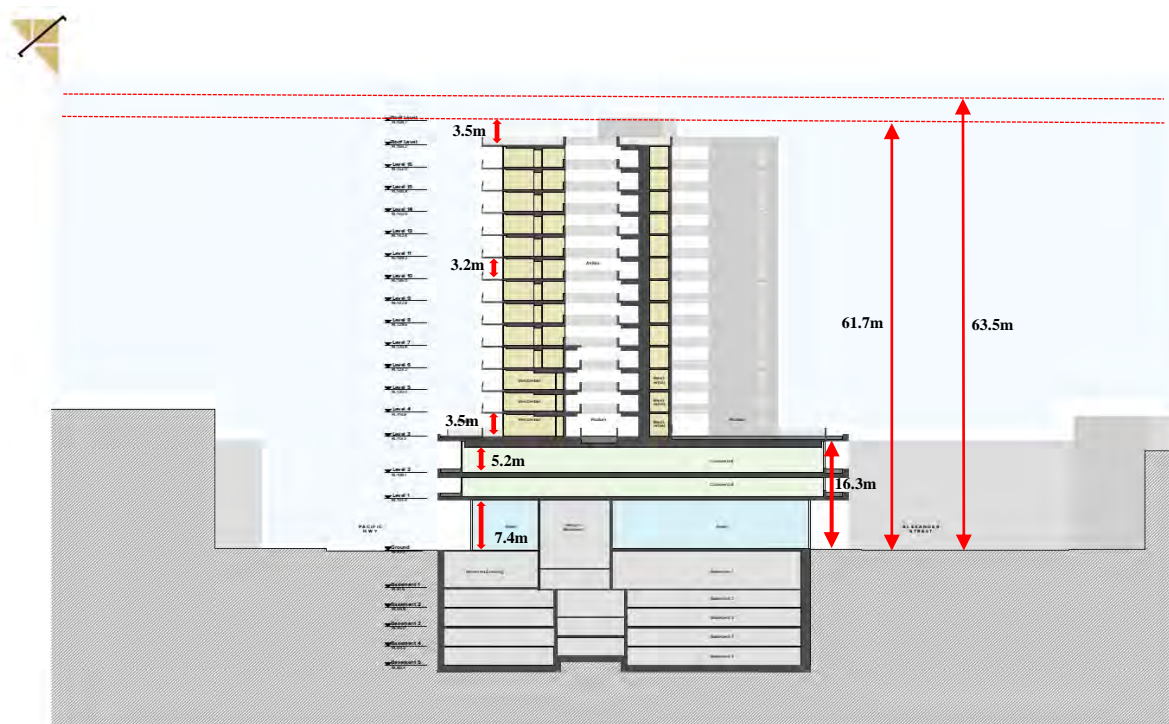
The Planning Proposal and accompanying studies/reports go to some effort to test the indicative reference design and demonstrate the implications of the proposed uplift in height and density in relation to overshadowing, visual, heritage and traffic impacts. Council must be satisfied that the potential impacts arising from the Planning Proposal are not significantly different to those envisaged for the site under the *2036 Plan*, as reflected in the Plan's recommended built form controls, accompanying urban design principles, and the *2036 Plan's* Vision, Objectives and Actions for the precinct.

Planning Proposals are also required to be consistent with applicable State Environmental Planning Policies (SEPPs) and section 9.1 Ministerial Directions.

## 8.4 Proposed Height

The *2036 Plan* recommends a maximum building height of 16 storeys for the subject site. The Planning Proposal is seeking to increase the maximum height control from 16m (under *NSLEP 2013*) to 63.5m to accommodate a 16-storey mixed-use building on the site.

The applicant's indicative plans (refer to Figure 22) appears to show a building height of 61.7m for 16 storeys, inclusive of rooftop structures (for the mid-section of the building). An additional allowance of 1.8m is sought over and above the highest part of the building.



**FIGURE 22: Indicative General Arrangement Plans  
(Applicant Urban Design Report, p.132)**

The applicant's indicative plans appear to show floor-to-floor heights well in excess of the heights required to be provided for commercial spaces (typically 3.7m) and residential spaces (typically 3.1m). In the commercial podium, floor-to-floor heights of 7.4m for the ground level and 5.2m for level 2 are proposed. In the residential tower, floor-to-floor heights of 3.5m are proposed at levels 3 and 16, and 3.2m for levels 4-15.

No elevation or section drawings have been included in the submitted documentation showing the overall height of the building at the southern end of the site. The podium analysis provided in the applicant's Urban Design Report (refer to Figure 28), shows indicative podium heights of up to 20m at the southern end of the site, which observes the fall from the corner of the Pacific Highway and Falcon Street to the southern corner at Alexander Street. It is considered that the mezzanine level proposed within the ground level of the podium at the southern end of the site should be included as a storey and in commercial floor space calculations.

The requested maximum building height of 63.5m appears excessive for the number of storeys and could potentially result in a building of up to 18 storeys on the site with discernible additional overshadowing impacts (refer to section 8.9 of this report).

**Recommendation:**

In setting building height controls within the precinct, Council has consistently relied upon the Apartment Design Guideline (ADG) considerations. Based on ADG considerations, a building height of 56m is considered appropriate for a 16-storey mixed-use building on the subject site. This takes into consideration typical floor-to-floor heights for the commercial and residential components of the building and a reasonable allowance for topographic changes and rooftop articulation.

A building height of 56m for a 16-storey building has been considered appropriate on other mixed-use sites within the precinct with similar non-residential podium requirements. It is consistent with the height recently awarded to sites at 23-35 Atchison Street and 50-56 Atchison Street, St Leonards.

## 8.5 Proposed Floor Space Ratio (FSR)

No specific maximum FSR control currently applies to the site under *NSLEP 2013*. The *2036 Plan* recommends an overall FSR of 5.8:1 for the site, equating to approx. 18,564 sqm Gross Floor Area (GFA). The Planning Proposal is requesting an overall maximum FSR of 5.8:1, which is generally consistent with that recommended for the Five Ways triangle site under the 2036 Plan.

The *2036 Plan* includes setback controls, of which a nil setback is recommended to all street frontages for the subject site. Whilst the Plan does not assign numerical upper-level setback controls, it includes an objective requiring new developments provide increased upper-level setbacks to achieve optimal transitions that minimise overshadowing.

The applicant's indicative concept plans show a building envelope informed by the following setbacks:

- 0m to all street frontages (podium levels);
- 1m setback (ground level mid-block); and
- 6m typical (tower) setback above podium with articulation zones.

The proposed setbacks at the ground and podium levels generally comply with the *2036 Plan* and the proposed setbacks above the podium are considered appropriate to the site's context, providing sufficient (ADG compliant) separation distances to adjoining sites. However, no information has been provided within the submitted Planning Proposal documentation regarding applied FSR efficiencies.

### Non-Residential GFA

The applicant's Urban Design Report states 8,002 sqm commercial GFA will be provided within the podium to meet the minimum non-residential FSR control of 2.5:1, as recommended for the site under the 2036 Plan.

The applicant's indicative plans (refer to Figures 23-25) show that the building envelope of the podium levels occupy almost the entire site area, providing a Gross Buildable Area (GBA) of approx. 12,256 sqm including the mezzanine level. The GBA-GFA efficiency rates applied to the podium levels is approximately 50% at ground level and 90% at levels 1, 2 and mezzanine. These are significantly higher than standard retail/commercial efficiency rates (typically 50% ground level and 80% levels above). To achieve the minimum non-residential FSR requirement of 2.5:1 (8,002 sqm commercial GFA) using a standard efficiency rate, some of the non-residential GFA would need to potentially be located in the tower element.



**FIGURE 23: Ground level floorplate**  
**(Applicant Urban Design Report, p.156)**



**FIGURE 24: Level 1 floorplate**  
**(Applicant Urban Design Report, p.157)**



**FIGURE 25: Level 2 floorplate**  
**(Applicant Urban Design Report, p.158)**



**FIGURE 26: Typical tower floorplate (levels 4-6)**  
**(Applicant Urban Design Report, p.160)**

## Residential GFA

The applicant's Urban Design Report states 10,564 sqm residential GFA will be provided in the tower, which equates to approximately 813 sqm GFA per level. Based on the proposed building envelope, it has been calculated that tower levels have a GBA of approximately 1,430sqm per level, which equates to an GBA-GFA efficiency of 57% for the residential levels. This is significantly lower than the standard residential efficiency (typically 75%).

## Overall FSR

Council's internal modelling indicates if standard GBA-GFA efficiency rates are applied (i.e. 75% residential, 50% ground level retail, 80% commercial), the maximum FSR achievable within the proposed building envelope provided by the applicant is approx. 6.6:1, and not the requested 5.8:1. This suggests there is some flexibility within the proposed floorplate, and that it could either be reduced in size or the number of levels within a portion of the tower reduced (stepped down) to achieve better transitions that minimise overshadowing and visual impacts to the lower density residential areas and Heritage Conservation Areas (HCAs) to the east of the site (refer to section 8.8).

### 8.6 Proposed Non-Residential FSR

The Planning Proposal suggests an estimated 4,600sqm of non-residential GFA and 154 jobs is currently provided on the site. This equates to an FSR of approximately 1.45:1. The Planning Proposal is requesting to increase the minimum non-residential FSR from 0.5:1 (under *NSLEP 2013*) to 2.5:1, which would provide a minimum 8,002 sqm of commercial and retail floorspace on the site. This is consistent with the minimum non-residential FSR requirements for the site under the 2036 Plan.

### 8.7 Street Wall (Podium) Height

The *2036 Plan* assigns a street wall (podium) height of 3 storeys to all street frontages, except for the north-western corner (Five Ways intersection) where a 4-storey podium is envisaged.

The applicant's reference design (refer to Figure 27) shows an indicative 3-storey podium to all frontages, except for the southern end of the site where a 4-storey podium is proposed (i.e. 3-storeys + mezzanine level). This does not accord with the *2036 Plan*, which identifies the Five Ways intersection as a gateway element into the precinct.

The notion of a 'gateway element', as referenced on page 47 of the SJB Urban Design report informing the *2036 Plan*, is to retain the Five Ways intersection as:

*a human scale entry point and marker of the Willoughby Road Crows Nest Village local shopping strip.*

This is further reinforced on page 67 of the SJB report which recommends future built form:

*celebrate the Five Ways intersection through the preservation of existing built form and streetscape character, whilst ensuring any infill development complements the unique scale and grain.*

As discussed in section 8.4 of this report, the proposed podium heights are considered excessive for the number of storeys and could be reduced. The proposed heights of 16m, 18m and 20m (refer to Figure 28) will create an oversized podium, the equivalent of 4-5 storeys in height that does not respond to the prevailing scale and village character of Crows Nest. The location of the taller podium at the south-eastern corner the site does not acknowledge the primacy of the Five Ways intersection as an identity in the Crows Nest area.

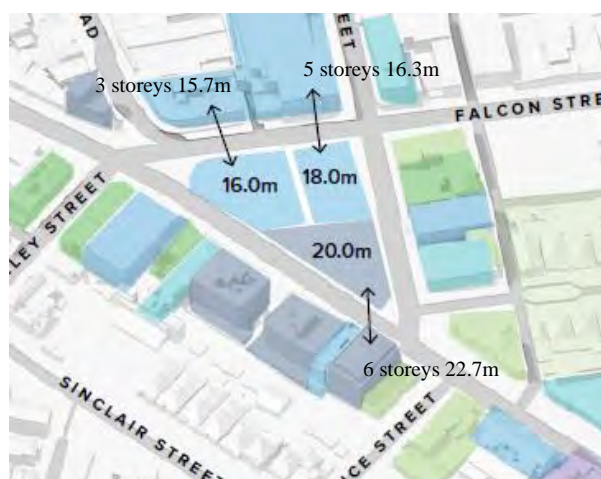
The applicant's justification for the proposed podium height arrangement is that it is derived from a consideration of the heights observed in the existing context, and that the proposed heights closely match the building heights on the opposite side of the street. It is, however, erroneous to use the existing total building heights from surrounding sites as a reference for determining an appropriate height for the podium when the *2036 Plan* recommends building height uplift to sites on the western side of the Pacific Highway and requires these sites provide a 3-storey street wall (podium) height, similar to that required for the subject site.

**Recommendation:**

A podium no greater than 3 storeys (approx. 12m) in height to all street frontages, except for the north-western corner where a 4-storey podium is to be provided consistent with the recommendations of the *2036 Plan*. A stepped podium that follows the site's sloping topography is recommended.



**FIGURE 27: Proposed built form**  
(Applicant Urban Design Report, p.70)



**FIGURE 28: Proposed podium heights**  
(Applicant Urban Design Report, p.63)

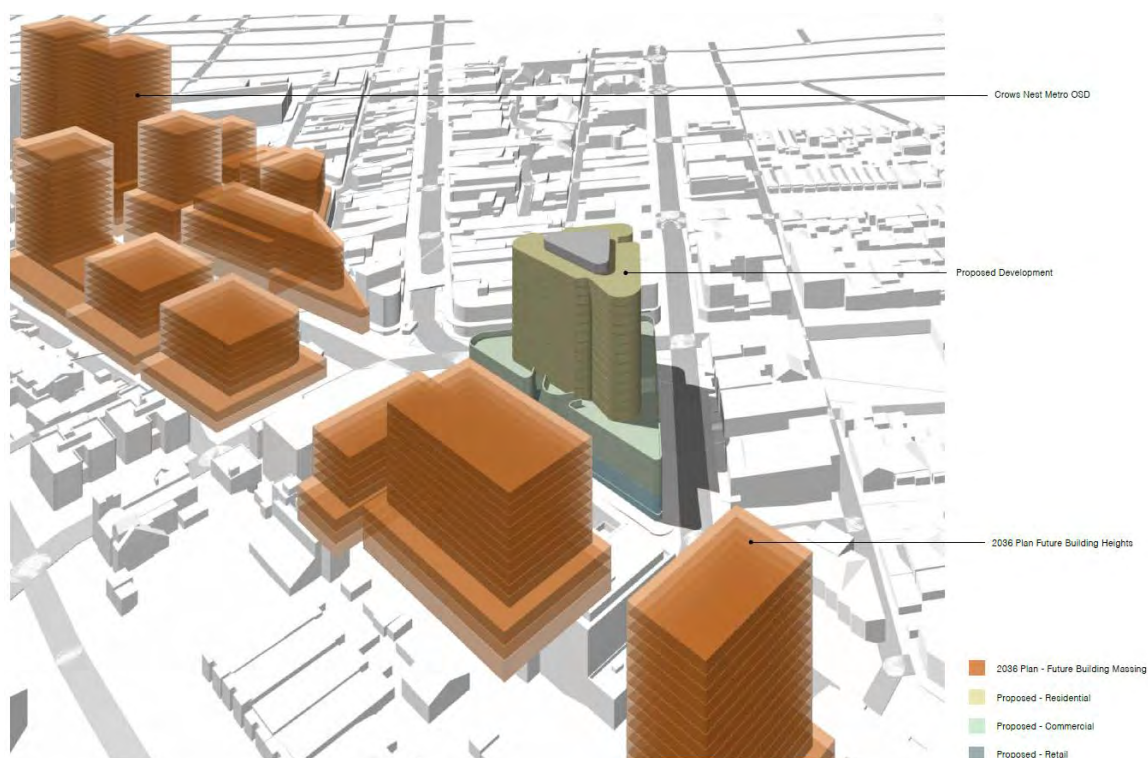
## 8.8 Building Massing & Transition

The *2036 Plan* identifies the Five Ways Triangle site as being located within a 'transition area' between low and high-rise development. The *2036 Plan* includes objectives and actions requiring new development in transition areas to:

- Consider the prevailing scale and existing character in the design of their interfaces. (Liveability Objective, page 9 of 2036 Plan)
- Transition heights from new development to surrounding Heritage Conservation Areas. (Place Action, page 21 of 2036 Plan)
- Provide appropriate transitions in height to adjoining low scale residential areas. (Built Form Action, page 33 of 2036 Plan)



As discussed in section 8.5 of this report, the FSR efficiency rates applied to the residential tower are significantly lower than standard rates suggesting the applicant's reference scheme reflects an oversized tower floorplate (refer to Figure 29).



**FIGURE 29: Proposed building massing (Applicant Urban Design Report, p.32)**

It is acknowledged that the proposed 6m setback above the podium to all street frontages is generous and appropriate to the site's context, providing sufficient building separation to adjoining sites. However, Council's internal modelling indicates that a more optimal built form scale and height transition could be achieved by reducing the height of the tower on the eastern portion of the site to approximately 11 storeys (refer to Figures 30-31). At the reduced height the site is still able to yield an FSR of 5.8:1 whilst achieving better transition that minimises overshadowing and visual impacts to surrounding lower density residential areas and Heritage Conservation Areas (HCAs) to the east.

**Recommendation:**

The tower on the eastern portion of the site should step down in height to achieve an improved transition that minimises overshadowing and visual impacts to surrounding low density residential areas and HCAs to the east.



**FIGURE 30: Potential revised building massing  
(view looking north)**



**FIGURE 31: Potential revised building massing  
(view looking south-west)**

## 8.9 Overshadowing

Retaining solar access to public open spaces, valued streetscapes and residential areas is a key objective of the *2036 Plan*. The solar access controls of relevance to the proposal, as outlined on page 38 of the *2036 Plan*, are:

- Residential areas inside the St Leonards and Crows Nest precinct boundary should retain at least 2 hours solar access between 9am and 3pm in mid-winter; and
- HCA's inside the St Leonards and Crows Nest precinct boundary should retain at least 3 hours solar access between 9am and 3pm in mid-winter.

The solar access analysis within the applicant's Urban Design Report indicates the Planning Proposal complies with the above solar access controls. Of note, however, is the overshadowing impact to low-density residential areas to the south-west and the Holtermann Estate HCA to the south-east of the site. There will be some additional overshadowing impact to:

- Proposed mixed-use development on the western side of Pacific Highway (between Bruce Street and Shirley Road) between 9am – 12 noon;
- Low density residential properties along the northern side of Sinclair Street, Wollstonecraft between 9am-11am;
- Existing apartments along the southern side of Sinclair Street, Wollstonecraft between 9am-10am;
- Low density residential properties on the southern side of Hayberry Street and David Street, Crows Nest (within the Holtermann Estate HCA) between 1-3pm; and
- Future public open space at the western end of Hayberry Street, Crows Nest (as identified in the CPPS).

In addition to the *2036 Plan's* solar access controls, consideration must be given to the Plans urban design principles, Objectives and Actions, specifically those regarding impacts to HCAs and transitions between character areas, of which the *2036 Plan* states:

*Heritage Conservation Areas are to be protected. New development nearby is to ensure minimal overshadowing and avoid unreasonable visual impact to the public domain or private open spaces of dwellings within these areas (page 34 of 2036 Plan).*

*The interface between two-character areas should respond to the adjacent character to create an appropriate transition (page 35 of 2036 Plan).*

This is further reinforced by the Plan's Built Form Actions, which requires new development '*apply design principles for solar amenity, configuration, and interface between areas of transition*' (page 33 of 2036 Plan). Clearly, there is an expectation under the 2036 Plan that the Five Ways triangle site should achieve appropriate transitions and minimise overshadowing and visual impacts to the lower density residential areas and HCAs.

As discussed in section 8.4 of this report, the requested height of 63.5m is considered excessive for the number of storeys. A comparison between the overshadowing impacts of the requested building height (63.5m) and the recommended building height (56m) has been undertaken by Council (refer to Figures 32-35). Council's shadow analysis indicates that the additional 7.5m in building height sought would result in approx. 22.5m of additional overshadowing length when compared to the recommended height of 56m. Impacts could be further mitigated by reducing the height of the tower on the eastern portion of the site.



**FIGURE 32: Overshadow assessment diagram – 9am, 21 June**



**FIGURE 33: Overshadow assessment diagram – 10am, 21 June**



**FIGURE 34: Overshadow assessment diagram – 2pm, 21 June.**



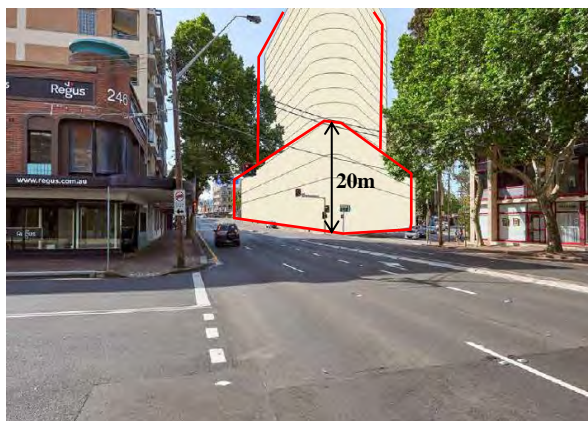
**FIGURE 35: Overshadow assessment diagram – 3pm, 21 June.**

## 8.10 Visual Impacts

The 2036 Plan requires new developments consider cumulative impacts on existing areas, including view loss and visual impacts and emphasises the importance of having an appropriate podium height, overall building height and scale.

A view analysis has been included in the applicant's Urban Design Report, using site photography from streets and the public domain around the site. It acknowledges that the visual impact of the proposed building envelope is significant when viewed from several close and distant viewpoints, which reads as one dominant building particularly along the Pacific Highway.

A comparison of the visual impact between the proposed building envelope and recommended built form is shown in Figures 36-41. It is evident that a reduced podium height (approx. 12m) and reduced building height of 16 storeys (approx. 56m) on the western portion of the site and 11 storeys on the eastern portion of the site, reduces the perceived bulk and scale and provides a more appropriate response to the lower scale development and low-density residential areas and HCAs to the east of the site.



**FIGURE 36: Proposed building envelope (view looking north along Pacific Highway)**



**FIGURE 37: Recommended building envelope**



**FIGURE 38: Proposed building envelope (view looking south from Willoughby Lane)**



**FIGURE 39: Recommended building envelope**



**FIGURE 40: Proposed building envelope (view from Holtermann Estate HCA)**



**FIGURE 41: Recommended building envelope**

### 8.11 Wind Impacts

The 2036 Plan requires new developments have consideration to wind impacts demonstrated through a wind assessment.

The proposal is accompanied by a Pedestrian Wind Environment Statement prepared by Windtech. The report considers the likely impact of the proposed development on the local wind environment at critical outdoor areas within and around the subject site. However, it addresses only the general wind effects that are identifiable by visual inspection of the architectural drawings. No wind tunnel testing has been undertaken.

The report states that the pedestrian footpaths along the Falcon Street, Alexander Street and Pacific Highway frontages will be exposed to direct wind effects. While these are said to reflect existing wind conditions, it is unclear what the proposals impact is relative to acceptable levels. The report also suggests:

- proposed ground level laneways and open tower corridors will be exposed to funnelling and gap wind effects;
- intersections and laneway entranceways will be susceptible to corner accelerations;
- the wind comfort and amenity of the podium rooftop communal open space will be impacted by the interaction of prevailing winds with the building morphology; and
- corner balconies will be susceptible to stronger wind conditions due to their dual aspect and exposure to direct wind effects and accelerating flows around the tower.

The report includes potential mitigation measures, however in the absence of wind tunnel testing to accurately quantify existing and future expected wind speeds, it is unclear whether the suggested mitigation measures will provide an acceptable level of wind comfort and amenity.

#### Recommendation:

Due to the nature of the existing wind environment and overall massing of the subject development and complexity of building form, further wind tunnel testing is required to quantify existing and future expected wind speeds in and around the proposed development.

## 8.12 Heritage

A core objective of the *2036 Plan* is to ensure “*new development retains and enhances important heritage elements by using sympathetic building materials and preserving key views and vistas.*”

The Planning Proposal is accompanied by Heritage Impact Assessment prepared by Urbis (HIA). The report concludes that the proposed building envelope will have no material impact on vicinity heritages items for the following reasons:

- All listed heritage items in the vicinity of the site are to be retained;
- principle views to and from surrounding heritage items are predominantly experienced at the street level, and any increased height above existing façade heights of historic shopfronts will have minimal impact on interpretation of their heritage significance;
- the physical separation provided by the intersection would see the heritage context of the Five Ways Intersection remain unaffected by the proposed uplift; and
- the Development Application process will provide opportunity for detailed design, including use of existing historic shopfronts as a podium marker.

The applicant's HIA notes that the subject site does not contain any heritage listed items and does not consider any of the buildings on the subject site contribute to the streetscape character of Five Ways, Crows Nest.

Council's Heritage Planner has provided the following comments:

*Wholesale demolition of all the buildings on the site is not supported for several reasons.*

*The commercial buildings at 391-393, 395-397 and 399 Pacific Highway have been put forward as far back as 2014 as potential heritage items for being an importance the development during North Sydney's Modernist Architectural phase as based on the 2012 NSW Heritage Office criteria setting out the importance of Modernist Architecture in NSW.*

*Additionally, the curvilinear building at 423 Pacific Highway is still evident at the Five Ways Intersection. Its relationship with the heritage items at 1-3 Willoughby Road (Crows Nest Hotel), 429 Pacific Highway (Former OJ Williams Store), 306 and 308 Pacific Highway is integral to the character and understanding of Crows Nest development at the intersection where the tramway crisscrossed Pacific Highway, Falcon Street, Willoughby Road and Shirley Road. Photographic evidence of the building in its original form shows that the building remains largely intact.*

*The interwar retail buildings on the site between 401-419 Pacific Highway make an important streetscape contribution to Pacific Highway balancing the physical evidence of Crows Nests' Federation retail building groups further north on western side of Pacific Highway which are already identified as heritage items.*

*Any new towers should sit behind the abovementioned existing built form along the Pacific Highway and corner building at 423 Pacific Highway.*

*North Sydney's LSPS identifies the need for a whole of LGA heritage study review. Gaps in the heritage of North Sydney have been identified particularly relating to the Modern Movement and Twentieth Century Architecture. A review in relation to the Five Ways site should be undertaken that addresses the Twentieth Century development phase of Five Ways and develop and incorporate design principles that retain its existing built form. This period of North Sydney's development is integral to maintaining the character of this important intersection.*

While not heritage listed, the existing curvilinear building at 423 Pacific Highway is considered by Council's heritage planner to be integral to the character and early 20<sup>th</sup> century development of the Five Ways intersection. While the applicant's Heritage Impact Assessment reaches the conclusion that the site has unsubstantiated significance as a potential heritage item, it does acknowledge that the heritage listed buildings at the Five Ways intersection form part of the early 20<sup>th</sup> century character of Crows Nest and, as a collection, contribute to the significance of the historic development of the suburb.

Notwithstanding, the 2036 Plan recognises the significance of the Five Ways intersection to the identity of Crows Nest. The SJB Urban Design Report (on page 67), which informs the 2036 Plan, recommends future built form:

*celebrate the Five Ways intersection through the preservation of existing built form and streetscape character, whilst ensuring any infill development complements the unique scale and grain.*

Given the importance of the curvilinear building at 423 Pacific Highway to the character and understanding of Crows Nest development at the Five Ways intersection, consideration should be given to preserving and incorporating the building at 423 Pacific Highway into the podium of any future development on the site.



**FIGURE 42: Heritage context of Five Ways intersection**



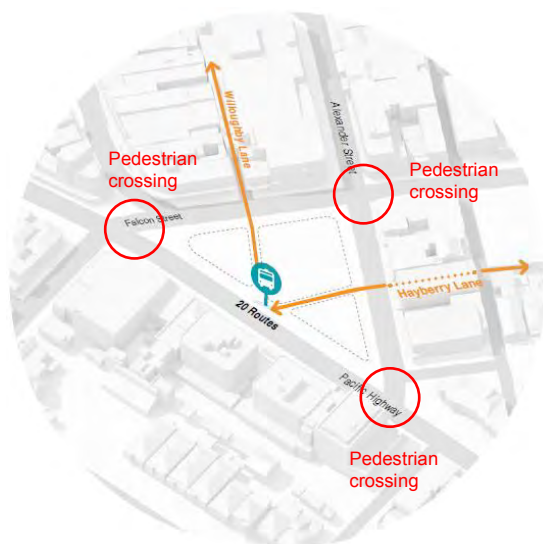
**FIGURE 43: 423 Pacific Highway, Crows Nest**



**FIGURE 44: 423 Pacific Hwy - Original building of high importance at the Five Ways Intersection**

**8.13 Future Public Domain & Pedestrian Links**

The 2036 Plan, CPPS and NSDCP 2013 does not envisage future pedestrian links at the subject site. The proposed podium has been designed at the ground level to provide two arcade style pedestrian through-site links, one connecting Pacific Highway to Willoughby Lane and another connecting Pacific Highway to the future potential Hayberry Lane. The proposed links are also said to connect to the bus stop along the Pacific Highway (refer to Figure 45).



**FIGURE 45: Proposed connection diagram (Applicant Urban Design Report, p. 57)**



● A small open space area/plaza is recommended at Falcon & Alexander St intersection.

**FIGURE 46: Recommended connection and potential public domain upgrade**



The benefits of the proposed links with respect to connectivity is questioned, as the links do not connect to any of the three existing pedestrian crossing points at the signalised intersections. The existing Hayberry Lane does not connect to Alexander Street, and there is no provision in the *2036 Plan*, *CPPS* or *NSDCP 2013* to extend the existing Hayberry Lane to Alexander Street as proposed by the applicant. Willoughby Lane to the north is currently used as a service lane which provides access to Woolworths loading dock, garages and services.

The *2036 Plan's* Movement Map (refer to Figure 47) identifies Falcon Street as one of the existing pedestrian links connecting to Willoughby Road to the north and Shirley Street to the west. It is therefore critical that the Five Ways Intersection functions as a safe, pedestrian friendly node. Willoughby Road, Alexander Street and Falcon Street are identified in *Council's Crows Nest Placemaking and Principles Study* as the main vibrant streets that contribute to the village atmosphere of Crows Nest. The proposal should, as a priority, improve and activate the existing street network.

The DPE's *Draft Urban Design Guide*, which was publicly exhibited in early 2022, provides design criteria for walkable block lengths. Given the block lengths of the subject site vary from 70m-110m and are deemed walkable (the maximum walkable block lengths identified in the DPE's Guide is 160-220m), it is questioned whether there is a need to provide two pedestrian links that further divide the site and potentially activate the site internally at the expense of the street.

Recommendation

To improve the pedestrian experience along Falcon Street and provide active street frontages, it is recommended that a small-sized open space area/plaza be provided for outdoor dining at the Falcon Street/Alexander Street intersection. A maximum of one pedestrian link is recommended on the subject site to improve site permeability. The proposed link should provide a connection between the place (potential plaza) and the destination (bus stop), as shown in Figure 46.

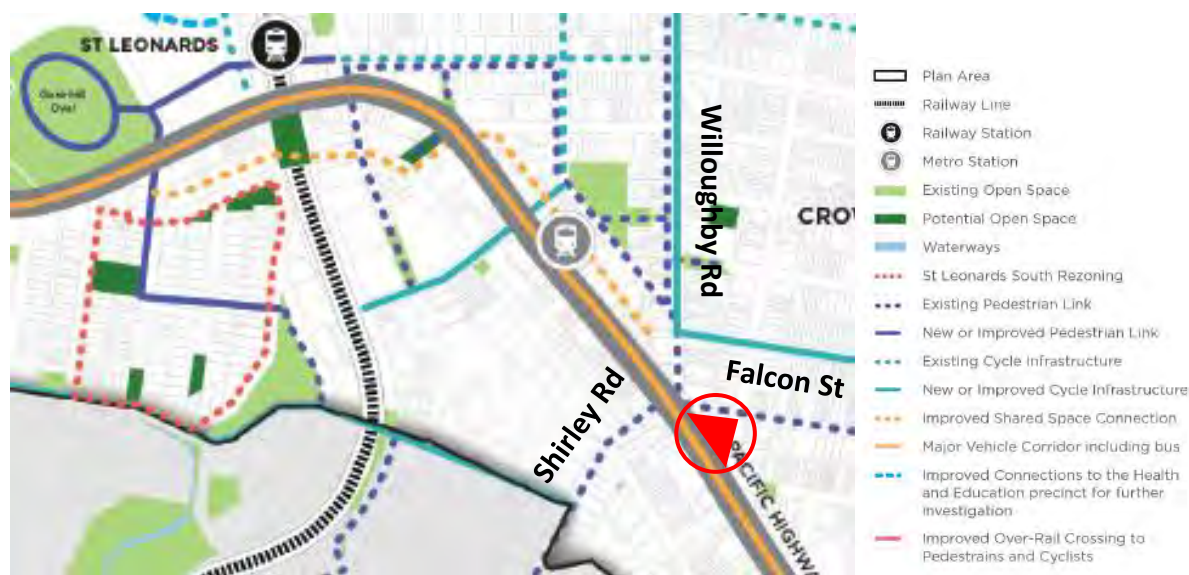


FIGURE 47: Movement Map (2036 Plan, p.54)

## 8.14 Transport and Traffic Impacts

The Planning Proposal is accompanied by a Traffic Impact Assessment (TIA) prepared by Barker Ryan. Council's Traffic and Transport Engineer has reviewed the applicant's TIA and provided the following comments:

*The subject site is situated in a very complex traffic environment with frontages to two classified State roads (Pacific Highway and Falcon Street) and one local road (Alexander Street). There are various parking restrictions, including bus zones and no stopping zones adjacent to the site and in close proximity to three different traffic signals.*

### **Traffic Generation**

*The TIA prepared by Barker Ryan has slightly underestimated the proposed trip generation for the proposed development. The net trip generation in the AM peak is 109 vehicles per hour and PM peak is 87 vehicles per hour. The approximate percentage increase in the AM peak is 168% and the PM peak is 154%.*

*The TIA provides a Sidra Modelling summary, comparing the network performance with different scenarios (existing and after 10 years growth). The result indicates after a 10 year growth scenario, existing traffic flow will change from Level of Service C (free-flow conditions with moderate congestion) to Level of Service F (stop and go, 'gridlock' condition). Therefore, loading extra traffic from any development will further delay the network and overall performance of the intersection, particularly the Five Ways intersection.*

### **Parking Provision**

*A total 247 car parking spaces are proposed (113 residential and 134 non-residential including 12 car share spaces), this is the maximum amount of parking allowed for under NSDCP 2013.*

<b>Table 4: Current parking provision rates applying to the site</b>		
<b>Development</b>	<b>Current NSDCP 2013 parking rates</b>	<b>Max. car parking spaces</b>
<b>Residential</b>		
32x 1 bedroom	0.5	16
79x 2 bedroom and 18x 3 bedroom	1	97
	<b>Subtotal</b>	<b>113</b>
<b>Commercial</b>		
Non-residential (8,002 sqm)	1 space/ 60 sqm	133.5
	<b>Subtotal</b>	<b>134 (including 12 car share)</b>
	<b>Total No. car spaces</b>	<b>247</b>

**Cycling Facilities**

*A total 292 bicycle parking spaces are proposed (142 residential and 150 non-residential). This exceeds the minimum rates specified in NSDCP 2013 by 67 spaces.*

**Commercial and Service Vehicles**

*The proposed development should incorporate off-street loading and unloading facilities in accordance with the requirements of NSDCP 2013.*

**Conclusion**

*In consideration of the significant net traffic generation increase from the proposed development, it is recommended that the scale of development be reduced such that there is minimal net traffic generation.*

A key part of the strategic justification for increased density is the site's proximity to the future Crows Nest Metro Station (approx. 300m north). The proposed number of car parking spaces is excessive considering the site's highly accessible location and a significant reduction in car parking should be provided.

Whilst the proposed number of car parking spaces is consistent with NSDCP 2013, the maximum parking rates within Crows Nest do not contemplate a development of this scale. It is clear from the analysis undertaken that the proposed number of car parking spaces and associated net traffic generation will have a significant impact on the efficiency and performance of the surrounding road network, particularly the Five Ways intersection. This is inconsistent with:

- *Ministerial Direction 5.1 – Integrating Land Use and Transport* and the principles of sustainable transit-oriented development;
- clause 2.118(2) of *SEPP (Transport and Infrastructure) 2021*, which requires the volume and frequency of vehicles to/from a site fronting a classified road not impact on the safety, efficiency and ongoing operation of the classified road; and
- key actions of the *North Sydney CBD Transport Masterplan (2018)*, which envisages changes to signal phasing and road space re-allocation at/to the south of the Five Ways Junction.

**Recommendation:**

It is recommended that a site-specific DCP Amendment be prepared applying St Leonards Precinct 2 & 3 car parking rates to this development to reduce car parking from 247 to 77 spaces. This responds to vastly improved public transport accessibility to the precinct, which will help to reduce car dependency and subsequent congestion and influences more sustainable travel behaviour near the adjoining metro station. Consideration should also be given to proximity controls associated with the Metro tunnels when designing the basement levels of the development.

A revised Green Travel Plan (GTP) for the site will be required to be undertaken prior to public exhibition to align with the application of recommended reduced parking rates.

It is also recommended the applicant engage with Council and Transport for NSW's North Sydney Integrated Transport Program (NSITP) team to ensure that the proposed development of the Five Ways Triangle site is consistent with NSITP objectives.

<i>Table 5: Recommended parking provision rates for this site</i>				
<b>Development</b>	<b>Current NSDCP 2013 parking rate</b>	<b>Max. car parking spaces</b>	<b>St Leonards Precinct 2 &amp; 3 rate</b>	<b>Max. car parking spaces</b>
<b>Residential</b>				
32x 1 bedroom	0.5	16	0.25	8
79x 2 bedroom and 18x 3 bedroom	1	97	0.5	48.5
<b>Subtotal</b>		<b>113</b>		<b>57</b>
<b>Commercial</b>				
Non-residential (8,002 sqm)	1 space / 60 sqm	133.5	1 space / 400 sqm	20
<b>Subtotal</b>		<b>134</b>		<b>20</b>
<b>Total No. car spaces</b>		<b>247</b>		<b>77</b>

## 9. Strategic Merit Assessment

The proposals consistency with the strategic merit criteria is considered below.

### 9.1 Regional and District Plan consistency

The planning proposal in general terms can be considered to be consistent with the Greater Sydney Regional Plan ('*A Metropolis of Three Cities*') and the North District Plan as it provides for additional housing and commercial floorspace within a highly accessible location and identified Planned Precinct. However, the provision of additional housing and employment alone does not satisfy the test of consistency.

A key direction of the '*A Metropolis of Three Cities*' is creating a 'city of great places.' This direction underlines the importance of place-based, design-led planning to improve liveability in urban environments. To deliver high-quality places that engage and connect people and communities, the North District Plan states (on page 45) that: "*planning for the district should integrate site specific planning proposals with precinct-wide place and public domain outcomes through place-based planning.*"

A core objective of the *St Leonards and Crows Nest 2036 Plan* is to retain and enhance the village atmosphere in and around Crows Nest, and that new development consider the prevailing scale and existing character in the design of their interfaces. Council's analysis indicates that a more optimal built form scale and height transition outcome could be achieved on the site than that reflected in the applicant's proof of concept. Further refinement and modification of the proposal is required.

To ensure the intended outcomes of the 2036 Plan are achieved in the future redevelopment of the site, the planning proposal will need to satisfactorily address the recommendations of this report before progressing to the next stage of the plan making process.

## 9.2 St Leonards and Crows Nest 2036 Plan consistency

The Planning Proposal is requesting an overall maximum FSR of 5.8:1 and minimum non-residential FSR 2.5:1, which is generally consistent with the recommendations of the 2036 Plan. The requested maximum building height of 63.5m is, however, greater than that required to deliver a 16-storey mixed-use building and could potentially result in an 18-storey building with discernible overshadowing impacts to surrounding low density residential areas and HCAs, contrary to the intended outcomes of the 2036 Plan. It is recommended the planning proposal be amended to specify a maximum building height of 56m, consistent with the height recently awarded on other 16-storey mixed-use suites within the precinct with similar non-residential podium requirements.

To ensure the future bulk, scale and massing of development on the site is consistent with the urban design principles and objectives of the 2036 Plan, and the impacts (overshadowing, visual, heritage and traffic) arising from the Planning Proposal are not significantly different to those envisaged for the site under the 2036 Plan, it is recommended a Development Control Plan (DCP) be prepared that includes the following provisions:

- appropriate podium height and podium treatment, including removal of any existing visually intrusive signage and advertising;
- retention/interpretation of 423 Pacific Highway into the podium;
- appropriate setbacks above the podium;
- a reduced height on the eastern portion of site to achieve appropriate transition to surrounding low scale development to the east and minimise overshadowing impacts to the Holtermann Estate HCA;
- provision of a small open space area/plaza at the north-eastern corner of the site and a through-site link connecting the plaza to the existing bus stop on Pacific Highway, with active street frontages; and
- appropriate parking rates that minimise net traffic generation.

It is recommended the draft DCP be prepared addressing the recommendations of this report prior to the proposal proceeding to the next stage of the plan making process. This would potentially require the applicant to revise their proof of concept prior to public exhibition.

## 9.3 Local Strategic Planning Statement (LSPS) consistency

It is acknowledged that there is a discord between the DPE's 2036 Plan and Council's CPPS with respect to the recommended maximum building height for the Five Ways triangle site. The 2036 Plan recommends a maximum building height of 16 storeys while the CPPS recommends no change to the existing maximum building height control under NSLEP 2013 of 16m (approx. 4 storeys).

While the LSPS incorporates both the 2036 Plan and CPPS into the strategic planning framework and links its implementation to the planning priorities under the North District Plan and Regional Plan, Ministerial Direction 7.11 to section 9.1 to the EP&A Act 1979 requires planning proposals in the St Leonards and Crows Nest precinct to be consistent with the 2036 Plan. As such, the provisions of the 2036 Plan have precedence.

#### 9.4 State Environmental Planning Policy (SEPPs)

The proposals consistency with applicable SEPPs is considered below:

##### SEPP No. 65 - Design Quality of Residential Apartment Development

The planning proposal includes a response to the provisions of *State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development*, and the associated Apartment Design Guide (ADG), in relation to building separation/visual privacy, solar access, natural ventilation, common circulation, apartment layout and apartment mix.

While the proposal states that it complies with key development standards, Council's Development Assessment Officer has provided the following comments:

*The residential tower plans are highly conceptual and do not contain sufficient information to accurately comment on amenity impacts. Only generic comments regarding residential tower amenity issues can be made.*

*The largely single oriented apartments on the south-western wing will have poor solar amenity and should be minimised.*

*Interface between south-eastern wing and northern wing of residential tower appear to not have sufficient separation between primary living rooms and balconies. Interface between communal open space and private terraces are not well defined in level three podium plan. The practicalities of podium 'productive gardens' is questioned.*

*Floor plans show the provision of green space at varying locations in the tower. It is recommended larger spaces be provided lower in the building.*

It is also observed that the proposed apartment mix does not comply with section 2.2.3 of NSDCP 2013. The lack of studio apartments and over provision of 2-bedroom apartments is not supported.

Given the site benefits from three unobstructed street frontages, compliance with minimum ADG requirements and a high level of residential amenity is expected on the site. These detailed matters could be resolved through the development application process.

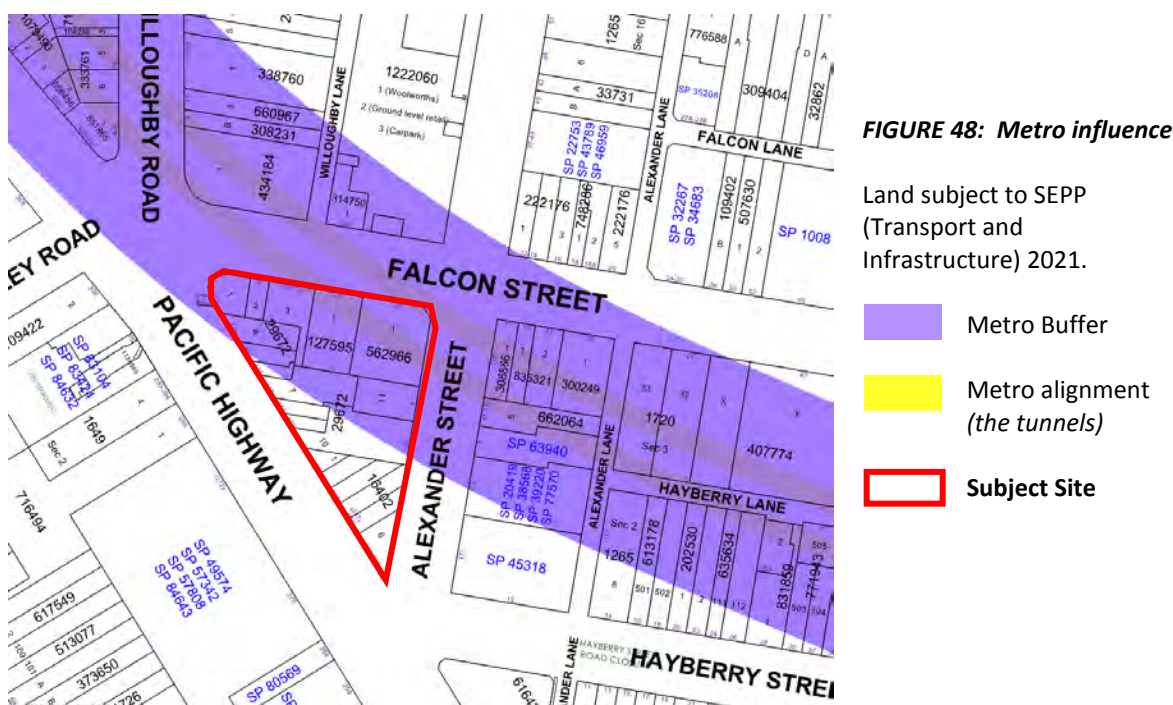
##### SEPP (Transport and Infrastructure) 2021

The subject site directly adjoins two classified State roads, the Pacific Highway and Falcon Street. Clause 2.118(2) of *SEPP (Transport and Infrastructure) 2021* requires that developments with a frontage to a classified road be provided with an alternative access where possible, and that the volume and frequency of vehicles to/from the site not impact on the safety, efficiency and ongoing operation of the classified road.

The reference design accompanying the Planning Proposal allows for future vehicular access off Alexander Street. However, the significant net increase in traffic generated by the proposal will impact the overall efficiency and performance of the surrounding road network, particularly the Five Ways intersection (refer to section 8.14 of this report). To reduce car dependency and impacts to the surrounding road network, it is recommended that a site-specific DCP Amendment be prepared applying St Leonards Precinct 2 & 3 car parking rates to this development to reduce car parking from 247 to 77 spaces.

The subject site is also directly affected by the alignment of the Sydney Metro rail corridor, with a small portion of the subject site being affected by the buffer zone to the tunnels (refer to Figure 43). Of particular concern is the proximity of the basement levels and any footings associated with the redevelopment of the site on the integrity of the Sydney Metro line.

Clause 2.97 of *SEPP (Transport and Infrastructure) 2021* requires that developments located within or adjacent to rail corridors are required to obtain the concurrence of the relevant rail authority. The applicant has not provided any evidence of obtaining preliminary support from the Sydney Metro division of Transport for NSW (TfNSW) in relation to the concept proposal. Should the Planning Proposal proceed to Gateway Determination, it is recommended that the Planning Proposal be referred to the Sydney Metro division of Transport for NSW for comment.



**9.5 Section 9.1 Ministerial Directions**

Section 9.1 of the EP&A Act 1979 enables the Minister for Planning to issue directions regarding the content of Planning Proposals. There are a number of section 9.1 Directions that require certain matters to be addressed if they are affected by a Planning Proposal. Each Planning Proposal must identify which section 9.1 Directions are relevant and demonstrate how they are consistent with that Direction.

The Planning Proposal is considered to be generally consistent with all relevant Ministerial Directions, with the exception of:

- *Direction 4.4 – Remediation of Contaminated Land*
- *Direction 5.1 – Integrating Land Use and Transport*

#### Direction 4.4 – Remediation of Contaminated Land

Council records indicate that the subject site may have been used in the past for a potentially contaminating activity.

*Direction 4.4 – Remediation of Contaminated Land* states that a planning proposal authority must be satisfied that the land is suitable (or will be suitable, after remediation) for all permitted uses within the zone, and if the land requires remediation to be made suitable, the planning proposal authority is satisfied that the land will be so remediated before it is used for its intended purpose.

The Planning Proposal is accompanied by a Preliminary Site Investigation (PSI) report prepared by EI Australia, which identifies a number of potential contamination sources on site including: imported soil fills; weathering of exposed building structures; long-term application of pesticides beneath building footprints; historical operations at the auto-mechanics workshop; and hazardous building materials. The report also found that impacted soils and groundwater do exist on the site and that further site investigations are required to achieve adequate environmental characterisation.

Due to the presence of closely spaced buildings and structures across the site, the report states that data gap closure investigations are currently prevented and should be implemented after building demolition, at which stage the site is made accessible for the completion of intrusive investigations.

Council's Environment and Building Compliance Officer has reviewed the PSI report and notes the following investigations will be required:

- *a hazardous materials survey of the building structures. This will be required pre-demolition and carried out by a suitably qualified person. The recommendations of the survey report will be required to be adhered to with regard to the presence and treatment of any hazardous materials;*
- *a detailed site investigation. This will be required to be undertaken post-demolition and prior to any excavation at the site by a suitably qualified environmental consultant. A Remediation Action Plan (RAP) will be required addressing any land or ground water contamination at the site. The RAP will be required to be adhered to and the site validated as being suitably remediated and fit for its intended use prior to any construction works commencing.*
- *An accredited site auditor may need to be engaged to oversee this aspect of the project and to sign off on the validation report.*

#### Direction 5.1 – Integrating Land Use and Transport

*Direction 5.1 – Integrating Land Use and Transport* seeks to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:



- a) *Improving access to housing, jobs, and services by walking, cycling and public transport, and*
- b) *Increasing the choice of available transport and reducing dependence on cars, and*
- c) *Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) *Supporting the efficient and viable operation of public transport services, and*
- e) *Providing for the efficient movement of freight.*

The increased density on the site supports the patronage of the metro station by co-locating increased residential density and employment generating commercial land uses within walking distance of public transport nodes. However, the significant net increase in traffic generated by the proposal is unreasonable considering the site's highly accessible location and a significant reduction in car parking should be provided.

At Council's request, the planning proposal is accompanied by a draft Green Travel Plan to how the proposed development will promote and support sustainable transport choices and reduce reliance on trips by private vehicles. A revised Green Travel Plan for the site will be required to be undertaken prior to public exhibition to align with the application of recommended reduced parking rates.

## **10. Site-specific Merit Assessment**

The proposals consistency with the site-specific merit criteria is considered below.

### **10.1 Environmental Impacts**

As outlined in sections 8.9 to 8.14 of this report, the proposed increase in height and density on the site will result in additional overshadowing, visual, wind and traffic impacts. It needs to be recognised that the precinct is undergoing significant change. The St Leonards and Crows Nest area is identified a 'strategic centre' and planned precinct through a suite of high-level planning documents, including the Regional and District Plans. There is an opportunity to renew, activate and manage growth within the precinct through the delivery of the objectives and outcomes as outlined within the 2036 Plan.

Council's analysis indicates that a more optimal built form scale and height transition could be achieved on site that minimises overshadowing, visual and wind impacts to the surrounding area. It is also considered that the application of lower maximum parking rates (i.e. the Leonards Precincts 2 & 3 rates under NSDCP 2013) would significantly reduce net traffic generation from the proposed development.

To ensure the potential impacts arising from the proposal are not significantly different to those envisaged under the 2036 Plan, the planning proposal will need to satisfactorily address the recommendations of this report before progressing to the next stage of the plan making process.

## 10.2 Social Impacts

The proposal, if progressed would result in the creation of approximately 129 additional dwellings (estimated at 228 persons). This is a considerable increase in density on the subject site and is likely to place additional demand on existing services and facilities. Payment of applicable section 7.11 and 7.12 local infrastructure contributions will help alleviate potential impacts on existing local infrastructure. Payment of the applicable Special Infrastructure Contribution (SIC) will contribute towards the delivery of regional infrastructure upgrades to support new growth.

The proposal also provides the opportunity to provide activated street frontages and help meet the objectives of the *St Leonards and Crows Nest 2036 Plan*.

## 10.3 Economic Impacts

The proposal is accompanied by an Economic Impact Assessment prepared by Hill PDA, which estimates that the proposal would generate an additional 295 jobs, \$24.1 million per annum in wages and contribute an additional \$39.4 million per annum to the local economy (GDP). Construction is estimated to generate 279 jobs directly on-site.

It is estimated that workers on-site will generate \$0.92 million per annum in local retail expenditure and residents on-site will generate \$3 million per annum, which could be captured by retailers in the locality including Crows Nest, St Leonards and North Sydney.

## 10.4 Adequacy of Public Infrastructure

The site is located in proximity to existing and proposed transport infrastructure, including existing road connections and high frequency public transport. The site is in a locality that would allow future residents and workers to capitalise on the wide range of infrastructure and services available and planned within the area.

At the development application stage, consultation would be required with utility providers to ensure that sufficient capacity exists in water, sewer, gas, telecommunications and other utility services.

There is likely to be adequate services and infrastructure in the area to accommodate the proposed increases in demand, alternatively the applicant will be required to pay for any upgrades required.

## SUBMISSIONS

There are no statutory requirements to publicly exhibit a Planning Proposal before the issuance of a Gateway Determination. However, Council sometimes receives submissions in response to planning proposals which have been lodged but not determined for the purposes of seeking a Gateway Determination. The generation of submissions at this stage of the planning process, arise from the community becoming aware of their lodgement through Council's application tracking webpage and on-site signage.

At the time of reporting, two submissions had been received. Concerns were raised with respect to the proposed height increase and associated density of development at such a sensitive and prominent corner. In particular, concerns were raised that the scale of development proposed would be dominant and detract from the heritage value of the Five ways intersection and is inconsistent with village character of Crows Nest. Concerns were also raised with respect to the proposal's impact on the immediate precinct, including overshadowing, wind tunnel effects and traffic generation as a result of increased parking.

These issues are largely addressed in this report. In summary, it is recommended the planning proposal be revised to address the recommendations of this report before progressing to the next stage of the plan making process. If the proposal proceeds to Gateway Determination, the community will be formally consulted about the draft proposal and invited to comment.

## CONCLUSION

The Planning Proposal (3/22) seeks to amend NSLEP 2013 as it relates to land at 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street (also known as the 'Five Ways' triangle site) as follows:

- Increase the maximum building height control from 16m to 63.5m;
- Impose a maximum Floor Space Ratio (FSR) of 5.8:1; and
- Increase the minimum non-residential FSR from 0.5:1 to 2.5:1.

The proposal is accompanied by a suite of suggested site-specific development controls to be incorporated within North Sydney Development Control Plan (NSDCP) 2013 to provide greater certainty over the future delivery of the site development.

Pursuant to Ministerial Direction 7.11 to section 9.1 of the EP&A Act 1979, Council is required to assess the planning proposal for its consistency against the provisions of the *St Leonards and Crows Nest 2036 Plan*.

It is considered that the requested increase in density (FSR controls) is generally consistent with the recommendations of the 2036 Plan. However, the requested maximum building height of 63.5m is greater than that required to deliver a 16-storey mixed-use building on the site and should be reduced to 56m. The additional height is not supported, as Council's internal modelling indicates that a variation of 7.5m in height across the site could potentially result in a building of 18 storeys with discernible overshadowing and visual impacts to surrounding low density residential areas and Heritage Conservation Areas (HCA), contrary to the objectives and intended outcomes of the 2036 Plan.

Council's analysis also indicates that a more appropriate built form scale and height transition outcome could be achieved on the site than that reflected in the applicant's proof of concept, and that further refinement and modification is required.

To ensure the future bulk, scale and massing of development on the site is consistent with the intended outcomes of the 2036 Plan, it is recommended that the accompanying Development Control Plan (DCP) be amended to address the recommendations of this report with respect to: podium height and treatment, setbacks, building mass and transition, heritage, future public open space/through-site links and parking rates, prior to the planning proposal proceeding to the next stage of the plan making process.

On balance, the planning proposal is considered to have strategic and site-specific merit as it:

- does not contradict the ability to achieve the objectives and actions of high-level planning strategies;
- is generally consistent with the provisions of the *St Leonards and Crows Nest 2036 (2036 Plan)* and accompanying Ministerial Direction; and
- the bulk and scale of any future development on the site, and impacts to the surrounding environment and wider community, has the ability to be appropriately mitigated as part of the implementation of appropriate standards within NSDCP 2013 and the development application process.

## **RECOMMENDATION**

That the Panel resolves to support the Planning Proposal being forwarded to the Department of Planning and Environment seeking a request for a Gateway Determination subject to:

- the planning proposal being amended to a maximum building height of 56m; and
- the preparation of site specific DCP provisions that satisfactorily address the recommendations of this report with respect to podium height and treatment, setbacks, building mass and transition, heritage, future public open space/through-site links and parking rates.

It is also recommended that the applicant's indicative reference scheme be amended in accordance with the site-specific DCP provisions, prior to being placed on public exhibition.

**Katerina Papas**  
**SENIOR STRATEGIC PLANNER**

**Joseph Hill**  
**DIRECTOR CITY STRATEGY**

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# GYDE

# Planning Proposal

The Five Ways Triangle, Crows Nest  
Lands bound by the Pacific Highway, Falcon and Alexander  
Streets, Crows Nest

submitted to North Sydney Council  
on behalf of DEICORP



## Fiveways

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### This report was prepared by:

**Director:** Stephen Kerr

**Associate:** Lucy Langley

**Project:** P-19320

**Report Version:** Final

### Disclaimer

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Fiveways

# TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>5</b>
<b>SECTION A – OVERVIEW .....</b>	<b>6</b>
<b>1. INTRODUCTION.....</b>	<b>6</b>
<b>2. THE SITE AND LOCAL CONTEXT .....</b>	<b>9</b>
2.1. Location and Description.....	9
2.2. Land ownership and future development .....	12
2.3. Metro tunnels .....	13
2.4. Site Photos.....	13
2.5. Surrounding development.....	14
2.6. Character .....	17
2.7. Heritage .....	19
2.8. Access and Connectivity .....	21
<b>3. STATUTORY CONTEXT .....</b>	<b>24</b>
3.1. Current Development Controls.....	24
3.2. St Leonards and Crows Nest 2036 Plan .....	25
3.3. Development Approvals and Planning Proposals .....	25
<b>4. CONCEPT.....</b>	<b>26</b>
4.1. Need for Redevelopment .....	26
4.2. Indicative Built Form.....	26
4.3. Proposed Statutory Amendments .....	29
4.4. Concept Design .....	29
4.5. Consultation with North Sydney Council .....	31
4.7. Consultation with Department of Planning, Industry and Environment .....	35
<b>Section B – Planning Proposal .....</b>	<b>36</b>
<b>5. OBJECTIVES AND THE INTENDED OUTCOMES.....</b>	<b>36</b>
5.1. Objectives of the Planning Proposal .....	36
5.2. Intended development outcome .....	36
<b>6. EXPLANATION OF THE PROVISIONS .....</b>	<b>37</b>
<b>7. JUSTIFICATION .....</b>	<b>38</b>
7.1. Need for a Planning Proposal .....	38
7.2. Considering Strategic and Statutory Planning Framework.....	38
7.3. Environmental, Social and Economic Impact .....	60
7.4. State and Commonwealth Interests .....	72



## Fiveways

7.5. Summary of the Strategic and Site-Specific Merits of the Planning Proposal .....	72
<b>8. PART 4 – MAPPING.....</b>	<b>75</b>
<b>9. PART 5 – COMMUNITY CONSULTATION .....</b>	<b>76</b>
<b>10. PART 6 – PROJECT TIMELINE .....</b>	<b>77</b>
<b>11. CONCLUSION .....</b>	<b>78</b>

## APPENDICES

Appendix A	Urban Design Report
Appendix B	Place Making Report
Appendix C	Traffic and Parking Impact Assessment and Draft Travel Plan
Appendix D	Economic Impact Assessment
Appendix E	Heritage Impact Statement
Appendix F	Structural Report and Letter of Support
Appendix G	Planning Proposals and S9.1 Ministerial Directions
Appendix H	State Environmental Planning Policies (SEPPS)
Appendix I	LEP Map Amendments
Appendix J	Preliminary Contamination Report
Appendix K	Pedestrian Wind Environment Statement
Appendix L	Site Specific DCP





## Fiveways

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### EXECUTIVE SUMMARY

This planning proposal applies to a unique development site in Crows Nest referred to as the Fiveways Triangle. The site is unique in so much as it comprises an entire street block of 19 allotments bound by the Princes Highway, Falcon Street and Alexander Street that is located at the head of Willoughby Road and the Crows Nest Village. Developed in a coordinated and holistic fashion, it is able to provide a meaningful extension to the Village public domain, better connections to the key bus transit stop, valuable employment floorspace, and additional housing to support businesses in the Crows Nest Village and the public investment in the new Metro.

The planning proposal seeks to give effect to the St Leonards and Crows Nest 2036 Plan (2036 Plan) by proposing the following changes to the North Sydney Local Environmental Plan 2013 (NSLEP):

- Amend the Height of Buildings Map (Sheet HOB\_001) to change the maximum height shown for the site from 16 metres to 63.5 metres (to facilitate a 16 storey mixed use development)
- Amend the Non-Residential FSR Map (Sheet LCL\_001) to change the minimum provision of non-residential floor space from 0.5: to 2.5:1
- Amend the NSLEP 2013 FSR Map (Sheet FSR 01) to apply an FSR of 5.8:1 to the site.

The 2036 Plan establishes a Vision, Objectives, Actions and Urban Design Principles which are the basis for measuring consistency. The Vision, Objectives, Actions and Urban Design Principles are a mixture of qualitative and quantitative requirements.

The 2036 Plan also outlines changes to the existing planning controls which, as noted on page 63 of the 2036 Plan, are '*... indicative and demonstrate the planning and other interventions which would give effect to the changes described in earlier sections of this Plan. These potential built form parameters have been developed to achieve the key urban design principles envisaged by the Plan. Final planning controls will be developed as part of any future rezoning process*'. This planning proposal is consistent with the indicative built form parameters which include a 16 storey height limit. Minimum 2.5:1 non-residential floor space ratio (FSR) and 5.8:1 maximum FSR.

This planning proposal, and in particular the Urban Design Report and Place Design Framework demonstrate that the Vision, Objectives, Actions and Urban Design Principles, including the strict prescriptive requirements, are achieved. Consolidation of the currently disparate street block enables the creation of a greatly improved public domain.

This planning proposal is unequivocally consistent with the 2036 Plan and by extension the Greater Sydney Commission's North District Plan. Moreover, it will create a dynamic and vibrant extension to the Crows Nest Village while providing employment and housing opportunities in a place that is well served by existing and significant new infrastructure..

Accordingly, we commend the planning proposal to North Sydney Council.



Fiveways

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## SECTION A – OVERVIEW

### 1. INTRODUCTION

This planning proposal has been prepared by Gyde on behalf of Deicorp Pty Ltd (the Applicant) and is submitted to North Sydney Council (Council) for assessment under Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act). It has been prepared in accordance with the Department of Planning and Environment's Guideline, 'Local Environmental Plan Making Guideline' (December 2021).

The NSW planning system is strategically focused, with higher order plans setting strategic directions which are given effect through local plans. The purpose of this planning proposal is to give effect to the St Leonards Crows Nest Plan 2036 (the 2036 Plan). The 2036 Plan creates a vision for growth based upon the characteristics of the area, including access and proximity to centres and services, availability of infrastructure and investment in new infrastructure and local amenity.

This planning proposal is site specific and applies to land known as the Fiveways Triangle (the site). The site occupies an entire street block and is bound by the Pacific Highway, Falcon Street and Alexander Street. It contains a collection of small commercial buildings in which there has been limited investment in recent years, and which make minimal economic or visual contribution to Crows Nest. The redevelopment potential of individual sites is constrained by their size and the inability in most cases for vehicle access.

#### Background

The Applicant submitted a planning proposal in June 2020 (June Proposal), almost two years after the Draft St Leonards Crows Nest Plan (Draft Plan) was published. The Draft Plan identified the site as a "significant site" and did not assign a height or residential FSR control on the basis that it was one of a very small number of sites capable of accommodating a taller building and that appropriate controls would be developed through a rigorous design excellence process. The June planning proposal included a rigorous design excellence process and proposed a 36 storey tower on the site, which was consistent with the opinion of the NSW Government Architect's Office that the site was an important visual marker which could enhance the Crows Nest Village without detracting from any of its intrinsic qualities. In the final 2036 Plan, the significant sites provisions of the Draft Plan were removed, and indicative built form controls were identified for the site.

In September 2020, the Applicant met with Council officers and agreed to withdraw the June planning proposal so that it could be reconsidered in light of the 2036 Plan. Council provided written feedback to the Applicant following their initial assessment of the June planning proposal.

In December 2020, the Applicant submitted a revised planning proposal which sought to address Council's comments and responds to feedback received in subsequent pre-lodgement meetings with Council and the Department of Planning, Industry and Environment (Department). Council indicated in their letter of 27 February 2021 that it would not support the revised planning proposal proceeding to Gateway determination.

As a consequence, the Applicant submitted a rezoning review request on 11 March 2021 which was considered by the Sydney North Panel on 18 October 2021. The Panel decided that the revised planning proposal should not be submitted for a Gateway determination because the proposal did not demonstrate strategic merit. The Panel noted that the panel was not convinced that the proposed variations in terms of height and especially FSR were justified. However, the Panel noted that the site is a landmark site not only for the local community but also the wider community of Sydney, given its location on a thoroughfare.

#### The Site

The site contains nineteen allotments (sixteen parcels), which are owned by the Applicant. The amalgamation of the nineteen allotments has taken significant effort and enables a holistic redevelopment to occur with a unified public domain. The amalgamated site provides a unique opportunity which is rarely possible given the challenges of site amalgamations.

The urban design rationale report prepared by Roberts Day aptly describes the present day Fiveways Triangle as a 'lost

## Fiveways

space' – a traffic island at best – contributing nothing to the evolution of the precinct as a better place. The planning proposal will facilitate the redevelopment of the Fiveways Triangle as a coherent whole and will remedies this situation.

The site is located within walking distance of the Mater hospital, North Sydney Girls High School and Cammeraygal High School, which are part of a health and education sub precinct. The sites' location at the top of Falcon Street makes it a gateway between the health and education precinct and the Crows Nest village. Its redevelopment will create an extension of the Crows Nest village and an anchor for the Medical and Education sub precinct.

The site is located a mere 240 metres from the proposed Crows Nest Metro Station. The Sydney Metro City & Southwest is a \$12.5 billion investment by the NSW Government in city shaping infrastructure. The Metro is a rapid, high frequency transport service, that will connect people to jobs and services, improving Sydney's liveability and support economic growth. The site is further connected to other parts of areas by bus services, with bus stops located on or opposite each of the site's boundaries providing frequent connections to the north-south and east-west.

## The Proposal

This planning proposal for the Fiveways Triangle is entirely consistent with the vision, objectives, actions, urban design principles and indicative built form controls of the final St Leonards Crows Nest 2036 Plan.

The planning proposal is accompanied by a concept building design which demonstrates the building envelope which would be achieved by the proposed planning controls. The concept building design was developed by Turner, with further critique and place making strategies and insights by Roberts Day. The detailed design will continue to be developed as further comment is provided by Council's Design Review Panel and the community as part of the development application process.



Figure 1 - Proposed building envelope represented by the planning proposal. Source: Turner Architects



## Fiveways

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### North Sydney LEP Amendments

This planning proposal seeks to amend the North Sydney Local Environmental Plan 2013 (NSLEP) as follows:

- Amend the Height of Buildings map to change the maximum height shown for the site from 16 metres to 63.5 metres (sufficient to accommodate a 16 storey mixed use building having regard to the site topography)
- Amend the Non-Residential Floor Space Ratio (FSR) map to change the minimum provision of non-residential floor space from 0.5: to 2.5:1
- Amend the NSLEP 2013 FSR Map (Sheet FSR 01) to apply a FSR of 5.8:1 to the site.

### Summary

In summary, the benefits that the planning proposal will deliver are:

- Consolidation of a currently lost space and the creation of a vibrant new public domain that will complement and extend the Crows Nest Village
- The provision of approximately 129 apartments with a high standard of amenity that will contribute to the North Sydney LGA's long term housing needs creating greater housing diversity while relieving pressure on less suitable places.
- A quality arrival and departure point for users of the key bus stop serving the Crows Nest Village and surrounding locality.
- Significant commercial floor space that will serve the health and education precinct and provide walkable employment opportunities for the surrounding community. The floor space will accommodate 295 additional jobs and contribute \$39.4 million to the local economy annually.
- Realisation of the economic, social and place making opportunities created by the public investment in the Sydney Metro.
- Implementation of the strategic vision identified in the Greater Sydney Regional Plan, the North District Plan, and the St Leonards Crow Nest 2036 Plan.
- Facilitates the foreshadowed future closure of Falcon Street between Alexander and Pacific Highway by providing alternate vehicle and service access for shops on Falcon Street.

## 2. THE SITE AND LOCAL CONTEXT

### 2.1. Location and Description

The site is located in Crows Nest in the North Sydney Local Government Area (LGA), 5.7km north of the Sydney CBD (Figure 2). The site is within the 'North District' of the Greater Sydney Region as defined by the Greater Sydney Commission.



Figure 2: Context Map, site marked red (Source: Google Maps)

Crows Nest is an urban village of the lower north shore. Its residential, retail, and business uses activate its streets in the day and night, creating a vibrant place to live and work. Willoughby Rd is its central spine and its mix of low-rise character buildings, wide footpaths and food and beverage offerings, make it a destination for locals and those from surrounding areas.

The site is located at the southern end of the village. It is a prominent element of the Crows Nest village, occupying an entire street block and being located on the Five Ways intersection. The site is bound by the Pacific Highway, Falcon Street and Alexander Street (

Figure 3).

## Fiveways



Figure 3: Aerial image (Source: Google Maps)

The Five Ways is created by the intersection of the Pacific Highway, Falcon Street and Willoughby Rd. The alignment of the roads creates corner blocks of varying shapes, with the buildings upon them responding to their shape and addressing the intersection. The wide width of the intersection provides open views of the buildings from the various angles of approach. Willoughby Road ends at Falcon Street, with a pedestrian desire line extending between the point of termination and the subject site.



Figure 4: Five Ways intersection

The Five Ways is located at a crest in the ridgeline which extends through this section of the North Shore and is elevated above the surrounding land in each direction making it a visual focal point. The site generally falls in a south easterly direction from its north western corner down to its south eastern corner.

The site is an amalgamation of sixteen smaller sites (nineteen allotments) as illustrated in Figure 5 and described in Table



Fiveways

1. The site has an area of 3200.6m<sup>2</sup> and has the following street frontages:

- Falcon Street: 70m
- Alexander Street: 85m; and
- Pacific Highway 110m.

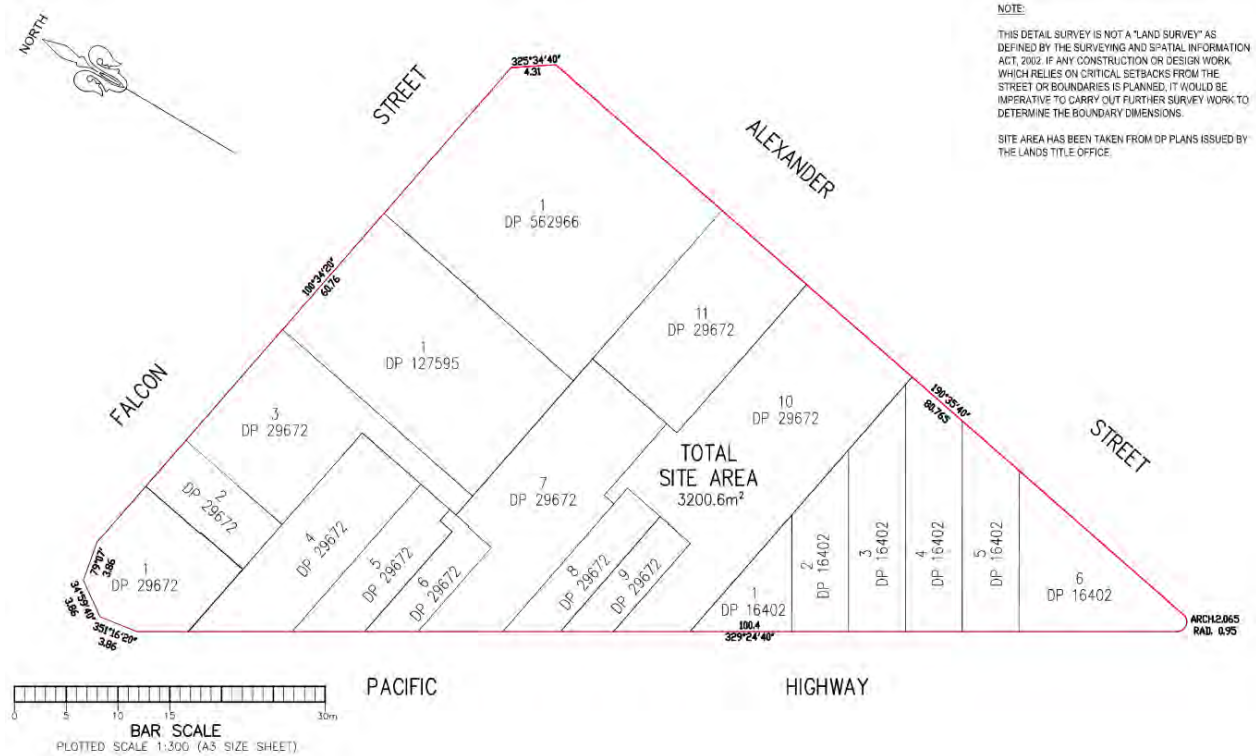


Figure 5: Site Survey (Source: Total Surveying Solutions)

Table 1: Allotment descriptions

Address	Lot	Deposited Plan	Ownership
3 Falcon Street	2	DP 29672	Owned by Applicant
7 Falcon Street	3	DP 29672	Owned by Applicant
9-11 Falcon Street	1	DP 127595	Owned by Applicant
15 Falcon Street	1	DP 562966	Owned by Applicant
8 Alexander Street	11	DP 29672	Owned by Applicant
391-393 Pacific Highway	6	DP 16402	Owned by Applicant
395 Pacific Highway	4 and 5	DP 16402	Owned by Applicant

## Fiveways

399 Pacific Highway	3	DP 16402	Owned by Applicant
401 Pacific Highway	1 and 2	DP 16402	Owned by Applicant
407 Pacific Highway	10	DP 29672	Owned by Applicant
411 Pacific Highway	8 and 9	DP 29672	Owned by Applicant
413 Pacific Highway	7	DP 29672	Owned by Applicant
415 Pacific Highway	6	DP 29672	Owned by Applicant
417 Pacific Highway	5	DP 29672	Owned by Applicant
419 Pacific Highway	4	DP 29672	Owned by Applicant
423 Pacific Highway	1	DP 29672	Owned by Applicant

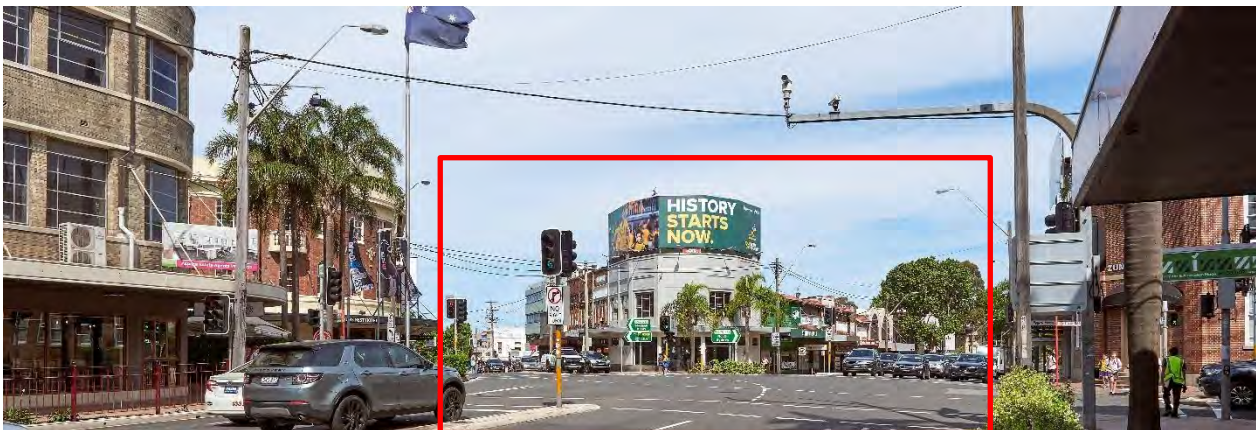


Figure 6: View from site from Fiveways intersection (Source: SkyMonkey)

The site contains a mix of 1-4 storey buildings. The buildings are generally constructed to their boundaries and do not have vehicular access. The Alexander Street frontage is an exception to this pattern, with the buildings having staggered alignments and multiple driveway crossings. The buildings are occupied by a range of uses including office, retail, education, mechanics and sex services. A number of the premises are vacant and have been for some time. It is estimated there is 4,600m<sup>2</sup> of gross floor area and 154 jobs contained upon the site.

A prominent feature of the site is the billboard advertising sign located on top of 423 Pacific Highway facing the Five Ways intersection. The sign is located above the parapet of the building and is visually intrusive. The buildings generally contain retail uses at ground floor and commercial premises on their first floor. There is also a car service centre located on the Alexander Street frontage.

## 2.2. Land ownership and future development

All the sixteen parcels which make up the site are all owned by the applicant which will facilitate the orderly development of the entire Five Ways triangle.



Fiveways

2.3. Metro tunnels

The Metro rail tunnels pass under the north eastern corner of the site and are contained within a below ground stratum. The Metro is a constraint to development but does prevent the undertaking of below ground works.



Figure 7: Metro tunnel easements affecting the site. (Source BG&E)

2.4. Site Photos



Figure 8: View of northern end of eastern frontage (Alexander Street)



Figure 9: View of south end of eastern frontage (Alexander Street)

## Fiveways

Street)



Figure 10: View of eastern end of northern frontage (Falcon St)



Figure 11: Existing development on subject site along Pacific Highway frontage (Source: City Plan)



Figure 12: View of northern end of western frontage (Pacific Highway)



Figure 13: View of southern end of western frontage (Pacific Highway)

## 2.5. Surrounding development

To the north of the site on the opposite side of Falcon St is the Crows Nest Hotel (Figure 14), which is a three storey building which is listed as a local heritage item under the NSLEP 2013. The Hotel adjoins Willoughby Lane at its eastern boundary. Located on the opposite side of the laneway is 6-8 Falcon Street, which contains a two small commercial building that is used as a restaurant. Further to the east is 10 Falcon St, which contains a three storey commercial building containing a supermarket, public car parking and other commercial uses. Its façade contains curve bands which bend around the façade and rise to define the corner. Coloured vertical panels fill the spaces between the curved bands.

## Fiveways



Figure 14: Crow's Nest Hotel, located opposite the site on the northern side of Falcon Street



Figure 15: No. 10 Falcon St, Crow's Nest. Located opposite subject site on northern side of Falcon St

To the east of the site on the opposite side of Alexander Street is a mix of commercial and mixed-use buildings ranging in height from 1 – 4 storeys. The buildings create a buffer between the site subject and the Holtermann Estate C Conservation area, the north-western boundary of which adjoins their rear.

## Fiveways



Figure 16: Development on eastern side of Falcon St, opposite the subject site (Source: Google maps)

To the south and west of the site on the western side of the Pacific Highway are a mixture of commercial and mixed-use buildings that are up to six storeys in height. The buildings are varied in their age and form and materiality, creating a disjointed streetscape. Further south along Pacific Highway is a 17-storey building located at 210-220 Pacific Highway (Figure 17). To the south of the site are the Mater Hospital, North Sydney Girls and Cammeraygal High Schools, which form part of an emerging cluster health and education precinct.



Figure 17: Development at 210-220 Pacific Highway (Source: Google Maps)

**Fiveways****2.6. Character**

The Urban Design Report (Appendix A) includes an analysis of the character of the wider Crows Nest and St Leonards area. The study concludes that the area is made up of a series of distinct sub-villages, with Crows Nest village at their centre. The location of the sub precincts is shown in as shown in Figure 18 and the characteristic of each is described in below.

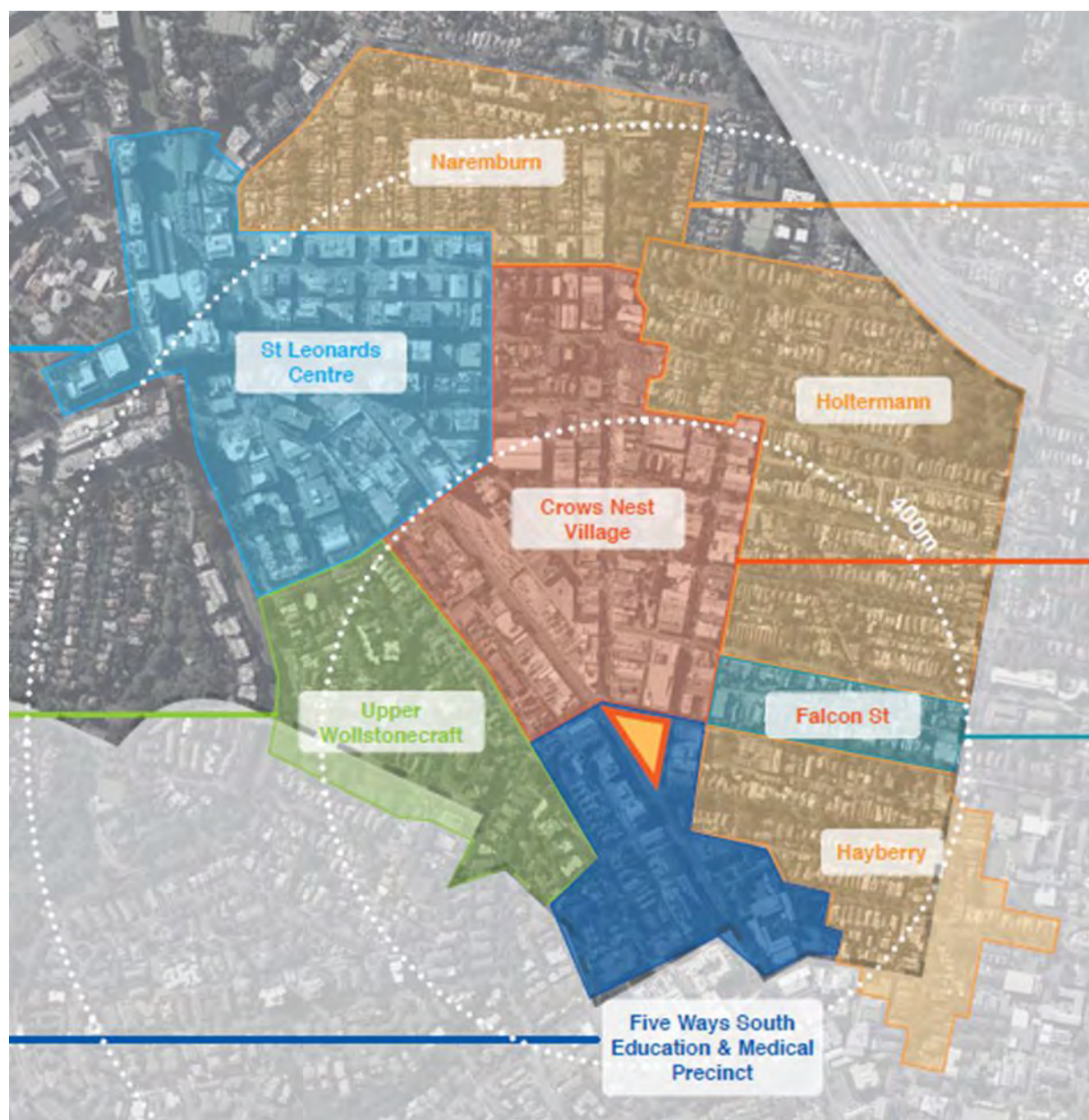


Figure 18: Local Context Analysis (Source: Turner - Urban Design Report)



## Fiveways

Table 2: Characteristics of Sub Precincts of St Leonards and Crows Nest

Sub-Precinct	Characteristic
<b>St Leonards Centre</b>	An urban renewal centre, comprising high-quality mixed-use buildings and public domain with a thriving arts, culture and innovation hub.
<b>Upper Wollstonecraft</b>	A residential area offering a diverse mix of housing, including affordable housing within a landscaped setting.
<b>Heritage Precinct (Nareburn, Holtermann and Hayberry)</b>	Comprising low scale urban form influenced by the strongly defined grid pattern of wide streets and narrow rear lanes with mature street trees.
<b>Crows Nest Village</b>	A village atmosphere centered around the fine grain retail and restaurant strip of Willoughby Road. It has an emerging commercial and entertaining role, comprising a well-designed mix of commercial and mixed-use buildings which improve amenity and activity of the highway and surrounds.
<b>Falcon Street</b>	A residential strip with convenience retail and services on corner sites.
<b>Fiveways South</b>	A centre for health and education services, complementary medical activities, ancillary retail, visitor, care and aged accommodation.

## Fiveways

### 2.7. Heritage

The site is located within close proximity to a number of heritage items (Figure 20), notably the buildings located on the other corners of the Five Way intersection, which are described in Table 3. In addition, the site is one block removed from the north eastern corner of the Holtermann Estate C conservation area and located to the south west of the Holtermann East B Conservation area as shown in Figure 19 with the site circled red.

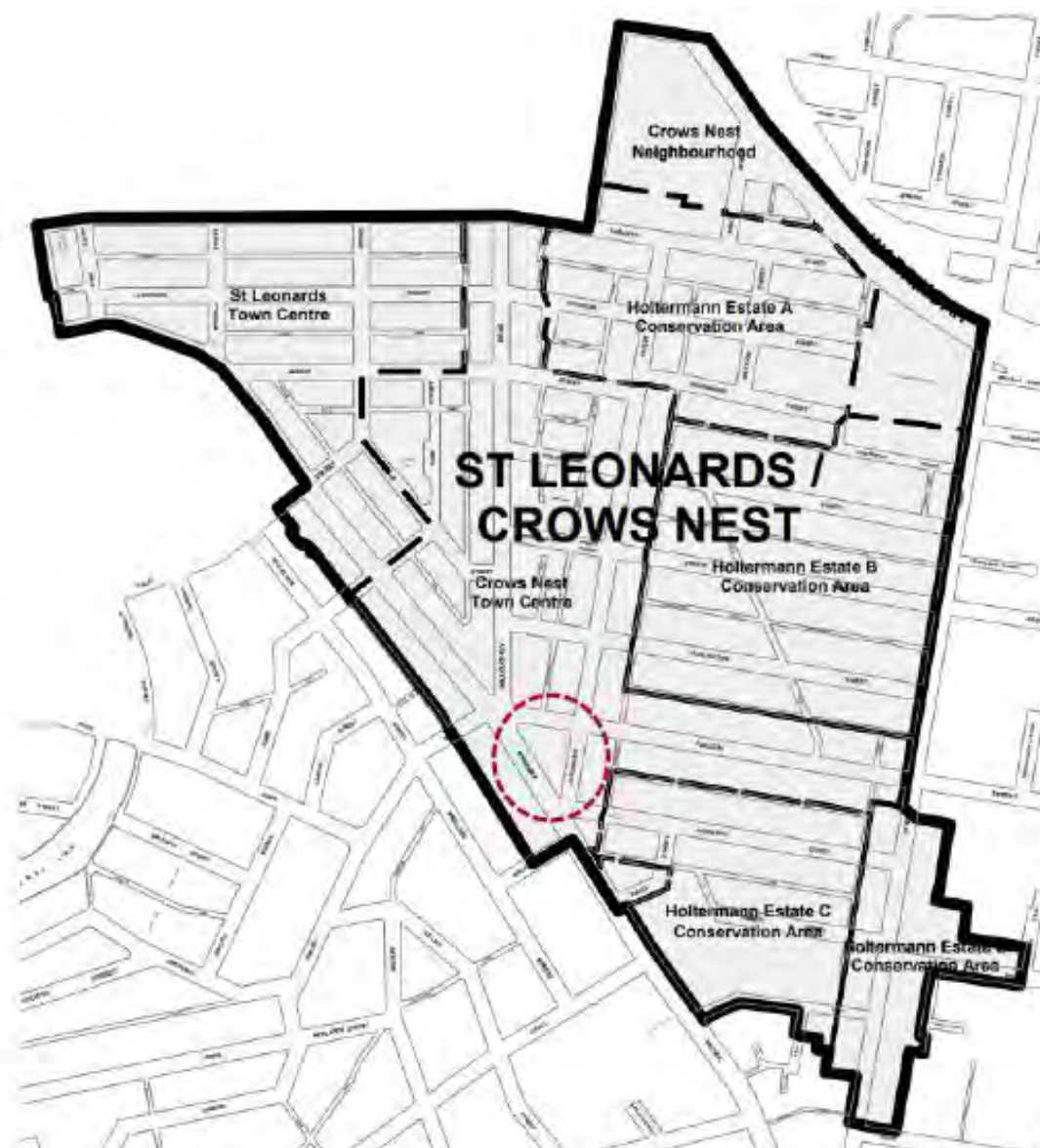


Figure 19: North Sydney DCP 2013, Part C Character Statements, site circled red.

## Fiveways

Table 3: Description of heritage items on Five Ways intersection

Property	Significance
306 Pacific Highway Item No: I0151	"The former Crows Nest Branch of the Bank of New South Wales is an excellent example of Inter-war Georgian revival architecture in a commercial building, with its significance enhanced by the prominent streetscape location as part of a five-way intersection dominated by buildings of a similar form, scale, materials and period."
308 Pacific Highway Item No: I0152	"An example of a two-storey rendered masonry commercial building on a prominent corner site with plainly detailed elevations. An important streetscape item as a part of a major intersection with a cohesive group of interwar commercial buildings on each corner."
429 Pacific Highway Item No:	"Dramatic and imposing commercial building on an important corner of a major intersection which is characterised by buildings of similar period and materials. A fine example of the Interwar Functionalist style and an early example of a large regional department store."
1 - 3 Willoughby Rd Item No: I0181	"Interesting large urban Inter-War hotel on an important intersection which has buildings similar in materials, form, style and period on each corner."

(Source: Urbis Heritage Impact Statement).



Figure 20: NSLEP 2013 Heritage Map (Source: NSW Legislation)





## Fiveways

The Holtermann Estate C conservation area is characterised by modest, speculative cottages in the Victorian Georgian and Filigree, Victorian Italianate, Federation Queen Anne and Federation Bungalow styles. There are also some Inter-War Californian Bungalow and Art Deco styles and later infill development including the large campus of the Sydney Girls High School. Characteristic buildings in the Holtermann Estate C Conservation Area include detached, late Victorian, Federation and Edwardian semi-detached dwelling houses and gardens. There are intrusive off-street parking structures where rear lane access is not available. Other uncharacteristic elements include two storey additions constructed to the street, lot amalgamations and loss of original subdivision pattern, contemporary buildings with laneway frontages.

The Holtermann Estate B Conservation Area includes the central portion of the larger Holtermann Estate. The area is characterised by its low scale of single storey, hipped roof, detached and attached dwelling houses that include a mix of late 19th and early 20th century building styles, and restrained examples of Victorian Georgian and Filigree, Victorian Italianate, Federation Queen Anne and Federation Bungalow. There are also some Inter-War Californian Bungalow and Art Deco styles with some post war residential flat buildings and modern infill housing. Front gardens contribute to the landscaping of the streets. Gardens follow the natural fall of the land with steps to the street on the high side. There are high and low scale street trees and shrubs.

## 2.8. Access and Connectivity

Crows Nest is centrally located within the Eastern Harbour City and part of the eastern economic corridor. It is part of the St Leonards health and education precinct and located in near proximity to a number of other centres.

Crows Nests' connection to other centres is shown in the North Sydney Transport Network map (**Error! Reference source not found.**). The site lies at the junction of existing (North shore rail line) and future (Metro) city shaping infrastructure, on east-west and north-south operating city service bus routes and in close proximity to future regional active transport routes.

The site is located 240 metres from Crows Nest Metro Station. The Sydney Metro City & Southwest is a \$12 billion investment by the NSW Government in city shaping infrastructure. The Metro is a rapid, high frequency transport service, that will connect people to jobs and services, improving the Sydney's liveability and support economic growth. The Sydney Metro City & Southwest line is scheduled to commence operation in 2024, with indicative timeframes for travel from Crows Nest of:

- 4 minutes to Chatswood Station
- 5 minutes to Barangaroo Station
- 7 minutes to Sydney Metro Martin Place Station.

Table 4: Proximity and access to key centres

Centre	Classification (North District Plan)	Connection to Crows Nest
North Sydney CBD	Metropolitan Centre	1km by road Heavy rail Bus
Sydney CBD	Metropolitan Centre	4km by road Heavy rail Bus
Chatswood CBD	Strategic Centre	5km by road Heavy rail Bus
Macquarie Park	Health and Education Precinct	10km by road Heavy rail

Fiveways

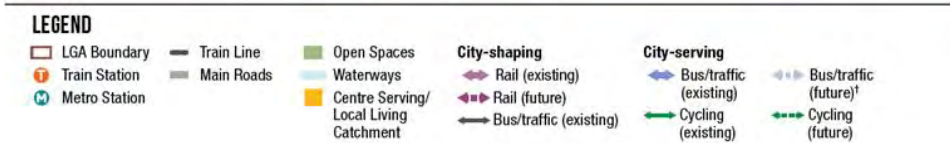
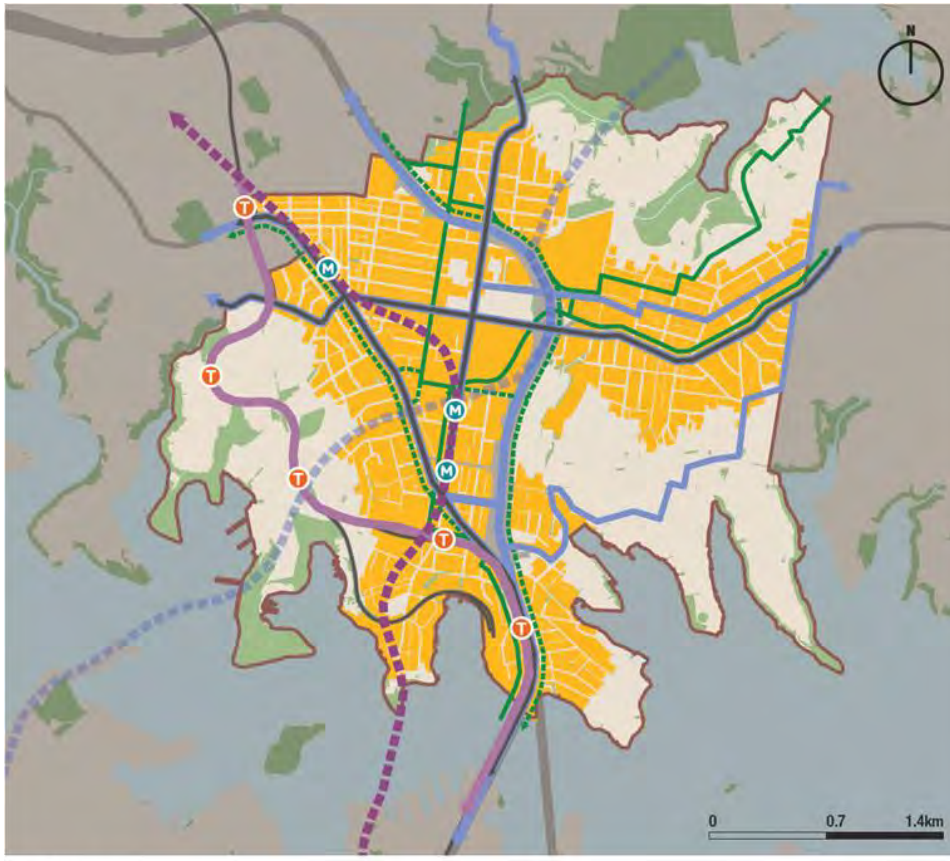


Figure 21: North Sydney Transport Network -- Site Marked blue circle (Source: North Sydney LSPS)

St Leonards train station is located 800m to the north of the site. St Leonards Station provides train services to Sydney and North Sydney CBDs, northern parts of Greater Sydney, Central Coast, Newcastle and western parts of Sydney such as Burwood.

There are a number of bus services which pass the site, with a bus stop located on or opposite each of the site's frontages. The bus stop on the Pacific Highway is serviced by twenty-five bus routes, and provides access to North Sydney, Sydney and Chatswood CDBs, Macquarie Park as well as the harbourside suburbs to the west. The bus services which travel along Falcon Street provide access to Lane Cove and the Northern Beaches. An overview of the available bus services is provided in **Error! Reference source not found.**

Table 5: Bus Services available from the site

Bus Services	
Bus stop:	Pacific Highway after Falcon Street



## Fiveways

<b>Number of bus routes serviced:</b>	25
<b>Key bus services:</b>	200 (Chatswood to Bondi Junction), 261 (Lane Cove to City King Wharf via Longueville), 265 (Lane Cove to North Sydney via Greenwich), 286 (Denistone East to Milsons Point via St Leonards & North Sydney), 287 (Ryde to Milsons Point via St Leonards & North Sydney), 290 (Epping to City Erskine Street via Macquarie University & North Sydney), 291 (Epping to McMahons Pt), 320 (Gore Hill to Mascot), 622 (Dural to Milsons Point via Cherrybrook), 602X Bella Vista Station to North Sydney, 612X (Castle Hill to North Sydney), N90 (Hornsby to City Town Hall via Chatswood), N91 (Macquarie Park to Bondi Junction via City Town Hall)
<b>Bus stop:</b>	Alexander St before Hayberry St
<b>Number of bus routes serviced:</b>	4
<b>Key bus services:</b>	343 (Chatswood to Kingsford), 579N (Chatswood Station to Queenwood), 625W (Chatswood to Miller & Falcon Sts), 754W (Willoughby Girls High to Crows Nest)
<b>Bus stop:</b>	Falcon St near Alexander St
<b>Number of bus routes serviced:</b>	17
<b>Key bus services:</b>	143 (Chatswood to Manly via Balgowlah & St Leonards), 257 (Chatswood to Balmoral via Crows Nest), 599N (St Leonards Station to Spit Road opposite Military Rd), 648W (Fitzroy St, Milsons Point to Epping Station)

Fiveways

**3. STATUTORY CONTEXT**

3.1. Current Development Controls

The North Sydney Local Environmental Plan 2013 (NSLEP) applies the following planning controls to the site.

<p>The site is zoned B4 Mixed Use under the NSLEP.</p>	<p>The NSLEP applies a minimum 0.5:1 non-residential FSR.</p>
<p>The NSLEP applies a 16m height control to the site.</p>	<p>The NSLEP does not apply a maximum FSR to the site.</p>



## Fiveways

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### 3.2. St Leonards and Crows Nest 2036 Plan

The NSW planning system is strategically focused, with higher order plans setting strategic directions which are given effect through local plans. The purpose of this planning proposal is to give effect to the 2036 Plan) The 2036 Plan creates a vision for growth based upon the characteristics of the area, including access and proximity to centres and services, availability of infrastructure and investment in new infrastructure and local amenity. Further analysis is provided at Section 0.

### 3.3. Development Approvals and Planning Proposals

There are currently four planning proposals being considering by the Department within the St Leonards and Crows Nest Planned Precinct. These are predominately located around the St Leonards Station and the new Crows Nest Metro Station location. Details of these planning proposals are set out in **Error! Reference source not found.G.**

There are currently no significant development applications being considered by North Sydney Council in the vicinity of the site.

## 4. CONCEPT

### 4.1. Need for Redevelopment

The site occupies an entire street block which is bound by the Pacific Highway, Falcon St and Alexander Street. It contains a collection of one – four storey commercial buildings with small floorplates unsuitable to meet the demands of current commercial and retail users, resulting in many being vacant. There has been limited investment in the buildings in recent years and as such they minimal economic or visual contribution to Crows Nest.

The site is located in close proximity to the future Crows Sydney Metro station. The Metro line is a \$12.5 billion investment by the Government and will reshape the form and movement patterns of Greater Metropolitan Sydney in the future. It is important that the Metro is supported by appropriate new growth to maximise the public benefit and realise its value in connecting the city.

The Place Design Framework Report prepared by Roberts Day (Appendix B) identifies that the irregular triangular shape of the site and its island characteristics make it an important site for placing making in the evolution of the precinct as a better place.

The site contains nineteen allotments (sixteen parcels), which are all owned by the Applicant. The amalgamation of the allotments has taken significant time and enables wholistic redevelopment to occur. The amalgamated site provides a unique opportunity which is rarely possible given the challenges of site amalgamations.

### 4.2. Indicative Built Form

The 2036 Plan has identified the following indicative built form controls for the site which the 2036 Plan states (p.63) ‘... are indicative and demonstrate the planning and other interventions which would give effect to the changes described in earlier sections of this Plan. These potential built form parameters have been developed to achieve the key urban design principles envisaged by the Plan. Final planning controls will be developed as part of any future rezoning process’.

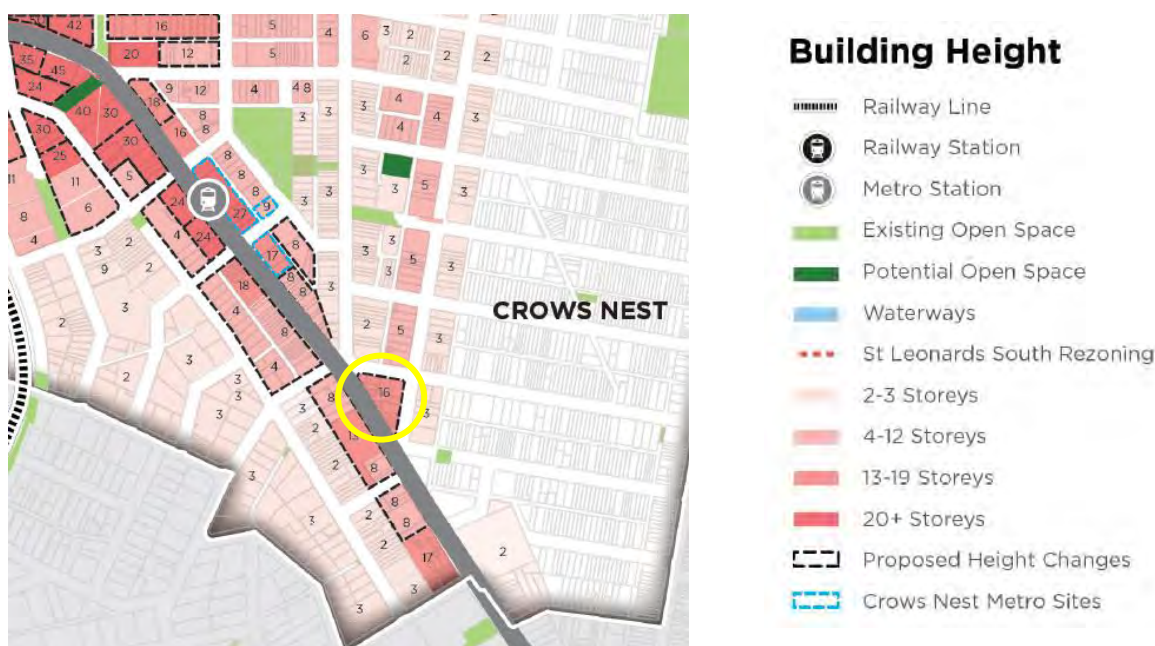


Figure 22: Indicative Building Height, site identified with yellow circle (Source: 2036 Plan)

Fiveways

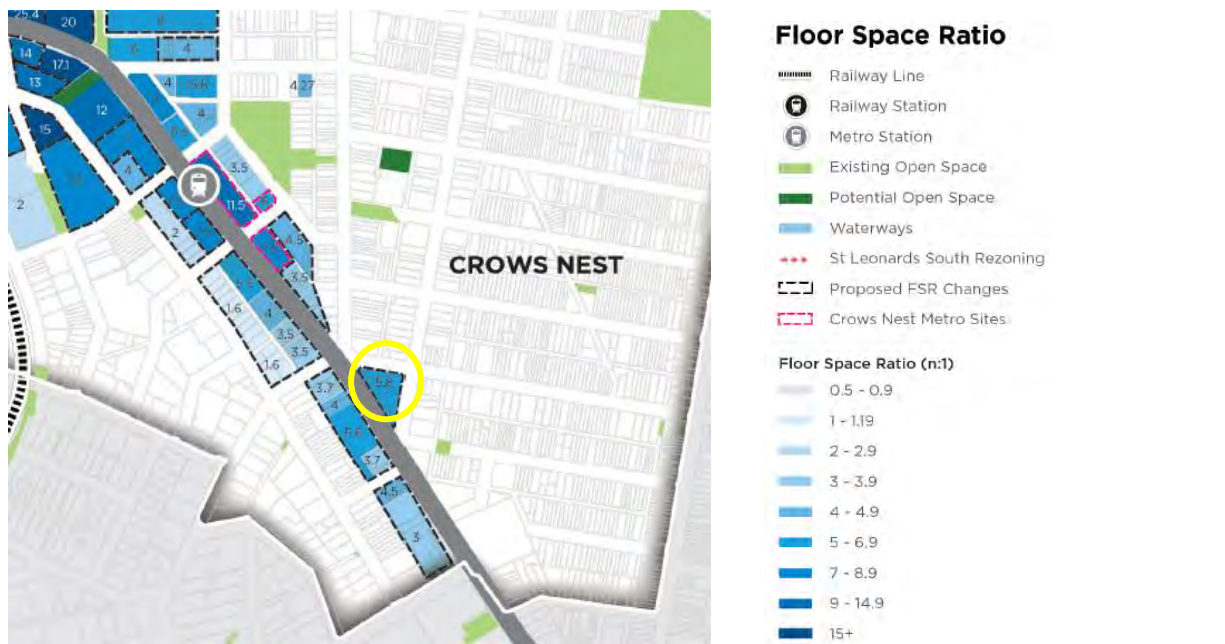


Figure 23: Indicative FSR, site identified within yellow circle (Source: 2036 Plan)

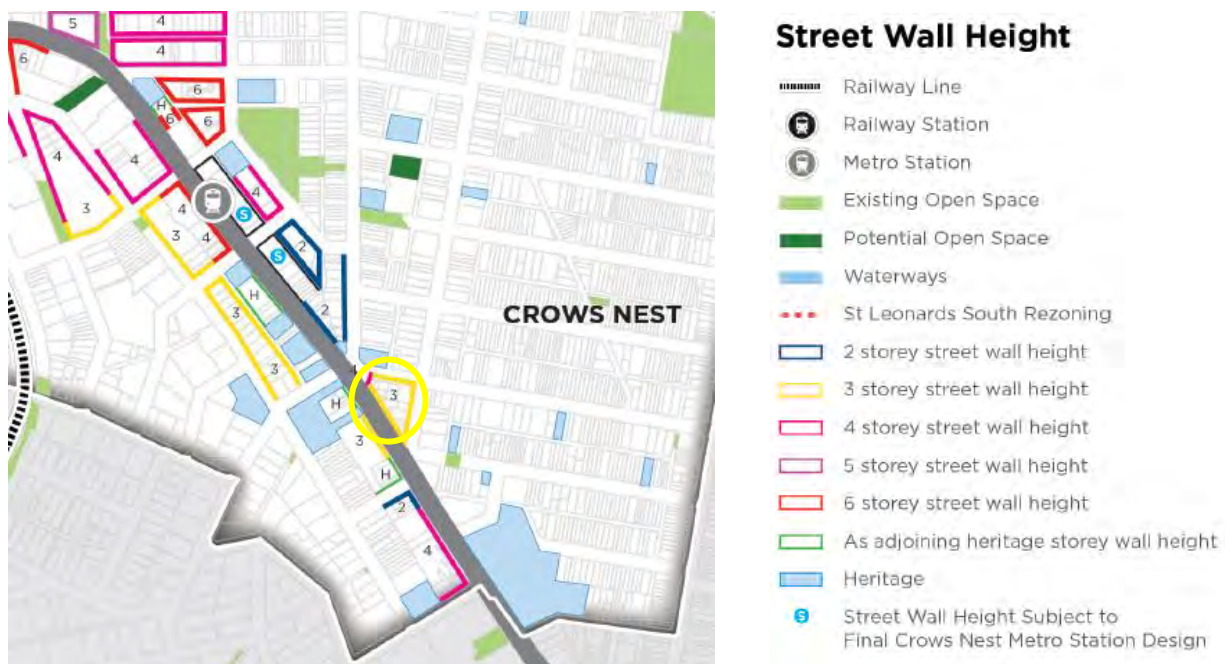


Figure 24: Indicative Street Wall Heights, site identified with yellow circle (Source: 2036 Plan)

Fiveways

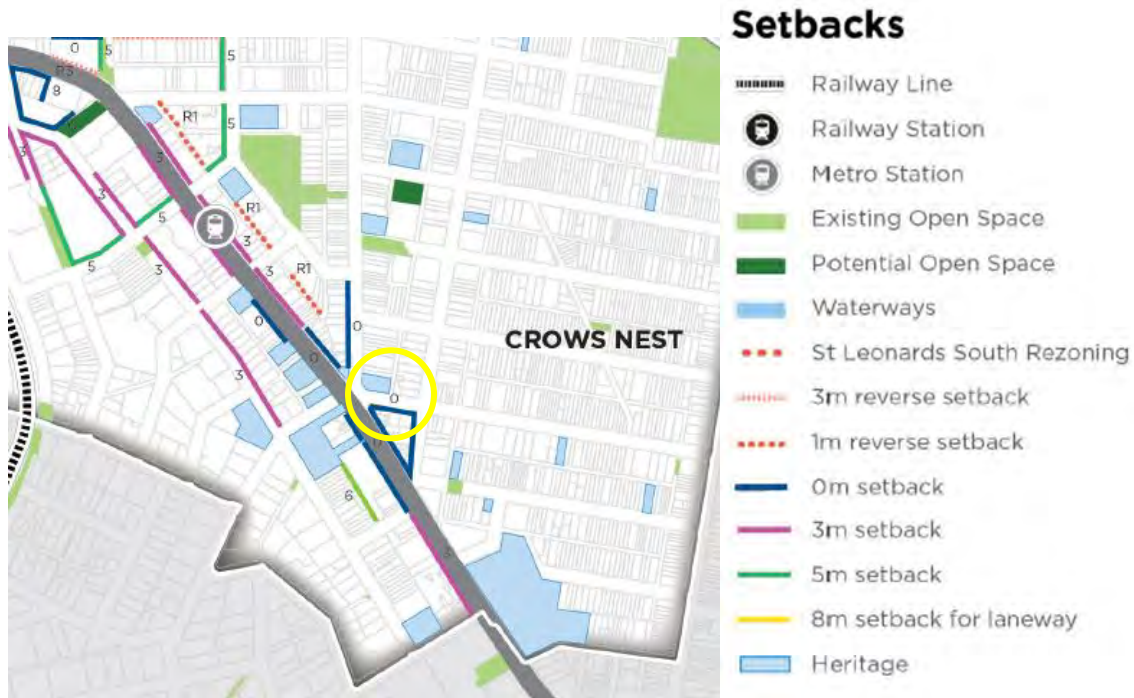


Figure 25: Indicative setbacks, site circled yellow (Source: 2036)

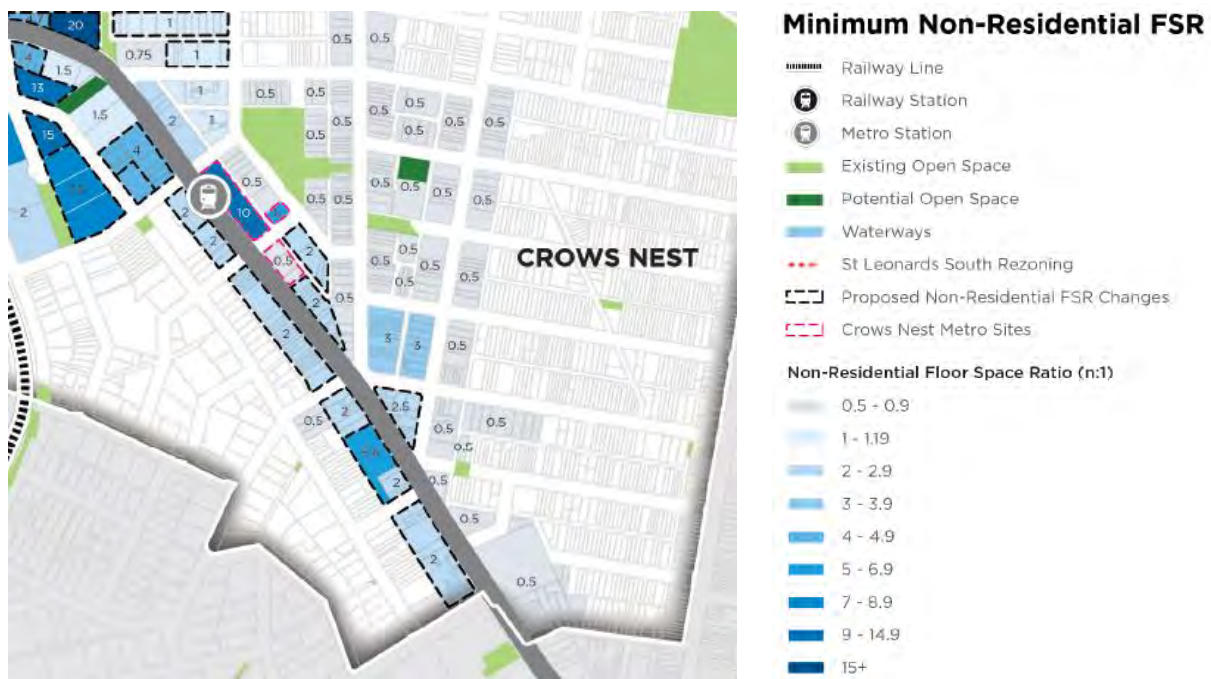


Figure 26: Indicative Non-residential FSR, site circled yellow (Source: 2036 Plan)





## Fiveways

### 4.3. Proposed Statutory Amendments

This planning proposal seeks to make the following amendments to the North Sydney Local Environmental Plan 2013: -

- Increase the maximum building height for the site from 16 metres to 63.5 metres
- Increase the minimum required non-residential FSR from 0.5:1 to 2.5:1
- Introduce a maximum FSR for the site of 5.8:1.

### 4.4. Concept Design

The planning proposal is accompanied by an urban design study (Appendix A) by Turner Studio, with place design insights from Roberts Day (Appendix B). The study includes a concept building design to demonstrate the form which would be achieved within the proposed planning controls

The concept design was prepared following a comprehensive site analysis, and detailed consideration of the St Leonards and Crows Nest 2036 plan's vision, design criteria and area wide design principles. Key features of the concept design are described in Table 6.

*Table 6: Development Statistics*

Element	Proposed
Land uses	Commercial and retail Residential
Built form	Podium broken into a collection of buildings, creating internal laneways that reflect the fine grain nature of the Crows Nest village and make the block permeable.
Indicative yield	129 dwellings
Gross Floor Area (GFA) Total	18,566m <sup>2</sup>
Residential FSR	3.3:1 (10,564m <sup>2</sup> )
Non-Residential FSR	2.5:1 (8002m <sup>2</sup> )
Building Height	3/4 storey podium 16 storey tower (63.5 metres)
Car parking	258 car spaces (including 12 allocated car share spaces) 303 bicycle spaces 11 motorcycle spaces 7 basement levels

#### 4.4.1. Built Form

The Place Making Report prepared by Roberts Day considers the sites place in the area and the significant transformational impacts its development can have. Key observations of its analysis are:

- The Five Ways forms the southern gateway to the precinct.

## Fiveways

- Triangular sites (e.g., Sydney dental hospital and Flatiron Building, New York) have transformational qualities when developed. When undeveloped, they are perceived as lost space, a traffic island at best.
- The proposed podium is a mixed scale urban village reflecting the human scale and character of its neighbours.
- The successful juxtaposition of tall buildings against low rise neighbourhoods is a desirable quality in cities.

### 4.4.2. Public Domain

The ground floor plan provides a range of retail tenancies that will provide active frontages to Pacific Highway, Falcon Street and Alexander Street and internally through the development. Street level activation and contribution to the public domain at ground level is a fundamental component of the concept proposal. The concept proposal has been designed as a natural extension to the Crows Nest Village and to reinforce connections to the existing street grid and create new connections to enhance permeability for the neighbourhood.

The ground plane seeks to revitalise the Fiveways precinct which is currently less vibrant than the areas to the north of Falcon Street. Generous footpaths and through site links encourage access to the site across the street crossings and through to the retail areas to the south and east of the site.

The proposal will result in the upgrade of all public domain surrounding the site and together with the introduction of an active frontage along the site's boundaries, will achieve a high level of engagement and activation with pedestrians. An extract of the ground floor plane demonstrating the extent of activated building frontages is provided at **Error! Reference source not found.**Figure 27.

The site specific DCP (Appendix L) and concept design encourages tree planting along the street frontages and allows for increased setbacks at through site links and around the key bus stop to create a sense of place and enable activation of the public domain.



Figure 27: Ground Floor Plan (Source: Turner - Urban Design Report)



Fiveways

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## Fiveways

### 4.4.3. Employment space

A focus of the 2036 Plan is to create 1,440 additional jobs in connection with Mater Hospital and encourage the growth of health uses throughout the area, supported by non-residential floorspace requirements along the Pacific Highway corridor towards the hospital. In addition, the objectives of 9.1 Ministerial Direction 1.1 "Business and Industrial Zones" are to:

- encourage employment growth in suitable locations
- protect employment land in business and industrial zones; and
- support the viability of identified centres.

The concept building includes 8,002m<sup>2</sup> of commercial and retail floor space. The site is located in an appropriate location to support the growth of the Mater Hospital precinct and floor space will be suitable for a range of uses and provide the opportunity to co-locate with existing medical and educational facilities in the site.

The Economic Impact Assessment prepared by Hill PDA (Appendix D) concludes that the planning proposal will create 295 new jobs above the base case and approximately 279 jobs directly on-site during construction.

### 4.5. Consultation with North Sydney Council

Following submission of the original June planning proposal, the Applicant has engaged with Council on a number of occasions to develop the planning proposal and address Council's comments.

Council provided feedback on the June planning proposal in its letter of the 29 September 2020. The contents and the Applicant's responses which are relevant to this proposal are summarised in the table below.

*Table 7: Summary of Council Discussions*

Council Comment	Applicant Response
Owners Consent	The site is now entirely controlled by the Applicant.
Not consistent with the North Sydney LSPS, in particular the Civic Precinct & Surrounds Planning Study	The Civic Precinct and Surrounds Planning Study was prepared in advance of the finalisation of the 2036 Plan. The study identified the site with an indicative 8 storey height, which Council resolved not to amend to accord with the finalised 2036 Plan, and it currently contradicts the outcomes of the strategic and precinct level 2036 Plan.
Contrary to the objectives of the regional and district plans, in particular: Does not promote strategic planning response to Planning Precinct Impact on significant of nearby heritage and conversation areas Does not minimise traffic generation Not required to meeting housing targets	The proposal is entirely consistent with the 2036 Plan, achieving the objectives, actions, urban design principles and indicative built form controls.  The impact of the proposal on the nearby heritage items and heritage conservation areas has been considered in detail by the Heritage Impact Statement (Appendix <b>Error! Reference source not found.</b> E). The Heritage Impact Statement concludes that the proposal will have no material impact on the heritage items in the vicinity of the site. The physical separation of the site from the heritage context of the surrounds will remain unaffected by the proposed uplift. The car parking provision on site has been reduced and includes car share spaces and substantial bicycle parking



## Fiveways

	[and is compliant with the North Sydney DCP car parking rates. The vehicular access to the site will be from Alexander Street, as identified in the site specific DCP to reduce the impact on Pacific Highway and Falcon Street. In addition, a draft Travel Plan has been prepared to encourage the ongoing management of traffic impacts of the development. The site is located in walking distance of two mass transit transport nodes and a high frequency bus stop is located on the site.
Inconsistent with Section 9.1 Direction 2.3 Heritage Conservation	A Heritage Impact Assessment (see Appendix <b>Error! Reference source not found.</b> E) has been prepared in support of the proposal which concludes that the interpretation of the existing streetscape character of the Holtermann B and Holtermann C Heritage Conservation Areas does not rely on the subject site. The proposed built form does not impede on the reading of dominant typologies of the conservation areas. The proposal does not propose any changes to the planning controls which currently conserve the heritage items and the heritage conservation areas within the vicinity of the site.
Undermines strategic planning works being undertaken by DPIE	The 2036 Plan has now been finalised and this proposal has been developed to be entirely consistent with the vision, objectives, actions, urban design principles and indicative built form controls of the 2036 Plan.
Does not demonstrate site specific merit, in particular due to: <ul style="list-style-type: none"> <li>• Insufficient information on potential increased overshadowing</li> <li>• Adverse impacts on heritage buildings and conservation areas</li> <li>• Inappropriate height, Civic Precinct Study identifies 8 storeys</li> </ul>	<p>Overshadowing analysis has been provided - see urban design report (Appendix A) and section 7.3.3 of this document.</p> <p>As noted above the Heritage Impact Statement (Appendix E) conclusion that the development does not impede the reading of the dominated typologies of the conservation areas. The Heritage Impact Statement consider the heritage items in the vicinity of the site and generally concludes that whilst the proposal will have some impact on the visual setting of some heritage items, this change is anticipated within the area and forms part of the future urban character of Crows Nest.</p> <p>The Civic Precinct Study is inconsistent with the 2036 Plan.</p>
Provide plans and montages to demonstrate the impact of the height in its context with the surrounding Crows Nest Village	As visual analysis has been undertaken as part of the Urban Design Report (see <b>Error! Reference source not found.</b> Appendix A).
Provide details to assess against SEPP65 and associated ADG including indicative apartment sizes, building elevations etc. Relevant matters include potential non-	An assessment of the concept design has been undertaken against Part 2 of the Apartment Design Guide. Future detailed design development through the development



## Fiveways

compliance with communal open areas, solar access, apartment sizes and common circulation	approval process will ensure compliance with the detailed requirements of the ADG.
Preliminary contamination study	See J.
Preliminary wind study	See Appendix K.
Consider incorporating any existing buildings into the design of the proposal to assist in retaining the character and in recognition of potential heritage values of the site	The Heritage Impact Statement (Appendix E) concludes that the existing buildings on the site have no heritage significance, thus their retention is not supported. .
Demonstrate how proposal addresses the objectives and key actions of the North Sydney CBD Transport Masterplan	<p>The site is within close proximity to the Crows Nest Station and within a walkable distance to St Leonards which will ensure that growth provided by the development is complimented by transport infrastructure. The improvements to the public domain around the high frequency bus stop located on the site will also improve the safety and amenity for users.</p> <p>The close proximity of the development to a number of public transport option, the provision of significant bicycle parking on the site will encourage the use of sustainable transport methods and minimise the impact of traffic (see Traffic Impact Assessment – Appendix Ci<b>Error! Reference source not found.</b>).</p>
Provide a draft Travel Plan	See Appendix Cii.
Address how the ground floor design is consistent with the 2036 Plan objectives	This is addressed in the Urban Design Report (Appendix A).
Revised and address cycle parking provision	The proposal includes 303 bicycle parking spaces in the draft Travel Plan (see Appendix C) includes measures to support and encourage the use of sustainable transport methods to the site.



## Fiveways

In addition to the above written feedback, the Applicant has undertaken further discussions with Council as summarised below:

*Table 8: Summary of pre-lodgement discussions with council*

Date of Meeting/Telephone Meeting	Purpose of Meeting	Summary of meeting discussion
23 September 2020	Meet with Council to discuss previous planning proposal in light of recently finalised 2036 Plan	<ul style="list-style-type: none"> <li>• Agreement that planning proposal would need to be significantly amended to ensure it was consistent with the 2036 Plan.</li> <li>• Agreement that previous planning proposal would be withdrawn, and a fresh planning proposal submitted.</li> <li>• Discussion regarding the relationship between the indicative built form controls. In particular that the indicative FSR control did not appear to match the indicative height control.</li> </ul>
7 October 2020	Meet with Council to discuss ongoing development of proposal.	<ul style="list-style-type: none"> <li>• Importance of active frontages, Council commented that the through site link could cause the development to "turn its back" on Falcon Street and Pacific Highway.</li> <li>• Separation between residential towers, a minimum of 10metres to ensure a sense of light and space</li> <li>• Residential tower setback to Pacific Highway and Falcon Street needs to be 3 metres</li> <li>• Wind impacts and downdraft need to be considered.</li> <li>• Indicative FSR controls outlined in the 2036 Plan</li> <li>• Extent of overshadowing and understanding of impact on education sites and surrounding residential areas</li> <li>• Civic Precinct and Surrounds Study</li> <li>• Site is should not diminish the 'knuckle' established at the St Leonards and Crows Nest stations.</li> <li>• Car parking provision on site.</li> <li>• Provides opportunity to extend Crows Nest.</li> </ul>
28 October 2020	Public benefit requirements	<ul style="list-style-type: none"> <li>• Except potentially for affordable housing, Council did not require additional capital assets given the existing facilities in the locality and other recent VPA offers.</li> <li>• The need for additional affordable housing has been flagged in the District Plan and other studies, however, a policy position has not been settled at this stage.</li> <li>• Otherwise, a cash contribution would enable existing capital assets to be upgraded and adapted for future needs.</li> </ul>



## Fiveways

19 November 2021	Meet with Council to discuss Panel decision and pathway forward.	<ul style="list-style-type: none"> <li>NSC will not countenance any departure from the indicative-built form controls due to the precedent it would set.</li> <li>SIC levy replaces usual requirement seek VPA.</li> </ul>
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### 4.7 Consultation with Department of Planning, Industry and Environment

The applicant has met with the Department of Planning, Industry and Environment (the Department) on two occasions to discuss the redevelopment of the subject site.

*Table 9: Summary of meetings between the Applicant and the Department*

Date of Meeting	Purpose of Meeting	Summary of meeting discussions
28 November 2019	Meet DPIE strategic planning teams and discuss Fiveways site	<ul style="list-style-type: none"> <li>Status of and timing for finalisation of Crows Nest and St Leonards 2036 plan. Ability to make submission on plan before finalisation</li> <li>The significant task in aggregating the numerous sites in the Fiveways triangle, and the significant opportunity it creates</li> <li>Ideas on how to engage with Council, given unsuccessful efforts</li> <li>Conceptual ideas for redevelopment of Fiveways site. Design excellence framework to be used in developing methodology.</li> <li>Community infrastructure needs and public benefits.</li> </ul>
27 February 2020	Present design concepts	<ul style="list-style-type: none"> <li>Site context.</li> <li>Design approach – ‘bottom up’.</li> <li>Podium and ground plane explorations – fine grain.</li> <li>Potential public building with roof top.</li> <li>Tower forms tested.</li> <li>Resolved envelope and resultant development form.</li> </ul>
20 October 2020	Presentation of revised design concept	<ul style="list-style-type: none"> <li>Proposed FSR.</li> <li>Council's view of height of building.</li> <li>Interpretation of the s9.1 Direction and its structure to allow flexibility.</li> <li>DPIE wants to see growth outcomes from 2036 Plan.</li> <li>Increased density needs to be context driven.</li> </ul>





Fiveways

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## **SECTION B – PLANNING PROPOSAL**

### **5. OBJECTIVES AND THE INTENDED OUTCOMES**

#### **5.1. Objectives of the Planning Proposal**

The objectives of the planning proposal are to:

- To implement the planning framework identified in the St Leonards and Crows Nest 2036 plan, thereby satisfying the objectives of Greater Sydney Region Plan and the North District Plan.
- To establish planning controls allowing renewal of the site and realisation of its significant potential to contribute to Crows Nest.
- To provide infrastructure that meets the needs of the existing and future community.
- To meet the forecast housing needs of the North Sydney Community
- To provide non-residential floor space that enables and supports the growth of Crows Nest and St Leonards as a medical and education precinct.

#### **5.2. Intended development outcome**

The following development outcomes are intended:

- Create a vibrant mixed-use community which will support the vitality of the Crows Nest Village Centre.
- Provide housing opportunities in a location with excellent access to transport, employment and social infrastructure.
- Respect the character and special qualities of Crows Nest.
- Facilitate a high quality urban and architectural design that exhibits design excellence and responds to the emerging and future character of the Precinct.
- Provide an opportunity to improve the presentation of the site to the public domain, and greatly enhance the streetscape in doing so.
- Integrate the subject site with the surrounding area through improvements to public spaces;
- Deliver significant public benefits including the dedication of key worker housing, high quality public domain and active street frontages;
- Maximise the use of public transport, walking and cycling for trips to, by integrating accessibility to services and public transport as well as the provision of on-site parking.
- Create land uses and facilities that attract people and create greater activity in the southern portion of Crows Nest.



Fiveways

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## 6. EXPLANATION OF THE PROVISIONS

This planning proposal seeks the following modifications to the provisions of the NSLEP 2013:

- Amend the Height of Buildings Map (Sheet HOB\_001) to change the maximum height shown for the site from 16 metres to 63.5 metres
- Amend the Non-Residential FSR Map (Sheet LCL\_001) to change the minimum provision of non-residential floor space from 0.5: to 2.5:1
- Amend the NSLEP 2013 FSR Map (Sheet FSR 01) to apply an FSR of 5.8:1 to the site.

A draft site specific DCP (Appendix L) has been prepared which reflects the urban design principles outlined in the 2036 Plan and seeks to secure the public domain improvements proposed in the concept design.



## Fiveways

## 7. JUSTIFICATION

### 7.1. Need for a Planning Proposal

7.1.1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The subject site is within the St Leonards and Crows Nest urban renewal area as identified in the North District plan. The 2036 Plan applies to the site and the planning proposal will give effect to the 2036 Plan.

7.1.2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. This planning proposal is the best means of achieving the objectives and intended outcomes of the 2036 Plan.

### 7.2. Considering Strategic and Statutory Planning Framework

An assessment under Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) has been undertaken. It has been prepared in accordance with the Department of Planning and Environment's Guideline, 'Local Environmental Plan Making Guideline' (December 2021) considering the following:

- Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?
- Will the Planning Proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?
- Is the planning proposal consistent with any other applicable State and regional studies or strategies?
- Is the planning proposal consistent with applicable state environmental planning policies?
- Is the planning proposal consistent with the applicable Ministerial directions (s.9.1 directions)?

7.2.1. Greater Sydney Regional Plan and North District Plan

Yes. The planning proposal will give effect to the Greater Sydney Regional Plan - A Metropolis of Three Cities (Regional Plan), the North District Plan (District Plan) and the 2036 Plan.

The Regional Plan vision is that Greater Sydney will be a metropolis of three cities: the Western Parkland City, Central River City and Eastern Harbour City. It envisions that Greater Sydney's citizens will live within 30 minutes of employment, education and health facilities, services and great places. The creation of a 30-minute city will improve Greater Metropolitan Sydney's economic efficiency, liveability and environmental sustainability. Objectives of the plan including ensuring that infrastructure aligns with growth (Objective 2) and that Infrastructure use is optimised (Objective 4).

Greater Metropolitan Sydney is divided into five districts, with each having its own plan. The District plans are a guide to implementing the Regional Plan and provide the basis for future strategic planning at a local level. The site is located within the North district. A key feature of the North district is the eastern economic corridor, which contains a series of centres and accounts for one-third of Sydney's economic growth. An important factor in strengthening the corridor is growing and investing in health and education precincts, such as the St Leonards Health and Education precinct of which Crows Nest is a part. The District Plan identifies the need for more housing to be placed in the right location and linked to local infrastructure. Criteria for areas that may be suitable for urban renewal, include:

- Alignment with investment in regional and district infrastructure.
- Accessibility to jobs.
- Catchment areas within walking distance (up to 10 minutes) of centres with rail, light rail or regional transport.

## Fiveways

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Figure 28: St Leonards and Crows Nest Precinct Public Open Space and existing jobs and services location from North District Plan (Source: North District Plan)



## Fiveways

An analysis of the consistency of the planning proposal with the objectives of the Regional Plan and Planning Priorities in the District Plan are made in Table 10.

Table 10: Consideration for the Greater Sydney Regional Plan and North District Plan

Greater Sydney Plan	North District Plan	Response
<b>Objective 1 - Infrastructure supports the three cities</b>	Planning Priority N1 - Planning for a city supported by infrastructure	This planning proposal will increase residential and employment floorspace in a location which is or will be well serviced by road and metro based public transport routes, including road, metro, bus and cycle routes. These provide access to the Sydney CBD, St Leonards strategic centre and other location along the Eastern Economic Corridor.  This planning proposal will optimise use of existing infrastructure (e.g., heavy rail) and future infrastructure (Metro) by providing new housing and employment floor space in close proximity to it.
<b>Objective 2 - Infrastructure aligns with forecast growth (GIC)</b>		
<b>Objective 3 - Infrastructure adapts to meet future needs</b>		
<b>Objective 4 - Infrastructure is optimised</b>		
<b>Objective 5 - Benefits of growth realised by collaboration of governments, community and business</b>	Planning Priority N2 - Working through collaboration	This planning proposal will implement the vision and growth outcomes of 2036 Plan, which was collaboratively developed by government, the community, and business.  The concept design for the site will continue to be developed with council and the community through the design excellence process.
<b>Objective 6 - Services and infrastructure meet communities changing needs</b>	Planning Priority N3 - Providing services and social infrastructure to meet people's changing needs	This planning proposal will facilitate housing within a location which has seen significant infrastructure investment through the new metro station. The ground floor retail and commercial space also offers the opportunity to provide new social infrastructure and service floorspace to the community.
<b>Objective 7 - Communities are healthy, resilient and socially connected</b>	Planning Priority N4 - Fostering healthy, creative, culturally rich and socially connected communities	This objective recognises streets and public places as key contributors to wellbeing by encouraging spontaneous social interaction and community cultural life when they are designed at a human scale for walkability. Active street life provides the greatest social opportunities when they are inclusive, intergenerational and multipurpose. This planning proposal provides the opportunity for active street life through active laneway retail at street level.  The planning proposal will create framework to deliver a unique building, that activates the neighbourhood level and enhances connectivity from the site to the southern end of Willoughby Road.
<b>Objective 10 - Greater housing supply</b>	Planning Priority N5 - Providing housing supply,	This objective notes the importance of providing ongoing housing supply and a range of housing



## Fiveways

<p><b>Objective 11 - Housing is more diverse and affordable</b></p>	<p>choice and affordability, with access to jobs, services and public transport.</p>	<p>types in the right locations to create more liveable neighbourhoods and support Greater Sydney's growing population.</p> <p>This planning proposal will provide housing in a location that is in close proximity to existing and soon to be completed city shaping infrastructure and is readily accessible to the Sydney/North Sydney metropolitan centre and multiple strategic and regional centres and the jobs and services they offer.</p>
<p><b>Objective 12 - Great Places that bring people together</b></p> <p><b>Objective 13 - Environmental Heritage is identified, conserved and enhanced</b></p>	<p>Planning Priority N6 - Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>This planning proposal will facilitate the renewal of a rundown street block. The proposed articulated podium and the wide roads which surround the site will mitigate any impacts on adjacent heritage items.</p> <p>The site is located on the southern side of the Crows Nest village and will not overshadow any of the key spaces identified in the 2036 Plan. The proposed building envelope envisages a permeable development at ground/podium level to provide active laneways, walkways and connections to the Willoughby Road area and the Crows Nest centre from the southern part of the Planning Precinct.</p> <p>The proposal will create a visual marker for Crows Nest as envisaged by the 2036 Plan which seeks to reinforce the role of the Five Ways intersection as a gateway element in the precinct.</p>
<p><b>Objective 14 - A Metropolis of Three Cities - integrated land use and transport create walkable and 30 minutes cities</b></p>	<p>Planning Priority N12 - Delivering integrated land use and transport planning and a 30 minutes city</p>	<p>The subject site is 240 metres from the new Crows Nest Sydney Metro station and is also well serviced by bus routes. The subject site's location will offer its residents and users access to Crows Nest and wider Sydney using low carbon transport methods.</p> <p>The accessibility to public transport of the site will reduce private vehicle dependency and access to a walkable and 30-minute city.</p>
<p><b>Objective 21 - Internationally competitive health, education, research and innovation precincts</b></p>	<p>Planning Priority N9 - Growing and investing in health and education precincts</p>	<p>The subject site is an interface between the Education and Medical facilities in south Crows Nest and the Crows Nest village.</p> <p>The development of the subject site will provide non-residential floor space to accommodate complimentary uses and act as catalyst for investment south of Falcon Street.</p> <p>This planning proposal will bring forward non-residential floor space identified within the 2036 Plan. The space can be used by education and medical facilities and complimentary services, strengthening and supporting the role of the precinct.</p>



## Fiveways

<b>Objective 22 - Investment and business activity in centres</b>	Planning Priority N10 - Growing investment, business opportunities and jobs in strategic centres	St Leonards has been identified as a strategic centre. This planning proposal will support the development, servicing and housing supply of the St Leonards centre in a planned and strategic manner. The redevelopment of the site will increase commercial floorspace within the precinct.
<b>Objective 33 - A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</b>	Planning Priority N21 - Reducing carbon emissions and managing energy, water and waste efficiently.	The objective seeks to mitigate climate change by reducing the emission of greenhouse gases to prevent more severe climate change and adapting to manage the impacts of climate change. This planning proposal seeks to facilitate greater use of public transport to combat the use of private vehicles and in doing so reduce greenhouse emissions which it will achieve simply due to its location The site is well located in proximity to road and metro based public transport, as well as local employment opportunities in the St Leonards strategic centre, to enable access to jobs and services without reliance on private motor vehicles for day to day movement.

## 7.2.2. St Leonards and Crows Nest Plan 2036 (2036 Plan)

The St Leonards and Crows Nest 2036 Plan (August 2020) was finalised by the NSW Department of Planning and Environment on 29 August 2020 to coordinate the planning for a precinct which encompasses land in three separate local government areas and includes a new Sydney Metro Station which was regarded to be the catalyst for rejuvenation of St Leonards and Crows Nest.

The Plan establishes a Vision, Area Wide Design Principles and Design Criteria for the precinct and makes recommendations for future land uses and built form controls as well as public infrastructure and urban improvements.

This planning proposal is consistent with the Vision, Design Criteria and Area Wide Design Principles in the Plan. This is demonstrated in the Urban Design Report (Appendix A).

The 2036 Plan is a comprehensive land use and infrastructure package for St Leonards and Crows Nest to guide future development and infrastructure decisions in the area to 2036 and was finalised on 29 August 2020. It is supported by a s9.1 Direction which together will guide changes to the area's land use controls.

The 2036 Plan leverages the existing public transport infrastructure and the future Crows Nest Metro Station to support the growing St Leonards and Crows Nest community with the provision of new infrastructure, open spaces, upgraded cycle lanes and planning for health and education. The plan will deliver 6,680 new homes, planning capacity for an extra 119,979 sqm employment floor space and 16,500 new jobs in health, education, professional services and the knowledge sector.

The 2036 Plan comprises a vision, objectives, actions and urban design principles for the St Leonards and Crows Nest precinct. It also identifies proposed indicative changes to the existing planning controls that have been developed to achieve the key urban design principles which enable site specific planning controls to be developed as part of any future rezoning process'.



## Fiveways

Table 11: Consistency with the objectives of St Leonards and Crows Nest 2036

Consistency with the objectives of the St Leonards and Crows Nest 2036 Plan		
Infrastructure and Collaboration		
Deliver key State and regional infrastructure to support long-term growth.	✓	<p>The site is within a short walking distance of the Crows Nest Metro Station, a substantial new infrastructure provision within the area.</p> <p>The concept design will provide commercial floorspace in commercially attractive and flexible floor plates not currently available in the precinct ranging in size from 200m<sup>2</sup> to 2,700m<sup>2</sup>. The proposal will provide approximately 129 new homes particularly suited to the changing lifestyle needs of people living in the local area.</p> <p>Moreover, the planning proposal will support the new infrastructure, part of the economic justification for which was that housing and employment densities would be increased at the various transport nodes including Crows Nest.</p>
Coordinate the delivery of key infrastructure between NSW Government and councils.	✓	<p>The planning proposal seeks to implement the 2036 Plan the vision for which recognises that Crows Nest is ideally placed to grow with enhanced connectivity provided by the Crows Nest metro station. The timing of this planning proposal is key to ensuring that development is delivered alongside the provision of key infrastructure by the NSW Government.</p>
Enhance quality of life by providing infrastructure to support place outcomes	✓	<p>The carefully designed ground plane creates an extension to the Crows Nest Village providing a lattice work of new public places around viable retail, commercial and active spaces replacing a currently barren and hostile environment.</p>
Coordinate the delivery of infrastructure with growth to ensure infrastructure is available at the right time.	✓	<p>The revitalisation of the area is a direct response to the infrastructure update associated with the new Sydney Metro station which is located within 240m of the proposal. The area is also easily access via existing rail and bus services, one of which is position within the site. The new transport connections create capacity for additional density for retail, commercial, civic and high amenity residential uses.</p> <p>The redevelopment of the site will support the long term growth of the Crows Nest area and its delivery will be coordinated with the provision of additional infrastructure within the precinct.</p>
Liveability		
Ensure new development retains and enhances important heritage elements by using sympathetic building materials and preserving key views and vistas.	✓	<p>The proposed building envelope is consistent with the indicative built form controls provided in the 2036 Plan and responds appropriately to the heritage items which frame the Fiveways intersection as well as the closest heritage conservation areas. surrounding heritage conservation areas and nearby. Key views and vistas are maintained and there is ample scope within the building envelope to ensure that any future development application includes a detailed design</p>





## Fiveways

		responds appropriately in terms of materiality and fine grain detail.
Retain and enhance the village atmosphere in and around Crows Nest, particularly along Willoughby Road.	✓	<p>Connection and compatibility with the Crows Nest Village is a critical concern of the Fiveways proposal. A fine-grain podium, diverse retail, commercial uses, civic component directed at highly permeable and active ground plane, and civic component are essential elements of the proposal. These elements seek to connect into the village character of Crows Nest and provide a similar village experience. New laneways connection into the existing street-grid and suggest new connections to the residential areas to the east of the site.</p> <p>The location and form of the tower is consistent with the indicative built form controls provided in the 2036 Plan and will serve to create an appropriate visual marker at this gateway location.</p>
Apply casual surveillance and universal access principles to new development to create a safe, inclusive and comfortable environment.	✓	An indicative built form design has been provided in support of the proposal which seeks to improve the environment of the Fiveways, not just for its future residents but at a pedestrian level. The ground floor plate will achieve active frontages as provided by the site specific DCP to provide casual surveillance. The development application process will develop the design to ensure it promotes and is aligned with universal accesses principles.
New development should have consideration to wind impacts demonstrated through a wind assessment.	✓	A Pedestrian Wind Impact Assessment has been provided in support of this planning proposal at Appendix K. It is noted, however, that unlike St Leonards, the Five Ways is not an agglomeration of tall buildings which give rise to combined wind impacts.
Consider cumulative impacts of new developments on existing areas, including overshadowing, wind impacts and view loss.	✓	The proposed built form controls have been developed to consider the overshadowing, wind and view loss impacts of the surrounding area as shown in the supporting Urban Design Report (Appendix A) and Wind Study (Appendix K). The podium height, with a 4-storey element addressing the Fiveways intersection response to the scale and existing character of the interchange, with the 3-storey podium elements complimenting both the existing and future character of Pacific Highway, Falcon Street and Alexander Street. The upper residential tower is appropriately setback to allow the podium to provide a human scale at street level.
Contain taller buildings between St Leonards Station and Crows Nest Metro Station.	✓	The 2036 Plan identifies indicative building heights between St Leonards Station and the Crows Nest Stations ranging from 45 to 24 storeys, noting, however, that a height expectation of up to 50 storeys has already been set by recent approvals (p.37). The height then transitions ' <i>along the Pacific Highway towards the Five Ways intersection, which acts a gateway element into the precinct</i> '. (p.36) While the planning proposal provides for a taller building on the Five Ways, it is by no means as tall as the buildings proposed between the two stations and is an appropriate scale to provide the gateway element explicitly sought by the 2036 Plan.
In transition areas between low	✓	As illustrated in the Urban Design Report at Appendix A, the analysis



## Fiveways

and high-rise developments, new development should consider the prevailing scale and existing character in the design of their interfaces.		<p>of the existing context of the area shows each street contains buildings of various heights, with heritage items already embedded into this highly varying context.</p> <p>The proposed podium heights closely match the surrounding building heights, ensuring at street levels the proposed built form is of contextually appropriate and consistent with the prevailing character.</p>
New building design should provide high on-site amenity and consider street width and character by providing ground and upper level setbacks and awnings to achieve a human scale at street level.	✓	<p>The proposed ground floor and podium enables through site links which connect with existing pedestrian movements. The indicative design adopts a strategy of fine grain and human scale, with further detail and materiality to be developed through the design development and development application process.</p> <p>The street setbacks are consistent with the 2036 indicative built form controls, however, the site specific DCP also enables increased setbacks to provide for street tree planting and outdoor dining opportunities.</p>
Ensure new development contributes to a range of dwelling types in the area to cater for all life cycles.	✓	The concept design proposed approximately 129 residential units of varying sizes, providing a range of dwelling types to cater for all life cycles.
Productivity		
Ensure new employment sites in the area cater to a range of business types and sizes.	✓	The proposal offers approximately 8002m <sup>2</sup> of commercial and retail floorspace, providing the opportunity to support the Mater hospital education and medical precinct. By consolidating the Five Ways site it is possible to provide a range of large flexible floorplates that are suited to the widest possible range of business types and sizes.
New development in mixed-use areas should contribute to the delivery of active streets by providing a range of uses at ground floor.	✓	The proposal and site specific DCP promote active frontages along all street frontages and within through site links, contributing to the activation of existing streets and the creation of new 'places' in activated internal streets.
Sustainability		
Ensure no additional overshadowing of public open spaces and important places in accordance with solar access controls identified on page 38 of the Plan.	✓	<p>The proposal complies with the solar access controls outlined in the 2036 Plan as shown in Section 7.3.3. In addition, the proposal and site specific DCP encourages the provision of street trees and planting along the street frontages. Increased setbacks have been provided at entrances to the through site links and around bus stops, to improve the public domain.</p> <p>The concept design includes a variety of "greening" measures to support a sustainable and greening of the Crows Nest area.</p>



## Fiveways

Table 12: Consistency with the Actions of the St Leonards and Crows Nest 2026 Plan

Priority	Action	Comment
<b>Place</b>		
<b>Infrastructure and collaboration</b>	Investigate opportunities for improved connections to the health and education precinct.	The proposal includes approximately 8002m <sup>2</sup> of commercial and retail floorspace which will support the creation of a corridor along the Pacific Highway to support the Education and Health precinct surrounding the Mater Hospital.
<b>Liveability</b>	Retain the current heritage status in existing planning controls.	The proposal does not include changes to the applicable housing controls for heritage items or heritage conservation areas within the vicinity of the site.
	Transition heights from new development to surrounding Heritage Conservation Areas.	The site is physically separated from the Holtermann Estate B and C heritage conservation areas. It adjoining block to east of the site provides a transition in height to the conservation area and as noted in the Heritage Impact Statement (Appendix <b>Error! Reference source not found.</b> E) the views to the heritage items within these areas are predominately at street level and as such any increased uplift above the existing façade heights is found to have minimal impact.
	New development should adopt the street wall height consistent with existing heritage shopfronts for new buildings in the same street.	The proposal adopts the indicative street wall heights outlined by the 2036 Plan which assimilate with the adjacent heritage items and the existing and future character of the Pacific Highway.
	Maintain current planning controls along Willoughby Road to retain its village feel and character.	The site is not located on Willoughby Road and located at its terminus. However, the concept design offers the opportunity to extend the village feel and character through the inclusion of through site links and improvements to the public domain.
	Improve the public domain by introducing 'green streets' along Oxley, Mitchell, and Chandos Streets to allow for setbacks with grass and canopy trees.	N/A. It is noted that the proposal includes the provision of street trees and planting along the Pacific Highway and Falcon Street. In addition, the concept design includes the "greening" of the development achieve the objective of "green streets" within the precinct.
	New development should consider its place within country, including Aboriginal heritage	The detailed development assessment process will include the consideration of its



## Fiveways

	by (at least) consulting with the Metropolitan Local Aboriginal Land Council.	place within country and Aboriginal heritage.
<b>Sustainability</b>	Widen key streets (including Atchison Street) to support more active uses and allow for green elements e.g., planter boxes.	N/A. However, the concept design and site specific DCP includes the provision for increased setbacks at the through site links and key bus stop to allow for street tree planning and active uses along the retail frontages.
<b>Landscape</b>		
<b>Sustainability</b>	Protect and enhance natural links through the area. Refer to final Green Plan.	The proposal includes two pedestrian walks connecting the three street frontages and providing enhanced visual permeability through the site. The proposal also includes an integrated approach to landscape, green view and canopy cover place metrics.
	Introduce landscaped street setbacks along Oxley, Mitchell, and Chandos Streets to allow for additional street trees.	N/A. However, the proposal does incorporate provision for street trees along Pacific Highway and Falcon Street, together with increased setbacks to enable placemaking.
	Maintain and expand tree canopy in St Leonards South to meet tree canopy target for the area identified at page 3. Investigate opportunities to expand Newlands Park and new public park in St Leonards South.	N/A. As noted above, the proposal provides the opportunity for street tree planting along the Pacific Highway and Falcon Street frontages.
<b>Built form</b>		
<b>Infrastructure and collaboration</b>	Deliver a transit-oriented development at the Crows Nest Metro Station sites.	N/A. The site is located 240 metres from the Crows Nest Metro station and provides the opportunity for further transit-orientated development in addition to the Crows Nest Metro Station sites.
<b>Liveability</b>	Apply design principles for solar amenity, configuration, and interface between areas of transition.	The proposal complies with the solar access controls in the 2036 Plan as shown in Section 7.3.3. The 3/4 storey podium provides an appropriate transition to surrounding areas, together with the existing and future character of the St Leonards and Crows Nest area outlined in the 2036 Plan vision.
	New development should be sympathetic to existing buildings with appropriate setbacks and street wall height (pages 69 and 70).	The proposal complies with the setback and street wall heights outlined by the 2036 Plan.
	Adopt reverse setbacks and active street frontages to improve the interface between new buildings and the public domain along	N/A. Although the concept design and site specific DCP encourages active frontage throughout the ground floor of the



## Fiveways

	Atchison Street and Clarke Lane.	development to improve the interfaces with Pacific Highway and Falcon Street.
	Provide stepped setbacks for properties on the south side of Henry Lane to provide a sympathetic interface with Naremburn Heritage Conservation Area.	N/A
	Provide appropriate transitions in height to adjoining low scale residential areas.	The site has been identified for significant increases in built form by the 2036 Plan. The proposal is consistent with the indicative built form controls envisaged the 2036 Plan.
	Minimise overshadowing of key open spaces, public places and adjoining residential areas. Solar height planes should be adhered to as indicated within the Solar Access Map (page 38).	The proposal complies with the solar height planes indicated in the 2036 Plan Solar Access Map.
	Provide transitions in height from the lower scale development at Willoughby Road, Crows Nest, to tall buildings in the St Leonards Core.	The proposal provides a transition in height from the 30 - 40 storey developments within the St Leonards core. The proposal includes a medium sized tower located on an island site, providing appropriate transition from the core into the lower scale residential areas.
	Adopt objectives from the Government Architect NSW's Evaluating Good Design Policy in the drafting of new planning provisions.	The development of the concept design and built form controls proposed by this proposal have been developed through an iterative process, to ensure its contextual fit within the future character of Crows Nest, creating places that are inclusive, connected safe and liveable. The redevelopment of the site will improve the functionality and efficiency of the site, creating an inviting and attractive development on an underused, isolated site.
<b>Sustainability</b>	Provide a landscaped front setback to Oxley Street between Clarke and Chandos Streets to encourage a sensitive interface to areas east of Oxley Street.	N/A
<b>Land Use</b>		
<b>Infrastructure and collaboration</b>	Investigate further opportunities to strengthen the health and education precinct including the identification of education pathways through TAFE and other institutions, physical connection to support collaboration and identify opportunities to share new and existing facilities.	The proposal includes the provision of approximately 8002m <sup>2</sup> of commercial floorspace located on the Pacific Highway corridor, offering the opportunity to support the Mater Hospital precinct with complimentary business and commercial offering within a shared location.
	Commit SIC funding to provide infrastructure	N/A. For Council to address.



## Fiveways

	that caters for all age demographics including pedestrian and cycle links and parks.	
<b>Liveability</b>	Include opportunities through amendments to planning controls to encourage a range of dwelling typologies to cater for the diverse community in St Leonards and Crows Nest.	The proposal will enable the development of a range of dwelling sizes which will assist in providing a range of housing to support the growing St Leonards and Crows Nest community.
	Concentrate higher density housing along the Pacific Highway between the St Leonards Station and Crows Nest Metro Station and transition to lower density living options in the surrounding area.	The site is located within 240m of the Crows Nest Metro Station on the Pacific Highway and is an entirely appropriate location for the scale of density proposed by this proposal and consistent with the indicative built form controls envisaged by the 2036 Plan.
	Encourage a mixture of densities in St Leonards South.	N/A.
	Undertake investigations to identify an appropriate target for affordable housing in the area, consistent with each Councils affordable rental housing target schemes.	Any affordable housing provision will be in accordance with Council's policy requirements at the time of any development application.
	Explore build-to-rent opportunities within the precinct.	A BTR element is not currently envisaged as part of the concept design.
<b>Productivity</b>	Encourage a balance of commercial and residential uses within the St Leonards Core with a minimum non-residential floor space requirement for the B4 Mixed Use zone to meet North District Plan high jobs target.	N/A
	Permit mixed-use development on key sites to encourage the renewal of St Leonards through the delivery of new A-grade commercial floor space (page 65).	N/A. However the proposal will provide for a range of commercial floorplates to provide quality and diverse layout options for future tenants.
	Protect and manage the Artarmon Employment Area	N/A. This proposal will not impact the Artarmon Employment Area.
	Investigate new early childhood, schools and tertiary education facilities in the Precinct, supported via SIC funding.	The facilitation of the redevelopment of the site will enable Council to secure the associated SIC funding to support these investigations.
	Investigate introduction of Complying Development Provisions for cafes, restaurants and retail with extended trading hours	N/A. For Council to investigate.
	Ensure land is available at Royal North Shore Hospital for future expansion of health uses.	N/A
	Encourage the location of additional retail in	The proposal includes a retail offering with



## Fiveways

	the St Leonards Core and Crows Nest Village rather than the Artarmon Employment Area.	the Crows Nest Village which will activate the area and provide additional retail floorspace in an appropriate location.
<b>Movement</b>		
<b>Infrastructure and collaboration</b>	Provide clear, continuous and direct pedestrian and cycle routes to priority destinations such as St Leonards Station and surrounding commercial core, the future Crows Nest Sydney Metro Station, Royal North Shore Hospital and St Leonards TAFE.	The site is well located to connect into the number existing pedestrian and cycling links across the precinct. The public domain improvements at ground level will improve the permeability of the site. In addition, the draft Travel Plan (Appendix C) supports and encourages the use by residents and users of the site of these existing and future sustainable connections.
	Investigate footpath improvements: <ul style="list-style-type: none"> <li>▪ Enhance amenity and connectivity along Clarke Lane to support access to the Crows Nest Metro Station with a continuous shared path treatment and reverse setbacks at ground level.</li> <li>▪ Widen the footpath along Sergeants Lane to support access to St Leonards Station and complement plans for active retail along Atchison Street.</li> <li>▪ Provide shade and shelter for pedestrians with reverse setbacks along Atchison Street and tree lined green streets along Chandos, Oxley and Mitchell Streets.</li> </ul>	N/A. However, it is noted that the proposal will provide significant public domain improvements to the footpaths surrounding the site and providing access to a key transit (bus) stop.
	Investigate cycle path improvements: <ul style="list-style-type: none"> <li>▪ Prioritise delivery of cycle infrastructure identified by North Sydney Council and Bike North including dedicated cycle lanes on Henry Lane and Burlington Street.</li> <li>▪ Bicycle crossing facilities should form part of upgrades to the signalised intersections along cycling routes including where they cross Pacific Highway and Oxley Street.</li> <li>▪ Cycling infrastructure along the Pacific Highway is identified as a long-term consideration contingent upon a detailed assessment of the</li> </ul>	N/A. Although it is noted that the provision of ample bicycle parking within the development and the promotion of sustainable travel within the draft Travel Plan will support this action.



## Fiveways

	effects of major infrastructure investments as part of detailed traffic and transport modelling currently underway.	
	Deliver a regional pedestrian and cycling link to connect the area and regional open space.	N/A. For Council to address, however SIC contributions from the redevelopment of the site may assist with delivery of this action.
	<p>Improve pedestrian crossings:</p> <ul style="list-style-type: none"> <li>▪ Investigate providing an additional pedestrian crossing on the Pacific Highway at Portview Road, to be funded through the SIC.</li> <li>▪ Investigate providing an additional pedestrian crossing at existing intersections on the Pacific Highway at Oxley Street to be funded through the SIC.</li> <li>▪ Investigate delivery of the crossing at Oxley Street as part of Crows Nest Station integration works.</li> <li>▪ Investigate access over the railway line at River Road to link Duntroon Avenue to Lithgow Street by widening the rail bridge on the northern side of River Road to allow pedestrians and cyclists to pass each other.</li> <li>▪ Review the crossing on the eastern side of River Road for lights or a signal.</li> <li>▪ Investigate providing improved pedestrian crossings along key walking and cycling streets including but not limited to Chandos Street, Willoughby Road, Atchison Street, and Clarke Lane.</li> <li>▪ Investigate a new pedestrian tunnel under the Pacific Highway connecting the new Crows Nest Metro Station and areas south of the Pacific Highway.</li> </ul>	N/A. For Council to address, however SIC contributions from the redevelopment of the site may assist with delivery of this action.
	<p>Undertake road network improvements:</p> <ul style="list-style-type: none"> <li>▪ Investigate the provision of dual lanes along Chandos Street from Willoughby Road to Mitchell Street, including a dual circulating lane for the westbound direction of the</li> </ul>	For Council to address, however SIC contributions from the redevelopment of the site may assist with delivery of this action.





## Fiveways

	<p>roundabout. This will require the removal of parking in the AM peak (consideration of retention during PM).</p> <ul style="list-style-type: none"> <li>▪ Investigate signalisation of Oxley Street and Albany Street from its existing roundabout configuration and ban parking on Albany Road between the Pacific Highway and Willoughby Road.</li> <li>▪ Short lane for the right-hand turn into RNSH on Herbert Street by removing 30m of parking (to allow for southbound through vehicles to go around right turning vehicles)</li> <li>▪ Parking bans in the northbound direction on Greenwich Road between River Road and Pacific Highway in the PM peak. Consideration can be given to retain parking in the AM peak.</li> <li>▪ Clearways along Pacific Highway between Albany and Falcon Street.</li> </ul>	
	<p>Provide a pedestrian and cyclist extension from the Herbert Street bridge to improve east west connectivity.</p>	<p>For Council to address, however SIC contributions from the redevelopment of the site may assist with delivery of this action.</p>
	<p>Limit the amount of car parking provided for new developments.</p>	<p>Car parking is proposed to be limited to the rates set out in the North Sydney DCP. As noted in the Traffic Impact Assessment (Appendix C <b>Error! Reference source not found.</b>) the predominate employment location of residents in the North Sydney council area is the City of Sydney and North Sydney. Given, the number and accessibility of rapid mass transit modes (train, metro, bus) within close proximity of the site, residents will travel by public transport for most daily trips, in favour of private vehicles. Private vehicles will tend to be used to access destinations not adequately served by public transport, typically on weekends and outside of peak hours.</p> <p>Proximity to convenient public transport, as well as shops, services and amenities is a greater driver of transport mode shift than restrictions on car parking spaces. It is important, therefore, that opportunities to</p>



## Fiveways

		<p>provide housing and employment floorspace on unique sites such as the Fiveways Triangle are realised.</p> <p>To maximise the transport mode shift that can be achieved from appropriate redevelopment of the Fiveways Triangle site, a Draft Travel Plan accompanies the planning proposal. The draft Travel Plan proposes initiatives and demonstrates how through a range of initiatives including but not limited to car share and the preparation and promotion of a green travel plan for businesses and residents the reduction of single occupancy car trips can be accelerated and maximised.</p>
	<p>Subject to further investigations, provide funding of a right hand turn only movement from the Pacific Highway to Oxley Street for south bound traffic to reduce traffic in St Leonards Core created by the current limitation on this movement.</p>	<p>For Council to address, however SIC contributions from the redevelopment of the site may assist with delivery of this action.</p>
<b>Sustainability</b>	<p>Improve pedestrian and cyclist comfort with tree lined streets along Reserve Road, Westbourne, Herbert, and Frederick Streets.</p>	N/A.
	<p>Promote the provision of end of trip facilities to support cycling.</p>	<p>This will be considered as part of the detailed design phase and commercial tenant requirements.</p>
	<p>Encourage the use and implementation of car share facilities.</p>	<p>The proposal includes the provision of 12 car share spaces within the basements which will support and encourage the use of car share schemes both by residents and users of the commercial elements of the development.</p>

### 7.2.3. North Sydney Local Strategic Planning Statement

The North Sydney Local Strategic Planning Statement (LSPS) was exhibited from 4 July - 15 August 2019 and endorsed by Council on 25 November 2019. The Greater Sydney Commission endorsed the LSPS on 20 March 2020. The LSPS will guide future land use planning and development within North Sydney in response to the priorities and actions identified in the Greater Sydney Region Plan and North District Plan.

The LSPS identifies the St Leonards and Crows Nest area as a key location within the LGA and central to the delivery of a number of the local planning priorities. The LSPS identifies the delivering of housing in the St Leonards/Crows Nest Planned Precinct as key to housing delivery within the North Sydney LGA.

Table 13: Consideration of North District Plan and North Sydney LSPS

Local Planning Priority	LSPS Action	Response
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## Fiveways

Infrastructure and Collaboration		
I2 - Collaborate with State Government Agencies and the community to deliver new housing, jobs, infrastructure and great places	I2.6 - Continue to seek opportunities to collaborate with Willoughby and Lane Cove Councils, the DPIE and other relevant State Government agencies to further refine and finalise the St Leonards and Crows Nest 2036 Plan, State Levy and Metro rezoning proposal to ensure the delivery of new housing, jobs, infrastructure and services within the Planning Precinct are well managed and development phased, drawing on place based studies and community consultation carried out by Council.	The 2036 Plan has been the result of numerous consultations between State Government Agencies, local government and the community, which developers and landowners form part of. The identification of the subject site as a 'significant site' enables further collaboration with State Government Agencies, local government and the community throughout the process of the facilitating and delivering the redevelopment of the subject site.
Liveability		
L1 - Diverse housing options that meet the needs of the North Sydney community	L1.3 - Collaborate with the DOPIE to refine and finalise the St Leonards and Crows Nest 2036 Plan and prepare a development phasing plan to achieve coordinated and well managed housing growth in the St Leonards / Crows Nest Planned Precinct, drawing on the outcomes of the NSLHS and adopted place-based studies.	This planning proposal offers Council the opportunity to facilitate delivery of development in a coordinated manner, aligned with the provision of transport infrastructure delivery. Council has the ability to capture public infrastructure and community benefit through SIC levies applicable to the redevelopment of the subject site
	L1.5 - Only support Planning Proposals that are consistent with Council's endorsed planning studies, that have identified growth being delivered in locations that support the role of centres and have critical infrastructure and services in place to support the North Sydney community.	The 2036 Plan envisages that planning proposals will be submitted for these significant sites which is the reason for this planning proposal. The 2036 Plan identifies indicative building form controls which the planning proposal is consistent with.
L2 - Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community	L2.7 - Investigate opportunities for affordable and accessible long-term exhibition and creative spaces, including: Develop inclusive planning strategies which aim to generate cultural activity through the provision of creative private and public spaces; and Develop partnerships with external stakeholders and the business section regarding provision of creative spaces	This planning proposal proposes to offer community benefit through enhanced public domain, activation of the Fiveways site and retail/commercial floorspace. The planning proposal will facilitate the delivery of these services within the Southern part of the Planned Precinct.



## Fiveways

L3 - Create great places that recognise and preserve North Sydney's distinct local character and heritage		This planning proposal provides the opportunity to develop the subject site into a gateway development to the Planned Precinct. It also facilitates the renewal of an underperforming part of Crows Nest and amalgamation of a key site to create a new and interesting element within the Planned Precinct.
Productivity		
P6 - Support walkable centres and a connected, vibrant and sustainable North Sydney	P6.1 - Implement the North Sydney Transport Strategy (2017) to deliver the community's vision for transport in North Sydney.	North Sydney's Transport Strategy vision is that transport will play a positive role in supporting a happy, healthy and prosperous North Sydney community. This planning proposal will allow its residents and users access to a variety of public transport nodes and improve the connectivity through the site and local area.
Sustainability		
S3 - Reduce greenhouse gas emissions, energy, water and waste		This planning proposal provides the opportunity to deliver high amenity residential apartments which exceed cross ventilation and solar access requirements which will reduce energy consumption. The site will be serviced by public transport to enable residents' access to a walkable 30 minute city contributing to reducing greenhouse gases and reliance of private motor vehicles.

### 7.2.4. North Sydney Community Strategic Plan 2018-2028

The North Sydney Community Strategic Plan 2018-2028 (Community Strategic Plan) set out the future direction for the North Sydney LGA, identifying the community's main priorities and aspirations and detailing the strategies to implement them. The key directions and outcomes which relate to this planning proposal are summarised below:

*Table 14 : Community Strategic Plan 2018-2028 Review and Commentary*

Direction	Outcome	Comment
1. Our Living Environment	1.2 North Sydney is sustainable and resilient	The planning proposal will promote sustainable energy, water and waste practices throughout its design and on-going use to assist in the conservation of energy, water and natural



## Fiveways

		resources.
	1.3 Quality Urban Spaces	This planning proposal proposes improved public domain area, street planting and activation of the street to enable place making as set out in the Place Making Report ( <b>Error! Reference source not found.</b> ).
2. Our Built Environment	2.1 Infrastructure and assets meet community needs	The proposal includes the provision of improved public domain and connections in the new infrastructure provision in the area. The applicable SIC payments will provide the opportunity for further infrastructure provision.
	2.3 Sustainable transport is encouraged	This planning proposal will promote sustainable transport given its close proximity to the new Crows Nest Metro Station, which will enable people to travel to work, services and home without reliance on the private motor vehicle. In addition, the site is located on a regular bus route with a bus stop located on the Pacific Highway boundary of the site, offering residents, employers and user of the site access to an alternative form of public transport to the new metro line.
3. Our Future Planning	3.1 Prosperous and Vibrant Economy	The proposed retail and commercial floorspace within the proposed development will offer a diverse mix of business size through laneway retail and larger floorplates within the podium level. The site is located within the Education and Medical precinct and provides the opportunity for innovative medical and education businesses to be closely located to the Mater Hospital site.
	3.3 North Sydney is smart and innovative	This planning proposal will increase available floorspace within the St Leonards and Crows Nest Planned Precinct to promote innovation and attract new businesses to the area to support the educational and medical innovation precinct.
	3.4 North Sydney is distinctive with a sense of place and quality design	The concept proposal has been designed as a natural extension to the Crows Nest Village and to reinforce connections to the existing street grid and create new connections to enhance permeability for the neighbourhood. Place approach has been the focus at the podium and ground plane which results in the design being conceived from ground up rather than top down. The concept design for the site will continue to be developed with council and the community through the design excellence process.
4. Our Social Vitality	4.1 North Sydney is	As demonstrated by the place performance scores



Fiveways

	connected, inclusive, healthy and safe.	<b>(Error! Reference source not found.)</b> the planning proposal will transform a currently barren and lost place into a healthy, loveable, equitable, inclusive and resilient place with an active and safe ground plane.
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7.2.5. North Sydney Civic Precinct and Surrounds Planning Study

The North Sydney Civic Precinct and Surrounds Planning Study (Civic Precinct Study) was endorsed by North Sydney Council on 18 May 2020, publicly exhibited in June and July 2020 and finally adopted on 30 November 2020.

The study focuses on the area directly north of North Sydney CBD around the northern portal of the Victoria Cross Metro Station. The Fiveways Triangle Site is located at the periphery of the study area and at the furthest point from the northern portal to the Victoria Cross metro station (see Figure 29).

The aim of the Civic Precinct Planning Study was *"to understand the impacts of new public transport infrastructure and transformations in surrounding areas and formalise an urban design framework for the future of the precinct."* Perversely, however, the Study disregarded the Crows Nest Metro Station, only 240m from the Fiveways Triangle site, acknowledging only the northern portal of the Victoria Cross Station which is some 1km distant.

## Fiveways

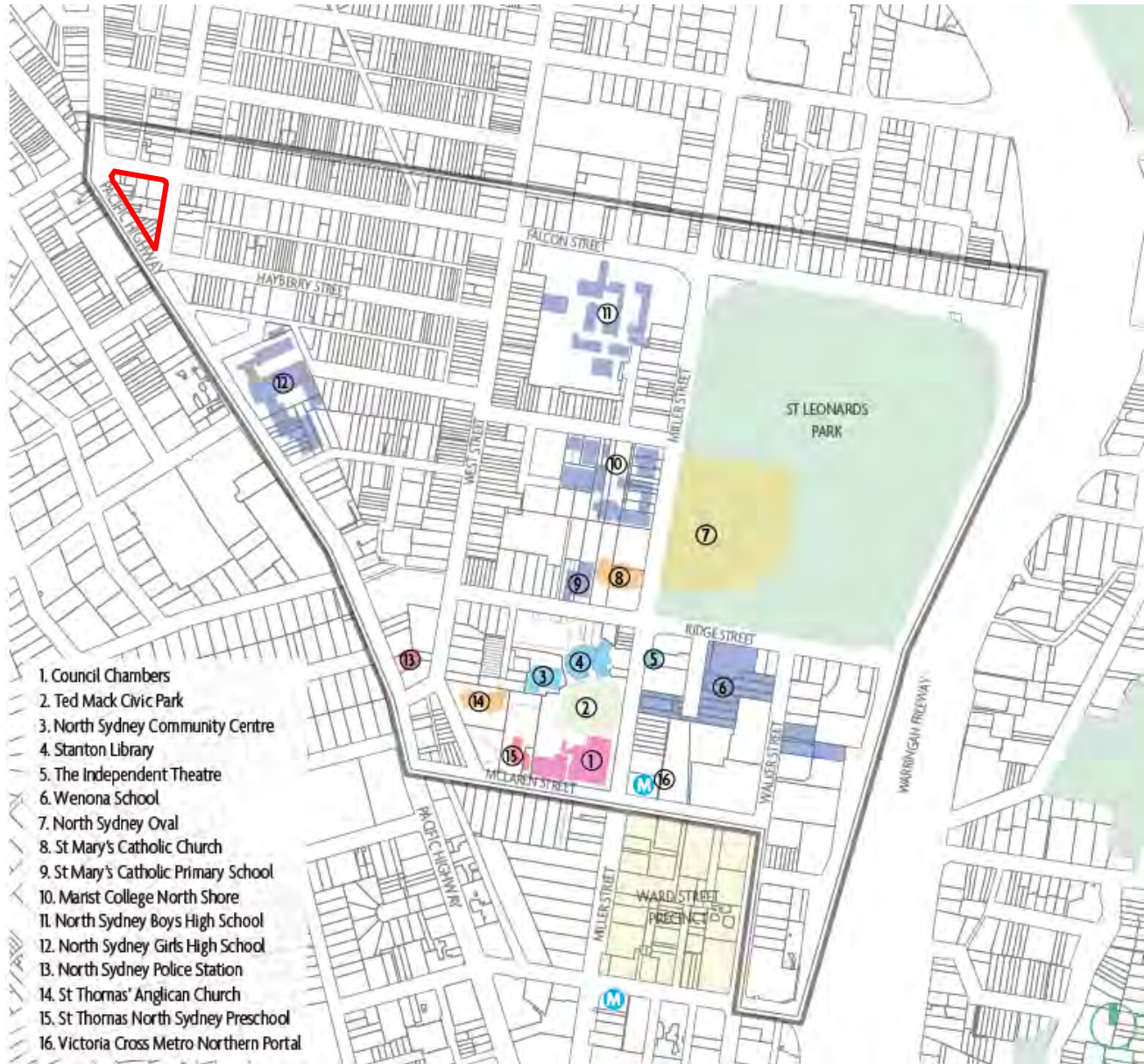


Figure 29 - Civic Precinct study area with Fiveways Triangle Site outlined in red. (Source: North Sydney Civic Precinct Study Area and City Plan)

The Study recommended that the height limit on the Fiveways Triangle site be increased from four storeys to eight storeys. As noted in a submission made by the proponent of this planning proposal and demonstrated in an accompanying economic feasibility analysis, the proposed eight storey height limit was insufficient to bring about the consolidated redevelopment of the Fiveways Triangle Site which was essential to realising the many public benefits of a wholistic redevelopment of the site.

When the Study was finally adopted by North Sydney Council on 30 November 2020, the Council resolved that the current maximum height controls under North Sydney LEP 2013 continue to apply to the "Fiveways Triangle" site, well aware that this was contrary to the 2036 Plan and Ministerial Direction 7.11.



## Fiveways

### 7.2.6. State Environmental Planning Policies (SEPPs)

This planning proposal has been considered against the relevant SEPPs and is determined to be consistent with the relevant provisions as set out in **Error! Reference source not found.H**. A summary of the applicable SEPPs are set out below:

SEPP Title	Consistency
55. Remediation of Land	Yes
65. Design Quality of Residential Apartment Development	Yes
70. Affordable Housing (Revised Schemes)	Yes
SEPP (Affordable Rental Housing) 2009	Yes
SEPP (Building Sustainability Index: BASIX) 2004	Yes
SEPP (Educational Establishments and Child Care Facilities) 2017	Yes
SEPP (Exempt and Complying Development Codes) 2008	Yes
SEPP (Housing) 2021	Yes
SEPP (Housing for Seniors or People with a Disability) 2004	Yes
SEPP (Infrastructure) 2007	Yes
SEPP (Vegetation in Non-Rural Areas) 2017	Yes

There are no deemed State Environmental Planning Policies (former Regional Environmental Plans (REPs)) applicable to the planning proposal.

### 7.2.7. Ministerial directions (s.9.1 directions)

It is considered that the planning proposal is consistent with the relevant Directions issued under Section 117(2) of the Act by the Minister to Councils, as demonstrated in the assessment set out in **Error! Reference source not found.G**. A summary of the applicable Ministerial directions is set out below:

Direction Title	Consistency
1.1 Business and Industrial Zones	Yes
2.3 Heritage Conservation	Yes
2.6 Remediation of Contaminated Land	Yes
3.1 Residential zones	Yes
3.4 Integrating land use and transport	Yes
5.1 Implementation of Regional Strategies	Yes
6.3 Site Specific Provisions	Yes
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	Yes





## Fiveways

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### 7.3. Environmental, Social and Economic Impact

#### 7.3.1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats, will be adversely affected as a result of the proposal?

The site is located within an existing urban environment and does not apply to land that has been identified as containing critical habitat or threatened species, population or ecological communities or their habitats.

#### 7.3.2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal is supported by the studies/reports outlined in the Section below. The outcomes and conclusions of these studies/reports show that the proposal does not include any unreasonable or unmanaged environmental effects.

#### 7.3.3. Overshadowing and Solar Access to Adjoining Properties

Retaining solar access to public open space, valued streetscapes, and residential areas is a key objective of the 2036 Plan. The proposed building envelope has been carefully designed to ensure compliance to the solar access objectives and principles outlined in the solar access map (**Error! Reference source not found.**).

*Figure 30: Solar Access Map (Source: 2036 Plan)*

The concept design has been tested for potential overshadowing impacts against the five following principles arising from the 2036 Plan:

- No additional overshadowing of nominated public open space between 10am - 3pm (winter solstice)
- No additional overshadowing of nominated streetscapes between 11.30am - 2.30pm (winter solstice)

## Fiveways

- Maintain solar access to residential areas inside boundary of plan area (for at least 2 hours)
- Maintain solar access to residential areas outside boundary (for whole time between 9am - 3pm)
- Maintain solar access to Heritage Conservation Areas inside boundary (for at least 3 hours).

As shown in Figure 31 to Figure 35 below the proposal complies with the above five principles.



Figure 31: Shadow analysis - Impact on nominated public open spaces (Source: Turner - Urban design Report)

Fiveways



2

No additional overshadowing of nominated streetscapes between 11:30am - 2:30pm (Winter solstice)



Complies

Figure 32: Shadow Analysis - Nominated Streetscapes (Source: Turner - Urban Design Report)

Fiveways



**3** Maintain Solar Access to Residential Areas outside boundary (for the whole time between 9am and 3pm)

✓ **Complies**



Figure 33: Shadow Analysis - Solar Access to residential areas outside 2036 Plan area boundary (Source: Turner Urban Design Report)

Fiveways



4

Maintain Solar Access to Residential Areas inside the Plan Area boundary (for at least 2 hours)



Complies

- = 21st of June Shadow (9am-3pm)
- = Residential: Solar Amenity reduced Below 3hrs by Proposed Development
- = Residential: Solar Amenity NOT reduced Below 3hrs by Proposed Development
- = Commercial

Figure 34: Overshadowing analysis - Residential areas inside 2016 Plan area boundary (Source: Turner - Urban Design Report)

## Fiveways



Figure 35: Overshadowing analysis - Heritage conservation areas (Source: Turner - Urban Design Report)

In addition, the proposal has considered the cumulative impact of overshadowing of both the proposal and the indicative built forms proposed under the 2036 Plan.

### 7.3.4. Visual Impacts

An analysis of the visual impacts of the concept proposal presented in the Urban Design Report (Appendix A) builds on the view analysis undertaken by the GANSW. A view analysis study for the proposal was prepared based on site photography from streets and the public domain around the site. The visual analysis imagery and analysis was prepared by Urbaine Architectural in accordance with the Land and Environment Court 'Use of photomontages' methodology.

The visual impact analysis demonstrates that the building would not be apparent from Willoughby Road and would have a very minimal visual impact from the nearby heritage conservation area. The building will be most prominent along the Pacific Highway and from secondary streets within the Crows Nest Village, however, it will not be incongruous with the scale of development in these localities and will create the gateway element intended by the 2036 Plan.

### 7.3.5. Heritage Impacts

A Heritage Impact Statement has been prepared by Urbis and is provided at Appendix E.

The consolidated subject site is not a listed heritage item, nor is it located within a heritage conservation area. However, the development of the concept design and resulting proposal has considered the site's relationship to surrounding heritage conservation areas to the east of the site, as well as heritage items located within the vicinity of the site.

The heritage listed buildings at the intersection of the Pacific Highway, Falcon Street, Shirley Road and Alexander Street



## Fiveways

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form part of the early 20th century character of Crows Nest and, as a collection, contribute to the significance of the historic development of the suburb.

The proposed building envelope on the site is sympathetic to the character of the heritage items in close proximity. This building envelope provides opportunities for unlimited approaches and creative designs in the Stage 2 detailed development. The proposed development for a building envelope on the site has taken cues from the early 20th century heritage items to ensure the site retains its significance.

Urbis have provided a list of design elements that should be considered to ensure the proposed development fits contextually with the heritage items in close proximity of the site and respond to the unique character of the Five Ways intersection and the subject site, but not be limited to the following:

- Ensuring the envelope of the proposed podium is deferential to the heritage items by using scale, articulation and materiality to respond to the heritage character of the context.
- Ensuring the podium is compatible with the height of the parapets of the heritage items that surround the Five-Ways intersection to respect the heritage character of the place.
- Consideration should be given to setting the tower well-back from the Five Ways intersection to provide rooftop activation overlooking the public domain.
- Provision of through site links that form part of the fine-grain character of the subject site-division pattern.
- Create elevations, particularly along Pacific Highway and Falcon Street, which take cues from the floor level arrangement of the heritage listed buildings in proximity.
- Height is not the most significant factor in any new development, but setbacks (as described above) are key to retaining the heritage significance of the Crows Nest Town Centre.
- The proposal could consider the provision of heritage interpretation for the heritage items surrounding the Five Ways Crows Nest site, by including history and photographs of its original use to enhance the significance of the site to the general public including users of the nearby Crows Nest Metro Station.
- Design the development with a series of different elements/components that relate to the connection with laneways in the local area and provide increased levels of street activation.
- Create a variety of building footprints joined together to form a building development.
- By adopting these design principles, the proposal will have a positive impact on the historic character of the Crows Nest Town Centre.

The Heritage Impact Statement concludes the following when considering the heritage items within the vicinity of the site and nearby heritage conservation areas:

- All buildings located on the subject site are identified as having no contribution to the streetscape character of Five Ways Crows Nest. The site is therefore appropriate for redevelopment from a heritage perspective.
- The proposed adjustment to development controls under this Planning Proposal is assessed to have no material impact on vicinity items. The site does not contain any listed heritage items and does not relate to an existing HCA. All listed heritage items in the vicinity of the site are to be retained, ensuring no change to the heritage context of Crows Nest, Five ways.
- The site is appropriately identified as an opportunity for increased density. From a heritage perspective, the physical separation as a result of the intersection would see the heritage context of Five Ways Crows Nest remain unaffected by the proposed uplift.
- Principal views to and from heritage items are predominantly at street level. As such, any increased uplift above existing façade heights of historic shopfronts is found to have minimal impact on the interpretation of their heritage significance.
- Identified vicinity items are principally interpreted at street level. The proposed uplift therefore has no relationship with single and double storey heritage items in the vicinity. It is assessed there would be no material impact on identified vicinity items.
- Interpretation of the existing streetscape character of the Holterman B and Holterman C Heritage Conservation Areas does not rely on the subject site. The proposed uplift does not impede on the reading of dominant typologies of the aforementioned HCAs. Detailed design of future development on the site will provide adequate opportunity to mitigate any identified impact.



## Fiveways

### 7.3.6. Traffic and Parking Impacts

A Traffic and Parking Impact Assessment has been prepared by Barker Ryan Stewart and provides an assessment of the potential traffic generation of the proposed future development (refer Appendix C).

#### Existing Transport Context

The site is located close to several bus routes providing the services along the Pacific Highway, Falcon Street, Shirley Road and Alexander Street to a wide range of destinations including King Street Wharf, North Sydney, Chatswood, Lane Cove, McMahons Point, Bondi, Epping, Mascot, Gore Hill, Ryde, Riverview, Denistone east, Manly, Balmoral Beach, Spit Junction and Kingsford.

Bus stops are located within 100 metres of the site in the Pacific Highway, Falcon Street, Shirley Road and Alexander Street which provide frequent and rapid services to the CBD.

St Leonards Station is located 1km to the north-west along the Pacific Highway and the new Crows Nest Metro Station will be located on the eastern side of the Pacific Highway generally bounded by Oxley Street, Clark Lane and Hume Street. Station access will be via the corner of Clark Street and Hume Street and at the corner of Pacific Highway and Oxley Street. The closest station entrance will be approximately 240 metres from the site.

Sydney Metro will create connections between Sydney's north-west, west and south-west regions to Sydney's CBD and is scheduled for completion by 2024.

The site is therefore well-served by public transport offering a convenient alternative to the use of private vehicles for access to and from the site for commuting and access to services.

Pedestrian access to and from the site is facilitated by the existing network of pedestrian footways connecting the site to the nearby supermarket and a variety of cafes, restaurants and speciality shops located along both sides of Willoughby Road.

#### Traffic Generating Potential (Existing and Proposed)

The existing developments on the site consist of a mix of retail and commercial sites covering an area of approximately 3,200m<sup>2</sup>. Table 15 **Error! Reference source not found.** shows the existing and proposed traffic generation based on the existing and proposed future uses on the site.

Table 15: Existing and proposed traffic generation

	AM Peak Hour Trips	PM Peak Hour Trips
Existing retail use traffic generation rate	23	32
Existing commercial use traffic generation rate	32	24
<b>Total existing generation rate</b>	55	56
Proposed residential use traffic generation rate	25	20
Proposed retail use traffic generation rate	36	50
Proposed commercial use traffic generation rate	99	74
<b>Total proposed generation rate</b>	160	144
Net change from existing to proposed	+105	+88

The additional trips that are expected to be generated by the proposed development consist of both inbound and outbound trips:





## Fiveways

- For residential developments it is generally assumed that in the AM peak 80% of trips will be outbound and 20% inbound with the reverse situation during the PM peak.
- For commercial developments the distribution of trips is assumed to be 80% inbound and 20% outbound in the AM peak with the reverse situation during the PM peak.
- For the retail developments and the distribution of trips is assumed to be 50% inbound and 50% outbound in the AM and PM peaks.

Intersection performance has been assessed using the SIDRA modelling software which uses the level of service (delay) model adopted by Transport for NSW to assess intersection performance. As detailed in the Traffic and Parking Impact Assessment, the existing intersections generally operate at high levels of service with acceptable average delays and will continue to do so with the additional traffic that will be generated by the proposed development.

In the future scenarios, the additional development traffic is expected to have only a minor impact on the delays experienced by motorists at the Pacific Highway / Alexander Street and the Falcon Street / Alexander Street intersections that will continue to operate at high levels of service.

The Pacific Highway / Falcon Street / Shirley Road intersection, however, is expected to operate at low levels of service (E and F) in the future scenarios due primarily to the background growth in traffic through this intersection. The development traffic will only marginally impact on the intersection performance, increasing average delays by only 10 seconds.

In summary, the traffic from the subject development will not have any significant impact on the efficiency of the surrounding road network and should not be responsible for any network improvements.

## Car Parking

The concept design includes a three-level basement carpark, which has been designed having regard to the constraints imposed by the Sydney Metro tunnels. An assessment of the indicative proposed parking provisions against the requirements of the North Sydney Development Control Plan 2013 is made in the traffic and parking impact assessment report and as summary is provided in **Error! Reference source not found.** The provision of car parking, bicycle and motorcycle parking will be developed and considered further as part of any development application process.

Table 16: Concept car parking assessment

Land Use	North Sydney DCP 2013	Proposed parking provision
Residential 16 x 1-bedroom units 79 x 2-bedroom units 18 x 3-bedroom units  Total = 129 units  Non-Residential 8,002m2 GFA	DCP Rates 0.5 space per 1-bed = 16 spaces 1 space per 2 bed = 79 spaces 1 space per 3 bed = 18 spaces Total: 113 residential spaces 1 space per 60m2 = 133 spaces Total spaces: 113 + 133 = 246 spaces	250 spaces comprising of: <ul style="list-style-type: none"> <li>• 113 residential</li> <li>• 133 non-residential</li> <li>• 12 car share</li> </ul>

A total of 303 secure bicycle parking for residents are proposed to be provided within the each of the basement carparks in separate bicycle storage areas. Bicycle racks will be provided in Basements 01 and 02 for the use of visitors to the various land uses within the site (residential, commercial and retail).

### 7.3.7. Structural Impacts

A structural engineering assessment (Appendix F) has been undertaken to determine the concept buildings engineering feasibility. The assessment had regard to the site conditions as identified in geotechnical modelling and determined that the basement (and tower above) can meet Sydney Metro's tunnel protection requirements and in engineering terms is feasible.



## Fiveways

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The engineering assessment recommends that further detail engineering modelling is undertaken, in collaboration Sydney Metro, in the next phases of the project.

### 7.3.8. Pedestrian Wind Environment Statement

A Pedestrian Wind Environment Statement (Appendix K) has been undertaken to determine the wind impact of the concept buildings at a pedestrian level. The assessment concludes that site benefits from shielding provided by the site and neighbouring buildings. In addition, whilst there may be wind effects due to the interaction of the prevailing winds with the building morphology that could potentially impact the wind comfort and amenity of several of the outdoor trafficable areas, it is expected these can be ameliorated within consideration of recommended strategies.

The assessment recommends that wind tunnel testing is recommended to be undertaken as part of the detailed design phase which will provide a quantitative analysis of the wind conditions and determine the requirement for wind mitigation measures; including the optimisation of the size and extent of the treatments required to ensure suitable wind conditions are achieved at all outdoor pedestrian accessible locations within and around the development.

### 7.3.9. Has the planning proposal adequately addressed any social and economic effects?

An assessment of the economic impacts of the planning proposal has been undertaken by Hill PDA as detailed in the Economic Impact Assessment provided at Appendix D.

### 7.3.10. Social Impacts

#### *Housing*

Between 2016 and 2041 the number of households in the North Sydney LGA is projected to increase by 9,200, growing from 33,900 households in 2016 to 43,100 households in 2041. This will drive the demand for an additional 10,250 new dwellings over this period, or around 410 new dwellings each year. The largest population growth and new household formation is projected between 2016 and 2031, driving greater demand for new dwellings over this period (more like 600 annually) and less demand between 2031 and 2041.

Analysis has shown that lone person and couple only households in the North Sydney LGA are generally choosing to live in one and two bedroom apartments. Of all new households forming in the North Sydney LGA over the 20-year period between 2016 and 2036, around 4,100 (55%) are estimated to be lone person households. This will drive demand for more studio and one bedroom dwellings to meet the housing needs of this growing household type. It will also drive demand for community facilities to encourage people living alone to socialise, particularly older residents.

The North Sydney Local Housing Strategy (LHS) similarly confers this analysis and identifies there are gaps in the specific types of housing to meet the needs of the current and future community which include a shortfall of 7,800 one bedroom dwellings and studios to fill the need for smaller more affordable dwellings that suit lone person and couple households. The LHS also identifies there is a deficit of adaptable housing to meet the needs of an aging population and affordable housing (subsidised) to meet the needs of very low and low income workers and to retain key workers who live in the LGA.

The indicative concept plans which accompany this planning proposal incorporate approximately 129 apartments. The proposed residential development will help address the identified gaps in specific types of housing to meet the needs of the current and future community.

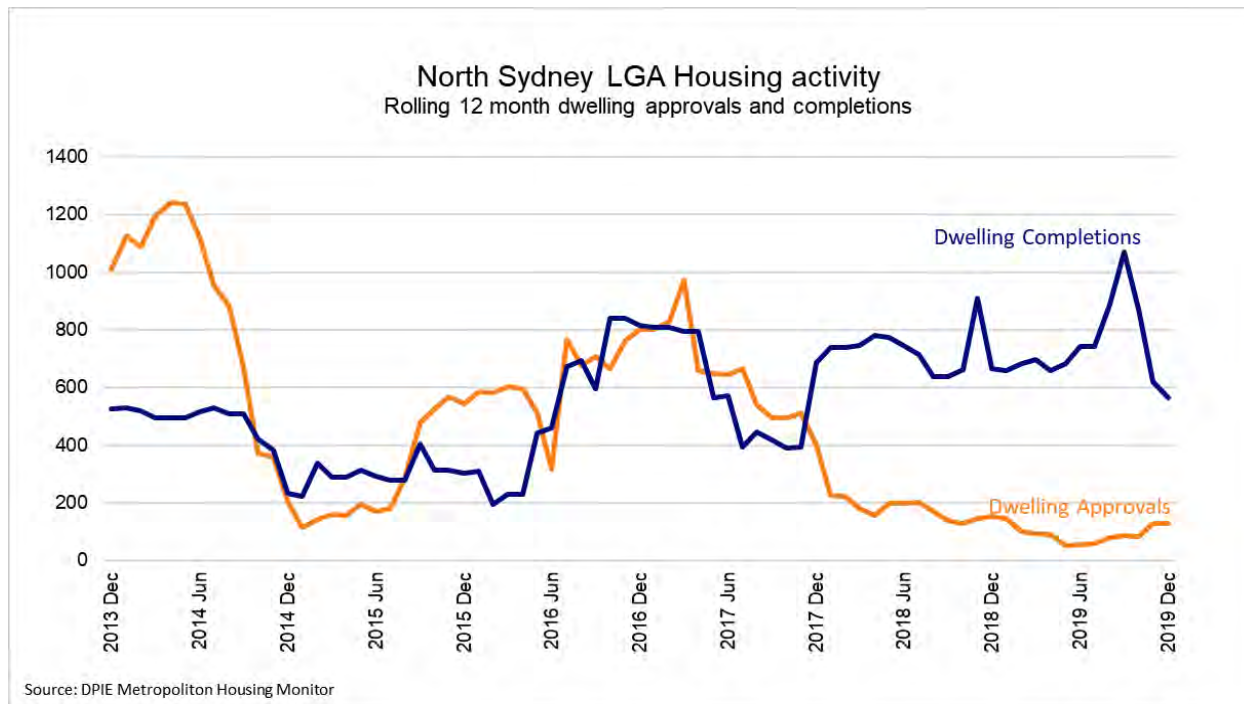
The proposal will play an important part in delivering housing. While it is acknowledged that North Sydney Council can meet its 10-year housing target to 2026, a decline in housing supply beyond that period may eventuate because of a slowing in housing activity in North Sydney.

Since 2016 the number of dwelling approvals in North Sydney LGA has steadily declined. Approvals have dropped by 85% from their peak in 2016 (920 approvals) to 140 approvals in 2019. As a result of the decline in approvals, the number of new homes completed has begun to decrease. In 2019, 563 new homes were completed, a drop of 16% when compared to the previous 5-year average of 674. Dwelling completions are expected to slow further reflecting the



## Fiveways

significant decline in dwelling approvals. This is likely to impact on future housing supply, potentially creating an undersupply in the local housing market in the longer term if not corrected.



### Community Facilities

The surrounding area currently offers a range of community facilities including the Crows Nest Centre, Stanton Library and childcare services and coworking spaces, however Council have noted that many of these facilities are at capacity. As the population grows there will be an increasing need to accommodate new community facilities within Crows Nest.

### Open Space, Sports and Recreation Facilities

There is an acute need for additional open space within Crows Nest and this need will increase as the area densifies. Currently there is no open space within 200m of the site and limited open space within 400m of the site. Whilst there is not an opportunity to provide significant open space on the site, the proposal includes landscaped zones and vertical planting to improve the green index view and tree canopy within the Crows Nest area. There may also be an opportunity to contribute to funding for new open space nearby.

### Improved Public Domain

The proposal demonstrates that it positively contributes to the quality of the public domain and provides direct social benefits. Reference should be made to the Place Design Framework at Appendix B.

### Existing Uses

The site currently provides around 4,600sqm of GFA of mixed-use employment space which is provided over predominantly one to two storey buildings, however there are some buildings over this height with the tallest building around four storeys. Based on the average employment densities, the site accommodates approximately 154 jobs with wages generating in excess of \$7.6 million. The site is estimated to contribute \$11.7 million every year in terms of gross value added (GVA).



## Fiveways

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### *Construction Economic Benefits*

The estimated direct construction cost of \$115 million would generate approximately \$361 million in construction generated economic activity and would generate 279 job years directly in construction. It is estimated that in total, the planning proposal would generate a total of 1,049 job years directly and indirectly.

### *Employment Generation*

Based on the estimated land use split (70% retail space attributed to food, restaurants and food services and 30% non-food general retail), the proposal has the potential to generate 456 jobs upon operation and full occupation. This represents an increase of around 295 jobs over the base case. Total wages from these jobs are estimated at \$31.7 million per annum, an increase of around \$24.1 million per annum over the base case. The proposed land uses would potentially contribute \$51.1 million every year in terms of GVA to the local economy, an increase of around \$39.4 million per annum over the base case.

### *Jobs closer to home*

The planning proposal offers the opportunity to provide jobs closer to home which has many benefits, including a reduced need to travel to work on a daily basis. The reduction in the number of movements, particularly by private vehicles has environmental and social benefits.

### *Worker Retail Expenditure*

Worker retail expenditure from the proposed development is expected to equate to an annual spend of around \$0.92 million per annum for the 441 non-resident workers on site, almost three times higher than the base case.

### *Resident Retail Expenditure and Floorspace Demand*

The planning proposal would benefit St Leonards Strategic Centre and its existing retailers by increasing the resident population and hence retail expenditure. When combined with workers on the site, the planning proposal would provide sources for an increase in retail sales captured by Crows Nest and St Leonards retailers likely in the order of \$3.9 million per annum, an increase of around \$3.6 million per annum over the base case.

The resident population would also increase the demand for local retail services to be provided locally. It is estimated that the residents on-site would generate demand for retail floorspace in the order of around 480sqm. Given that St Leonards is a Strategic Centre the majority of this floorspace would likely be directed towards the centre, further increasing its vibrancy and viability.

### *Investment Stimulus*

Where a significant property investment decision has been made, it is generally viewed as a strong positive commitment for the local area. Such an investment can, in turn, stimulate and attract further investment. The direct investment in the planning proposal would raise the profile of the Crows Nest and St Leonards Strategic Centre and support a wide range of economic multipliers which would, in turn, support investment in associated industries.

The provision of a mixed-use development on the subject site would increase the economic benefits of the scheme to surrounding businesses, services and increase the patronage of the public transport system, particularly the Sydney Metro line.



## Fiveways

### 7.4. State and Commonwealth Interests

#### 7.4.1. Is there adequate public infrastructure for the planning proposal?

Yes. The site is within an area that is currently well serviced by public infrastructure. The site is in close proximity to a range of essential health, education and emergency services. The site is located approximately 1 kilometre from one of Sydney's key health precincts anchored by the Royal North Shore Hospital and providing a range of supporting health and emergency services. This precinct has been subject to around \$1billion worth of public and private investment over the last decade, with upgrades ongoing to ensure that it is equipped to manage future demand. There are also 14 schools, one TAFE and one University Campus within 2 kilometres of the site. These schools offer primary and secondary education in both the public and private system.

The site's inner urban location means that it is already well serviced by necessary utilities and services including telecommunications, electricity, water, sewer and waste. Consultation with relevant authorities during public exhibition of the Planning Proposal will confirm the capacity of existing utilities to service the proposed development. Any potential upgrades to utilities required to respond to increased demand will be assessed as part of a future Development Application.

The site also has great access to public transport. It is located within 240 metres of the proposed Crows Nest Metro Station, which is expected to be operational by 2024. The proposed development will be within an easy walking distance to the new Metro Station, substantially reducing the reliance on private transport to travel to other centres within Sydney. There is also a high frequency bus route immediately adjacent to the site which services 15 different bus routes.

The proposed development will also financially contribute to future public infrastructure planned for the locality as part of the St Leonards Crows Nest Planned Precinct. A draft Special Infrastructure Contributions Plan has been prepared for the Planned Precinct to ensure that public infrastructure is aligned with growth. The proposed contribution rate is \$15,100 per dwelling and the funding will contribute to additional open space, pedestrian, cycling and vehicle infrastructure and two new schools. Specifically, substantial expansions are planned for the Hume Street Park which will provide additional public open space within 400m of the site.

#### **7.4.2. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

As a Gateway Determination has yet to be issued by the Minister for Planning the appropriate State and Commonwealth public authorities have not yet been identified. The Gateway determination will identify the necessary consultation to be undertaken.

### 7.5. Summary of the Strategic and Site-Specific Merits of the Planning Proposal

Planning circular PS 16-004 describes the independent review process related to plan-making including the Strategic and Site-Specific matters which are considered by Planning Panels and the Independent Planning Commission. They provide a useful framework to summarise the matters discussed in the preceding sections.

#### 7.5.1. Strategic Merits

The following table provides summary of the strategic merits of the planning proposal in accordance with Planning circular PS 16-004.

*Table 17: Strategic Merit Test*

Strategic Merit Test	Response
Give effect to the relevant district plan within the Greater Sydney region, or	As discussed in section 7.2 this planning proposal is consistent with the Greater Sydney Region Plan and the North District Plan. The proposal



## Fiveways

corridor, precinct plans applying to the site, including any draft regional, district or corridor precinct plans released for public comment;	will facilitate additional commercial floorspace, significant community benefits such as improved public domain and additional residential dwellings within the established St Leonards strategic centre and with good access to Crows Nest Metro Station.
Give effect to relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement	<p>The planning proposal is consistent with:</p> <ul style="list-style-type: none"> <li>▪ 2036 Plan</li> </ul> <p>The proposal is entirely consistent with the vision, objectives, actions, urban design principles and indicative built form controls set out by the 2036 Plan. This proposal will facilitate the implementation of the 2036 Plan and positively contribute to growth within the Crows Nest area, securing additional non-residential floorspace, dwellings and public domain improvements.</p> <ul style="list-style-type: none"> <li>▪ North Sydney LSPS</li> </ul> <p>As outlined in Section 7.2.3, the planning proposal is aligned with the North Sydney LSPS and seeks to implement and facilitate to achievement of a number of its objectives and actions.</p>
Respond to a change in circumstances, such as investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.	<p>The planning proposal responds to the increase in infrastructure provision within the St Leonards and Crows Nest Planning Precinct and delivery of the new Crows Nest Metro Station. The site is situated in close proximity to transport infrastructure links and within 240m of the new Crows Nest Metro Station. Facilitation of the redevelopment of the site in a timely manner will enable delivery alongside the metro station. This in turn will assist the Department in realising its investment in infrastructure within the Planned Precinct.</p>

Table 18: Site Specific Merit Test

Site specific Merit Test	Comment
The natural environment (including known significant values, resources or hazards),	There are no known site-specific environmental considerations identified in the planning proposal and supporting material that would preclude further consideration of the proposed urban renewal.
The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and	<p>The Fiveways site is located within the St Leonards and Crows Nest Planned Precinct. Within the Planned Precinct it is envisaged that developments should be achieving heights and densities commensurate with its accessibility to public transport (metro, train and buses). Existing building heights in Crows Nest and St Leonards are around 35 storeys. Several planning proposals and development approvals will exceed this, with towers up to 50 storeys.</p> <p>Subject to further urban design testing and overshadowing analysis within Precinct 4, it is envisaged that buildings within the vicinity of the site along the Pacific Highway will accommodate a significant increase in building height, with buildings extending from 13 to 35 storeys along Pacific Highway.</p> <p>The planning proposal has taken into consideration the surrounding context and its likely future context. The planning proposal reinforces</p>



## Fiveways

	Fiveways as a place of importance and interest, appropriate with its role as the marker and entry point to the Crows Nest Village retail precinct.
The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	<p>A Traffic Impact Assessment has been prepared and is submitted with the planning proposal at Appendix C. There are no traffic matters identified on the site that would preclude further consideration of the proposed urban renewal.</p> <p>There is sufficient infrastructure (water, electricity, sewer, etc.) available to accommodate the proposed development.</p>



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## **8. PART 4 – MAPPING**

The proposal requires a straightforward mapping change to the NSLEP 2013 Non-Residential Floor Space Ratio map, height of building map and FSR map as shown in Appendix I.





## 9. PART 5 – COMMUNITY CONSULTATION

Division 2.6 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination. It is anticipated that the planning proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the Department of Planning, Industry and Environment guidelines 'A guide to preparing local environmental plans'.

There has been considerable community consultation within the area as part of the Council's placemaking strategy, the Department's strategy for the Plan 2036 which included numerous community workshops. In addition, the community has been consulted at a high level as part of North Sydney's preparation of their LSPS, Local Housing Strategy and Civic Precinct and Surrounds Study. There has also been significant consultation as part of the investment in the area by Sydney Metro and delivery of a new metro station within the Planned Precinct.

It is anticipated that the community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on Council's website. The written notice will:

- Give a brief description of the objectives or intended outcomes of the planning proposal;
- Indicate the land affected by the planning proposal;
- State where and when the planning proposal can be inspected;
- Give the name and address of the RPA for the receipt of any submissions; and
- Indicate the last date for submissions.

The Gateway Determination, planning proposal and specialist studies would be publicly exhibited by Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

During the exhibition period, the following material will be made available for inspection:

- The planning proposal, in the form approved for community consultation by the Director General of Planning and Infrastructure;
- The Gateway determination; and
- Any studies relied upon by the planning proposal.



## Fiveways

## 10. PART 6 – PROJECT TIMELINE

The timeframe for the completion of the planning proposal will depend on the complexity of the matters, the nature of any additional information that may be required and the need for agency and community consultation. The following detailed are indicative only and may be amended at Gateway.

*Table 19: Indicative Timeline*

Step	Indicative Timeframe
Lodgement of Planning Proposal	December 2021
Presentation to Design Review Panel	January 2022
Report to North Sydney Local Planning Panel	March 2022
Report to Council	May 2022
Gateway Referral	July 2022
Gateway Determination received	August 2022
Exhibition	August – September 2022
Consideration of Submissions	October 2022
Report to Council	November 2022
Department Referral (for making of Plan)	January 2023
Notification of Determination	March 2023



Fiveways

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## 11. CONCLUSION

This Planning Proposal is a proposal between North Sydney Council and Deicorp. It will enable the construction of a 16 storey mixed-use development comprising: -

- 3 levels and mezzanine of retail and commercial floor space; and
- 13 levels of residential floor space.

The Planning Proposal: -

- Is consistent with the objectives of the proposed B4 Mixed Use zoning pursuant to the current North Sydney Local Environmental Plan (LEP) 2013;
- Resolves the amalgamation of these sites to provide a single redevelopment with a tower building form and an articulated ground plane that improves pedestrian connectivity and creates an extension of the Crows Nest Village;
- Is a suitable development which is consistent with the existing and future built form and will not adversely impact on the locality;
- Establishes a proposed building height across the site which creates the opportunity for a Gateway building form for Crows Nest;
- Is consistent with the Metro Strategy and Sub-Regional Strategy objectives to locate increased residential density closer to public transport and access to mature road networks and existing urban centres;
- Is consistent with the Ministerial Directions; and
- Positively contributes net community benefits.

In summary there is no reasonable planning basis which would not support returning the zoning of the site to its previous mixed-use nature and allowing a building height which fosters a gateway opportunity on this site to support the improved urban form of this precinct.



Fiveways

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# Appendix A Urban Design Report



Fiveways

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# Appendix B Place Making Report



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# Appendix C Traffic and Parking Impact Assessment and Draft Travel Plan



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# Appendix D

## Economic Impact Assessment



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# Appendix E

## Heritage Impact Statement





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# Appendix F

## Structural Report and Letter of Support



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# Appendix G Planning Proposals and S9.1 Ministerial Directions



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# Appendix H

## State Environmental Planning Policies (SEPPS)



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# Appendix I

## LEP Map Amendments



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# Appendix J Preliminary Contamination Report



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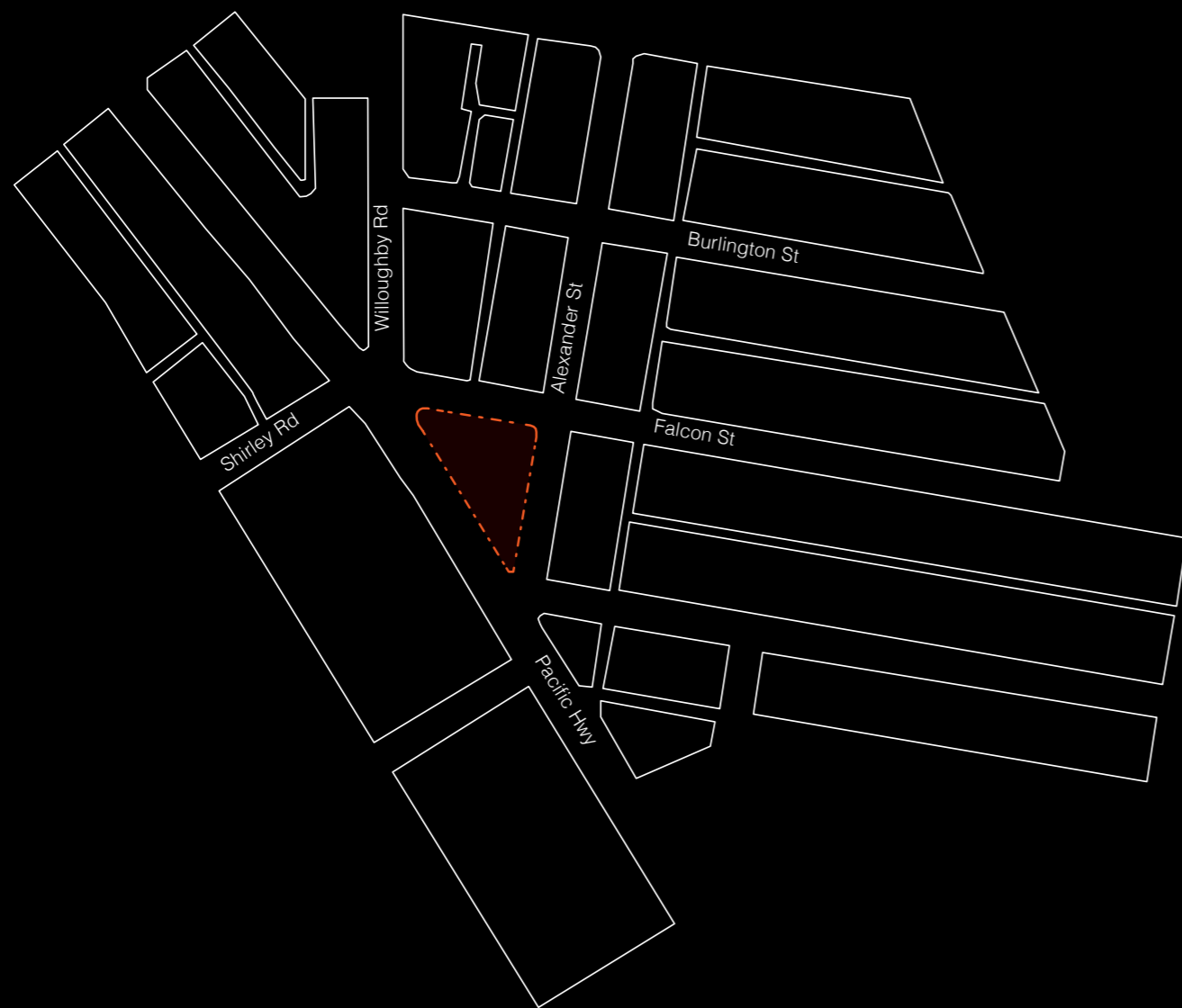
# Appendix K Pedestrian Wind Environment Statement



Fiveways

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# Appendix L Site Specific DCP



# URBAN DESIGN REPORT

FIVE WAYS CROWS NEST

22 December 2021

Issue A



# Contents

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01	Introduction	3
02	Vision, Design Criteria and Area Wide Design Principles	5
03	The 2036 Plan	7
04	Site Observations	32
05	Project Vision	41
06	Design Principles	43
07	Building Program	47
08	Design Proposal	54
09	Apartment Design Guide Response	76
10	Placemaking Strategies	81
11	Visual Analysis	106
12	Shadow Analysis	126
13	The Vision	148
14	Conclusion	152
15	Indicative Plans	154
	Plans	155
	Section	165
	Development Metrics	166

**01**

# **Introduction**

# Introduction

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Five Ways Junction Crows Nest is a landmark site at the intersection of Pacific Highway, Alexander and Falcon Streets. It sits at the terminus of Willoughby Road and the Crows Nest Village a popular shopping, restaurant precinct and local destination. The site is a short walk from the new Crows Nest Metro station entrance which will soon become an important transportation hub along the \$12.5 billion metro line.

The site lies within the St Leonards and Crows Nest 2036 Plan, a strategic planning document which will facilitate the urban regeneration of St Leonards and Crows Nest as an employment centre and support the growing residential community of the Plan area and the surrounding suburbs. The 2036 Plan is planned to provide additional commercial floor space for employment, new and upgraded open space, mixed-use sites, transport orientated development as well as responding to the local character of the area and protecting heritage conservation areas.

This proposal has been formulated by the project team to embrace the vision, objectives, actions and urban design principles of the 2036 Plan, to create the opportunity for new employment spaces, locally sensitive retail and key-worker and private dwellings with excellent amenity.

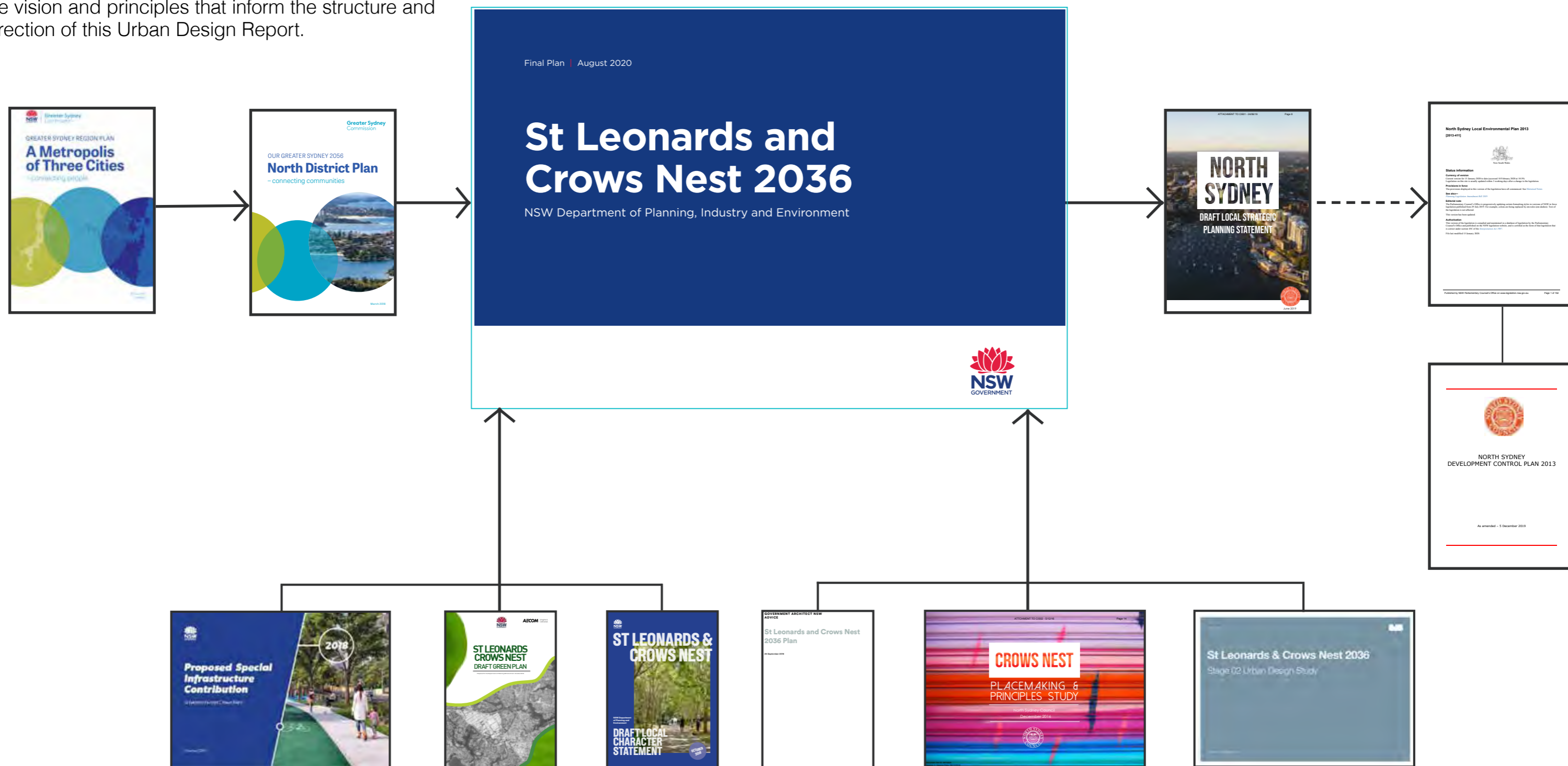
This urban design report documents a rigorous design process that was commissioned to determine the appropriate density, form, arrangement and other design details that will achieve a proposal that is entirely consistent with the 2036 Plan.

**02**

**Vision, Design  
Criteria and Area  
Wide Design  
Principles**

# Planning framework

The planning framework, illustrated here, provides the vision and principles that inform the structure and direction of this Urban Design Report.



Vision, Design Criteria and Area Wide Design Principles

## Planning Framework

**03**

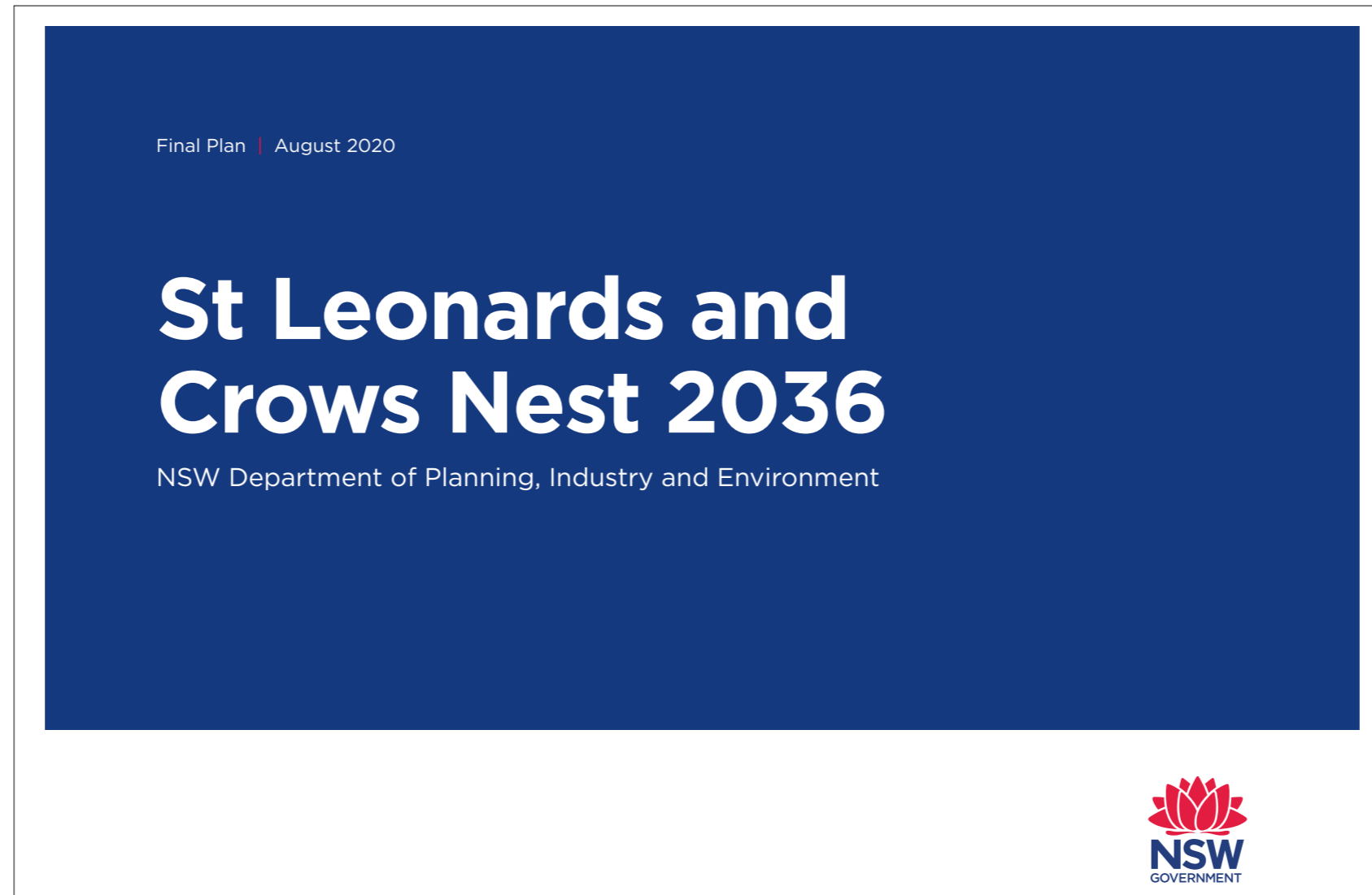
**The 2036 Plan**

## The 2036 Plan

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The St Leonards and Crows Nest 2036 embeds objectives to achieve positive urban renewal for the area.

The 2036 Plan informs the following design proposal, reflecting shared objectives to regenerate the district as an employment centre and to grow residential communities while maintaining the existing and distinctive character of Willoughby Road and Crows Nest Village.

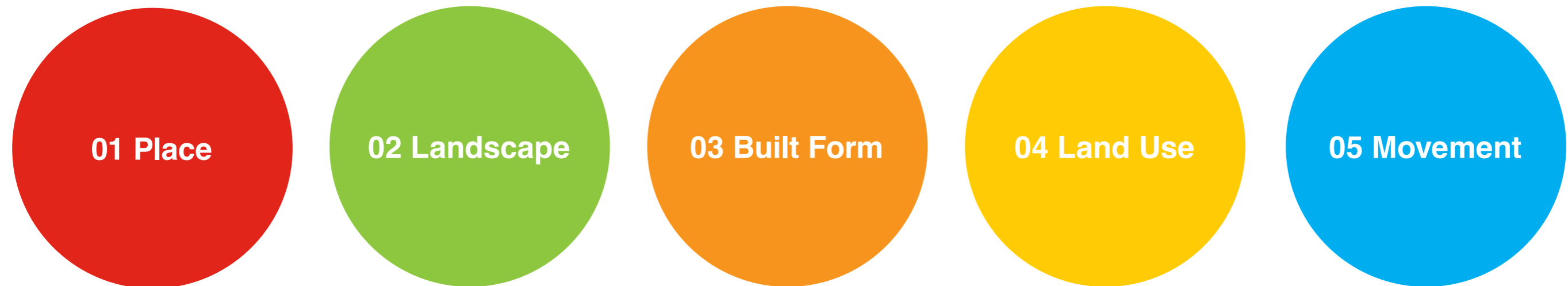


## The 2036 Plan

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The vision and objectives of the 2036 Plan are translated into the five key themes identified as part of the Local Character Statement. They identify actions to realise opportunities for urban renewal within St Leonards and Crows Nest. The five themes are expanded into sub-categories and actions to consider the potential outcomes of the Plan including specific localities and areas.

The following section outlines the five themes and sub-categories and considers the merits and design elements of the proposal in response to the Plan.





# The 2036 Plan



## Sub Category

### Public domain

New development offers opportunities for improvements to public places including plazas, activated laneways and safe and well-designed pedestrian links. The Plan identifies opportunities for new through site links and street-widening using building setbacks.

## The Proposal

The current streetscapes and public domain of the site are under utilised and in need of redevelopment. The proposal is designed to provide a significant redefinition of the public domain, creating a streetscape which is activated, variegated and supplemented by public walkways connecting the three streets. The activation of the ground plane is enhanced by the public walkways providing additional frontage for retail tenancies and lobbies. The central section of each street frontage is setback an additional metre to allow space for the bus interchange, street trees, retail activation and outdoor dining. [For further detail, see Sections 08 Design Proposal and 10 Placemaking Strategies.](#)



### Heritage and culture

Community feedback has emphasised the significance of local community places on cultural heritage in the area. There is strong value placed on the tree-lined streets and the style, scale and design features of heritage dwellings in these areas.

The proposal adopts a fine grain approach to the ground and podium levels responding to the observed grain, pattern and scale of the Crows Nest Village and the urban grain of the surrounding context. The design of the podium is responsive to the context and particular nature of Crows Nest with a two-step subdivision of the podium mass. The first step is the division by the implementation of two public pedestrian walks that respond to the street grid. The second is a more fine-grain subdivision to provide a scale, pattern and fine-grain response that is similar to the prevailing street wall character. Material selections and detailing provides additional connections to the local character. Towers are setback from the edges of the site to provide a visual distinction from the street. The retail strategy of the proposal is designed to complement the popular and distinctive character of the Crows Nest Village. The idea is to extend the active hub of Crows Nest to the streets south of Falcon Street. [For further detail, see Sections 08 Design Proposal and 10 Placemaking Strategies.](#)



### Comfort and safety

New planning controls are recommended to protect solar access to key streets and open spaces during mid-winter to maximise usability and amenity to these places. A focus on improving active streets and pedestrian movement will create a more vibrant streetscape which will contribute to passive surveillance and safer places.

The proposal follows the urban controls outlined in the 2036 Plan adopting building and street wall heights identified in the plan. Shadow analysis tested the solar access to streets, dwellings and heritage conservation areas around the site. The ground plane and podium is designed to activate the ground plane offering new spaces and opportunities for retail and commercial tenancies to connect into the Crows Nest Village. [For further detail, see Sections 08 Design Proposal, 10 Placemaking Strategies and 12 Shadow Analysis](#)



# The 2036 Plan



## Sub Category



### Local economy

Local shops along Willoughby Road and the village character are highly valued amongst the community. The Plan will protect and maintain this village character by retaining the existing planning controls and protecting local retail areas (Ernest Place and Willoughby Road). This village character will also be extended through the identification of Atchison Street as a 'civic street'. The Plan supports more active retail uses on Atchison Street and the role and function of this street as an active space should be enhanced as future rezoning occurs.

## The Proposal

Crows Nest Village and Willoughby Road have a special quality that has set the precinct apart in the Lower North Shore for many years.

The village has an active retail street that is popular for local residents and encourages visitors from further afield to enjoy the unique restaurants and night life. The proposal is designed to complement the local character and retail streets with a range of tenancy sizes suitable for different operators, activated streets, and a flexible ground plane.

The street wall and podium of the proposal is located between three streets each exhibiting a wide range of different building heights. The design of the podium responds to this context by dividing the mass with two public, pedestrian walks and then further into smaller divisions which are composed architecturally to achieve a fine-grain and context-sensitive response. The new public walks work with the existing urban grid and prompt the potential of new connections to the east.

The proposal seeks to activate and regenerate the streets adjacent to the site and extend the vibrancy and activity of Crows Nest Village to the precinct south of Falcon Street.

For further detail, see Sections [08 Design Proposal](#), [10 Placemaking Strategies](#) and [13 The Vision](#).

01 Place

# The 2036 Plan



## Actions



Investigate opportunities for improved connections to the health and education precinct.

## The Proposal

The proposal is situated nearby the Mater Hospital and local schools. Podium retail and commercial space would be suitable for tenants connected with these institutions. Additional dwelling supply, including much needed Key-worker housing, contributes to the supply and diversity of housing supply and broadens the accessibility to the area for new residents and young people.



Retain the current heritage status in existing planning controls.

The proposal is designed to respond positively to the heritage assets and conservation areas in the vicinity of the site. The key responses of the proposal are the fine-grain approach to the street wall, the extension of the local street-grid through the site with pedestrian walks, and the extension of the vibrant and street activated retail character of Crows Nest Village.

*For further detail, see Section 08 Design Proposal.*



Transition heights from new development to surrounding Heritage Conservation Areas.

The proposal follows the urban design principles of the 2036 plan where taller buildings and density are located in close proximity to metro stations and the Pacific Highway. A taller form is located at the Five Ways intersection which acts a gateway element into the Precinct. Mixed-use sites adjacent to the site assist to provide transitory heights to the surrounding lower-scale residential areas.

*For further analysis, see Section 07 Program Options.*



New development should adopt the street wall height consistent with existing heritage shopfronts for new buildings in the same street.

The 2036 Plan nominates a 3-storey street wall. The street wall pattern responds to the context where 3- and 4-storey buildings are observed. The proposal is consistent with the plan adopting the 3-storey street-wall height which is variegated similar to the pattern of shop-top development in the area

*For further detail, see Section 15 Indicative Plans - Sections & Elevations*



Maintain current planning controls along Willoughby Road to retain its village feel and character.

The proposal is located near the southern end of Willoughby Road and is consistent with the 2036 Plan massing as a gateway element for the precinct. The ground plane approach is designed to extend the activation and vibrancy of the Crows Nest Village to the precinct south of Falcon Street

*For further detail, see Sections 08 Design Proposal and 13 The Vision*



# The 2036 Plan



## Actions



Maintain current planning controls along Willoughby Road to retain its village feel and character.

## The Proposal

The proposal allows additional workplace, retail and dwellings to be provided in close proximity to the new Metro Station while maintaining the current planning controls to Willoughby Road. The proposal also provides a Gateway element to the precinct.  
*For further detail, see Sections 08 Design Proposal and 10 Placemaking Strategies.*

Improve the public domain by introducing 'green streets' along Oxley, Mitchell, and Chandos Streets to allow for setbacks with grass and canopy trees.

Not applicable to this proposal

Investigate inclusion of shared zones along Clarke Lane including the provision of traffic calming measures.

Not applicable to this proposal



New development should consider its place within country, including Aboriginal heritage by (at least) consulting with the Metropolitan Local Aboriginal Land Council.

The proposal anticipates an aboriginal heritage and consideration of country process through the detailed design stage. The proposal outlines a public art strategy which might form a component of the indigenous interpretation strategy.



Widen key streets (including Atchison Street) to support more active uses and allow for green elements e.g. planter boxes.

Although the 2036 Plan indicates a 0m setback to the three street frontages of the site, the proposal includes an additional setback in the mid-section of each block to allow additional tree planting, space for the bus interchange and opportunities for street retail and outdoor dining.  
*For further detail, see Sections 05 Design Proposal and 15 Indicative Plans.*



01 Place

# The 2036 Plan



## Actions

### Public open space

High quality and variety of public open spaces is valued highly within the community. The Plan is supported by a Green Plan which identifies open space opportunities for implementation as part of this Plan and aspirational, long term projects for future investigation.

## The Proposal

The proposal is designed to allow the integration of landscape into the building form. The ground plane and public domain include integrated landscape components and allow space for street trees.

*For further detail, see Section 10 Place Making Strategies.*



### Tree canopy

A key aspect of the Plan is to retain and enhance the existing network of tree lined streets.

As part of the place making strategy, a tree canopy index place metric is adopted to encourage and optimise tree canopy to soften the highly urban setting of the existing site.

*For further detail, see Section 10 Place Making Strategies.*



### Topography

The steep topography in parts of the area is integral to its character. The Plan identifies opportunities to work with the grade of the land to achieve improve use of open spaces and capture views towards the city.

The proposal responds to the topography of the site, using the grades to minimise basement ramps and vehicle entries. The falls on the site are designed to allow fully accessible routes to all retail tenancies, commercial and residential lobbies.

*For further detail, see Section 15 Indicative Plans..*



### Natural environment

Connections to the natural environment are critical in dense urban areas. The area has both formal and informal landscape elements that provide this connection to the natural environment.

The proposal is located in a highly urbanised setting. An integrated landscape approach, including additional setbacks to the street frontages and planting on structures and roof gardens, provides an enhanced green-view index and visual relief from the existing built-up and urbanised character of the area.

*For further detail, see Section 10 Place Making Strategies.*



# The 2036 Plan



## Actions

Leverage the improved amenity and connectivity opportunities from Lane Cove Council's proposed St Leonards Plaza, through:

- Investigate improvements for pedestrian crossings of Pacific Highway.
- New/improved connections to the regional pedestrian cycling link.
- Support for investigation of an indented bus stop as part of the plaza.
- Support for links to recent and proposed development either side of Council's future St Leonards Plaza.

## The Proposal

Not applicable to this proposal.

The proposal adopts a similar strategy of permeability, connectivity and providing additional space for more intensive public areas such as bus stops.



Protect and enhance natural links through the area. Refer to final Green Plan.

The local street grid is extended through the site through the implementation of two new pedestrian walks connecting the three street frontages. The new walks enhance visual permeability and create spaces for landscape and public art.

*For further detail, see Sections [08 Design Proposal](#) and [10 Placemaking Strategies](#).*

Work with North Sydney Council to redevelop Holtermann Street carpark by bringing forward development contributions.

Not applicable to this proposal

Investigate opportunities to upgrade Hume Street Park consistent with North Sydney Council policy.

Not applicable to this proposal



Introduce landscaped street setbacks along Oxley, Mitchell, and Chandos Streets to allow for additional street trees.

Not applicable to this proposal

The proposal includes areas with additional ground floor setbacks to allow for street trees and landscaping along the three street frontages.



Maintain and expand tree canopy in St Leonards South to meet tree canopy target for the area identified at page 3. Investigate opportunities to expand Newlands Park and new public park in St Leonards South

The proposal includes mid-block setbacks to allow street trees along the site frontages  
*For further detail, see Section [08 Design Proposal](#).*

A tree canopy index is adopted as a place measure for the site. The proposal is designed to bring additional spaces for landscape and tree canopy cover in a highly urbanised setting.

*For further detail, see Sections [08 Design Proposal](#) and [10 Placemaking Strategies](#).*



# The 2036 Plan

## Urban Design Principles

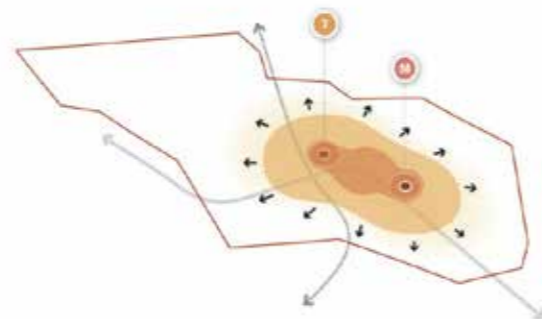
The proposed built form controls and actions are informed by key urban design principles. These principles form the design criteria which should be considered for future development in the area.

### The Plan



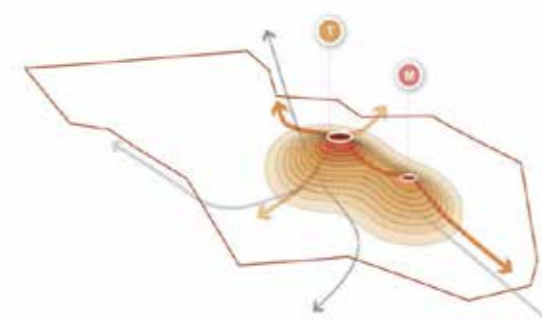
#### Proximity to Stations – Epicentre

Density is located close to a transport hub such as St Leonards Station or the Crows Nest Metro Station. Taller buildings are to be located within 150-200m of either station and transition in height to the surrounding areas



#### Centre and Height Transition Height ‘Knuckle Area’

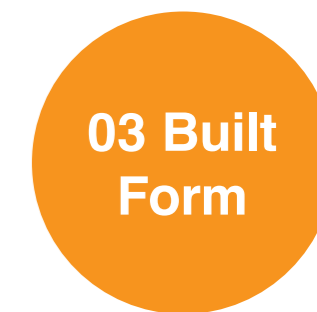
St Leonards is to be read as the predominant centre to reinforce its commercial role and Crows Nest as a secondary lifestyle destination. Large developments are to be located between the stations and transition in height, bulk and scale from the highway to the surrounding neighbourhood areas. The focus of height is referred to as the ‘knuckle area’ within St Leonards mixed use commercial core.



### The Proposal

The 2036 Plan identifies sites in close proximity to the stations for taller buildings, particularly in the range of 150-200m. The Five Ways site is located approximately 240m from the new Crows Nest Metro station entry in Hume Street. The location of the site provides excellent amenity for the retail, commercial and residential components of the building with Crows Nest Village and Metro a short walk away.

The proposal is consistent with the 2036 Plan guidelines for height and urban massing. The Plan identifies the areas around St Leonards and Crows Nest Stations as the dominant features of the urban landscape with building heights of 50- and 27-storeys respectively. The Plan identifies additional sites for taller building heights around the Five Ways Crows Nest site with a cluster of buildings shown along the Pacific Highway with building heights of 13- to 17-storeys. The The Five Ways island site, in particular, has a taller building height to provide a gateway element for Willoughby Road and Crows Nest Village. The height in this precinct also facilitates additional density closely linked to the amenity of the Crows Nest Village and Metro Station without affecting solar access to Willoughby Road and the Village.



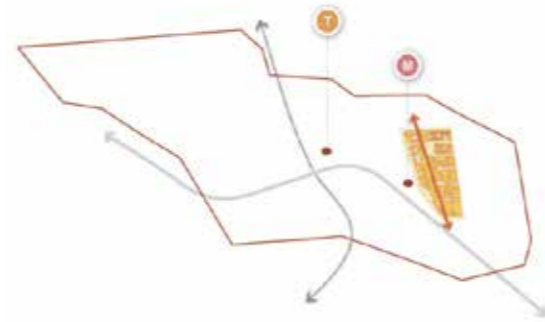
# The 2036 Plan

## The Plan



### Maintain Willoughby Road

Willoughby Road is an important place within the Plan area that is to be protected. New development is to ensure minimal overshadowing and avoid unreasonable visual impact to the public domain.



### Reduce Impact on Heritage Conservation Areas

Heritage Conservation Areas are to be protected. New development nearby is to ensure minimal overshadowing and avoid unreasonable visual impact to the public domain or private open spaces of dwellings within these areas.



## The Proposal

The proposal is consistent with the 2036 Plan allowing Willoughby Road to be protected and additional height and density to be located in close proximity to the Crows Nest Village and Metro without additional overshadowing of the retail precinct. The proposal is also designed to extend the distinctive character of Willoughby Road south of Falcon Street to regenerate the area as a retail destination and employment area.

*For further details, see Section 12 Shadow Analysis.*

The proposal is consistent with the 2036 Plan. Solar analysis tested the extent of mid-winter overshadowing of the proposed form to demonstrate compliance with the Plan.

The fine-grain approach to the podium is designed to link to the character, massing and rhythm of the High-Street retail urban grain.

*For further details, see Section 12 Shadow Analysis.*

**03 Built Form**



# The 2036 Plan

## The Plan



### Expand Open Space Network and Protect Amenity

Investigate opportunities to provide additional open space in the Plan area. New developments are not to cause unacceptable overshadowing to any key existing or proposed public open spaces.



## The Proposal

The proposal includes two pedestrian walks connecting the three street frontages and providing enhanced visual permeability through the site. The proposal also includes an integrated approach to landscape, green view and canopy cover place-metrics.

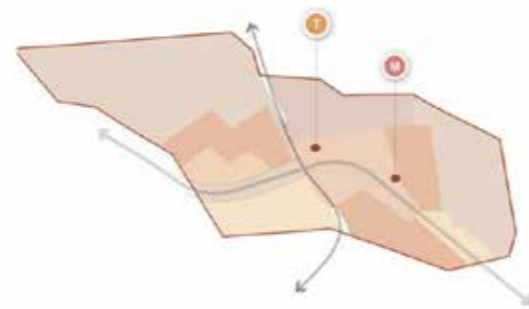
Like the existing Crows Nest Village, the streetscapes of the proposal are designed to be vibrant and activated and allow retail tenancies to open-out to the public domain.

*For further detail, see Sections 08 Design Proposal and 10 Placemaking Strategies.*



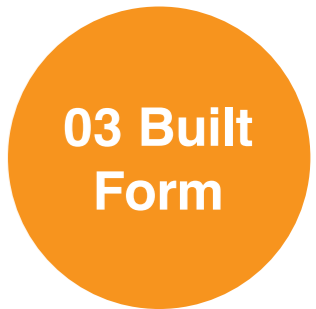
### Response to Character Area

New development must respond appropriately to built form character of sub-precincts, including height, bulk and scale, as well as the existing and proposed uses.



The proposal is consistent with the 2036 plan adopting the street wall height common in the vicinity and a building height responding to the solar access controls to areas around the site and outside of the 2036 Plan area.

*For further detail, see Sections 08 Design Proposal and 10 Placemaking Strategies.*



# The 2036 Plan

## The Plan



### Transition between Character Areas

The interface between two-character areas should respond to the adjacent character area to create an appropriate transition.



### Fine Grain Approach

New development should consider its relationship to surrounding context and urban grain, while seeking to provide improved accessibility through appropriate frontage treatment and provision of arcades, laneways, and enhanced public domain.



## The Proposal

The proposal seeks to improve the vibrancy and activation of the retail streets located south of Falcon Street. Following the indicative heights of the 2036 plan, the proposal brings new retail, workplace space and residents into the area.

*For further detail, see Sections 08 Design Proposal and 10 Placemaking Strategies.*

The proposal embraces a fine-grain approach seeking to mediate the overall form through the introduction of pedestrian walks through the site, articulation of massing and material detailing.

*For further detail, see Sections 08 Design Proposal and 10 Placemaking Strategies.*



# The 2036 Plan

## The Plan

## The Proposal



### Density

St Leonards and Crows Nest will continue to grow as an employment centre over the next 20 years.

The proposal responds to the vision of the 2036 Plan to regenerate the district as an employment centre over the next 20 years. The site has excellent amenity afforded by the proximity to Crows Nest Village and the Metro Station. The density outcomes of the proposal were explored within the height expectations of the 2036 Plan.

*For further detail, see Sections [08 Design Proposal](#) and [10 Placemaking Strategies](#).*



### Transitions and interfaces

New development presents an opportunity for well-designed interfaces to sensitive places within the area.

The Five Ways intersection is characterised by mixed-use buildings with predominantly ground floor retail on both sides of the streets. Away from the retail High-Streets, subsequent blocks transition into lower-scale residential areas. The proposal is located in the island site at the intersection of the three main roads allowing additional height and density indicated by the 2036 Plan to transition to the nearby residential zones.



### Height

A height expectation of taller buildings (up to 50 storeys) between the St Leonards and Crows Nest stations has already been set by recent approvals along the Pacific Highway between Oxley Street and Herbert Street.

The 2036 Plan identifies the strategic location of the Five Ways site as a gateway element to Willoughby Road and Crows Nest Village. The proposal is consistent with the indicative height identified in the plan.

*For further detail, see Section [08 Design Proposal](#).*

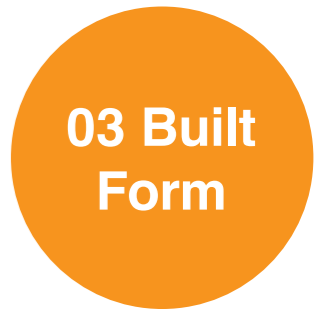


### Solar Access

Retaining solar access to public open space, valued streetscapes, and residential areas is a key objective of the Plan. Solar access controls – are outlined in the Solar Access Map.

The proposal includes solar access analysis and is consistent with the principles identified in the 2036 Plan

*For further details, see Section [12 Shadow Analysis](#).*



# The 2036 Plan

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## Public open space

High quality and variety of public open spaces is valued highly within the community. The Plan is supported by a Green Plan

## The Proposal

As the location of the proposal is within a highly urbanised precinct, the proposal adopts a strategy of street activation, integration of landscape and a fine-grain urban in response. For further detail, see Sections [08 Design Proposal](#) and [10 Placemaking Strategies](#).

03 Built  
Form

The 2036 Plan  
**Built Form**

# The 2036 Plan



## Actions



Deliver a transit-oriented development at the Crows Nest Metro Station sites.



Apply design principles for solar amenity, configuration, and interface between areas of transition.



New development should be sympathetic to existing buildings with appropriate setbacks and street wall height (pages 69 and 70).

Adopt reverse setbacks and active street frontages to improve the interface between new buildings and the public domain along Atchison Street and Clarke Lane

Provide stepped setbacks for properties on the south side of Henry Lane to provide a sympathetic interface with Naremburn Heritage Conservation Area.



Provide appropriate transitions in height to adjoining low scale residential areas.



Minimise overshadowing of key open spaces, public places and adjoining residential areas. Solar height planes should be adhered to as indicated within the Solar Access Map (page 38).



Provide transitions in height from the lower scale development at Willoughby Road, Crows Nest, to tall buildings in the St Leonards Core.

## The Proposal

The proposal is consistent with the 2036 Plan vision to facilitate the renewal of St Leonards and Crows Nest as a regenerated employment centre. In its immediate context, the proposal seeks to extend the vibrancy and activation of Crows Nest Village to the precinct south of Falcon Street. The residential component of the proposal provides dwellings within walking distance of the Metro station.

The proposal includes solar access analysis and is consistent with the principles identified in the 2036 Plan  
 For further details, see [Section 12 Shadow Analysis](#).

The proposal is consistent with the action for setbacks and streetwall  
 For further detail, see [Section 08 Design Proposal](#).

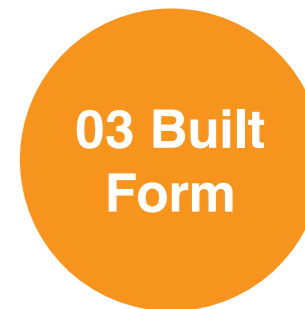
Not applicable to this proposal

Not applicable to this proposal

The proposal is located in the island site at the intersection of the three main roads allowing additional height and density indicated by the 2036 Plan to transition to the nearby residential zones.

The proposal is consistent with the overshadowing actions.  
 See [Section 12 Shadow Analysis](#).

The proposal is located in the island site at the intersection of the three main roads allowing additional height and density indicated by the 2036 Plan to transition to the nearby residential zones.



# The 2036 Plan



## Actions

Adopt objectives from the Government Architect NSW's Evaluating Good Design Policy in the drafting of new planning provisions.

## The Proposal

The proposal responds positively to the seven objectives of the Evaluating Good Design Policy. The rationale is outlined in following sections as the design concept for the proposal is explained. The proposal also responds to a specific study by the Government Architect NSW of the Five Ways site. This study considered the option of a considerable uplift to height and density of the site with attention to the visual outcomes in the area. An analysis of the visual impact of the proposal is included as part of the report.

*For further detail see Section [13 View Analysis](#)*

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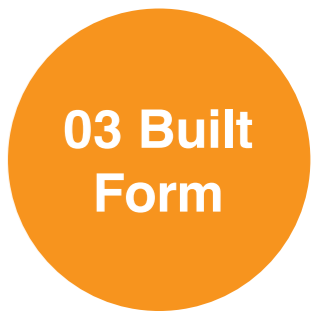
Provide a landscaped front setback to Oxley Street between Clarke and

Not applicable to this proposal

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Chandos Streets to encourage a sensitive interface to areas east of Oxley Street.

Not applicable to this proposal



# The 2036 Plan



### Education

There are currently 25 education facilities within close proximity to the plan area (Figure 17).  
The Local Character Statement identifies an importance to the local community to see more schools and education facilities in the area to support the growing community. The NSW Department of Education is actively investigating new early childhood, schools and tertiary education facilities in the precinct.

### The Proposal

The proposal is consistent with the support of educational uses in close proximity to the site. Commercial spaces could be tenanted by educational support services and Key-worker housing may be suitable for educational staff.



### Community facilities

There are opportunities for additional community meeting places, libraries and schools within the Plan area.

The proposal is consistent with the delivery and activation of community facilities in the precinct. The inclusion of key-worker housing is positive for diversity and community need.



### Housing

The Local Character Statement identifies a desire to see more affordable housing and a greater variety of housing types in the area.

The development contributes to a range of dwelling types adaptable to cater for all life cycles. The inclusion of key-worker housing is consistent with the aims of the Plan.  
*For further detail, see Sections 08 Design Proposal and 15 Indicative Plans.*



### Emerging Land Use Build-to-Rent

Build-to-rent housing is purpose-built rental housing, held in single ownership and professionally managed. It is designed to attract institutional investment and provide for a more stable rental sector.

The proposal includes a component of key-worker and private dwellings. Build-to-rent housing is not currently proposed for the site.



# The 2036 Plan



### Retail

Retail and leisure activities in the area are varied and reflect the area's diverse character. The Plan supports the retention and expansion of the boutique retail and hospitality character of the area.

## The Proposal

The proposal contains a diverse mix of uses including retail, commercial, civic/community and residential. Retail and commercial spaces allow flexibility for different tenants and operators including pop-up retail. These retail tenancies and commercial spaces are configured to complement existing spaces in the area in order to emphasize the local aspect.

For further detail, see Section [08 Design Proposal](#).



### Health

The area is well serviced by existing health infrastructure, The Plan proposes the following measures to promote jobs growth in the health sector

The proposal is consistent with the support of health related uses in close proximity to the site. Commercial spaces could be tenanted by health services and Key-worker housing may be suitable for staff.



### Employment

The Greater Sydney Region Plan identified the following employment opportunities for the growth of the area

The development fosters new employment hubs to a range of business types and sizes. It delivers active streets by providing a range of potential uses at ground floor with additional setbacks to allow outdoor dining and retail out-go trading zones. The ground floor and podium provides 8,000m<sup>2</sup> of retail and commercial floorspace in commercially attractive and flexible floor plates not currently available in the precinct ranging in size from 300m<sup>2</sup> to 2,500m<sup>2</sup>.





# The 2036 Plan

## Actions

## The Proposal



Investigate further opportunities to strengthen the health and education precinct including the identification of education pathways through TAFE and other institutions, physical connection to support collaboration and identify opportunities to share new and existing facilities.

Not applicable to this proposal



Commit SIC funding to provide infrastructure that caters for all age demographics including pedestrian and cycle links and parks.

Refer to Design Proposal: Urban Design Ground Plane Pedestrian, Vehicular, Servicing Principles & Public Walks



Include opportunities through amendments to planning controls to encourage a range of dwelling typologies to cater for the diverse community in St Leonards and Crows Nest.

Refer to 04 Land use - Housing



Concentrate higher density housing along the Pacific Highway between the St Leonards Station and Crows Nest Metro Station and transition to lower density living options in the surrounding area.

Refer to 03 Built Form - Transitions and interfaces



Encourage a mixture of densities in St Leonards South.

Not applicable to this proposal



Undertake investigations to identify an appropriate target for affordable housing in the area, consistent with each Councils affordable rental housing target schemes.

The proposal includes a component of key-worker housing to assist Council in their target schemes.



Explore build-to-rent opportunities within the precinct.

Not applicable to this proposal

Encourage a balance of commercial and residential uses within the St Leonards Core with a minimum non-residential floor space requirement for the B4 Mixed Use zone to meet North District Plan high jobs target.

*See Section 08 Design Proposal: Urban Design Podium & Tower Development Metrics*



04 Land Use

# The 2036 Plan



## Actions

Permit mixed-use development on key sites to encourage the renewal of St Leonards through the delivery of new A-grade commercial floor space (page 65).

Retain B3 Commercial Core zone on appropriate sites to maintain future viability of the St Leonards Core (page 65).

Protect and manage the Artarmon Employment Area.

Enable flexibility in planning controls to consider innovative and complementary health and education related uses on a site by site basis within the Artarmon Employment Area and health and education precinct.

Investigate new early childhood, schools and tertiary education facilities in the Precinct, supported via SIC funding.



Investigate introduction of Complying Development Provisions for cafes, restaurants and retail with extended trading hours.

Ensure land is available at Royal North Shore Hospital for future expansion of health uses.



Encourage the location of additional retail in the St Leonards Core and Crows Nest Village rather than the Artarmon Employment Area.

Support investigations into the Herbert Street Precinct to provide new health services, affordable and key worker housing and additional education facilities.

## The Proposal

See Section [08 Design Proposal: Urban Design Podium & Tower Development Metrics](#)

Not applicable to this proposal

Not applicable to this proposal

Not applicable to this proposal

Not applicable to this proposal

See Section [10 Placemaking Strategies: Loveable Places 18 Hour City](#)

Not applicable to this proposal

See Section [08 Design Proposal: Urban Design Podium & Tower Development Metrics](#)

Not applicable to this proposal



04 Land Use

# The 2036 Plan



### Public transport

Supporting public transport is critical in ensuring the effective growth of St Leonards and Crows Nest as a strategic centre. The existing community relies heavily on public transport routes as reflected in Figure 24 and Figure 25, which show that a large proportion of residents utilise public transport

## The Proposal

The proposal is strategically located, approximately 240m from the Hume Street entrance to the Crows Nest Metro station. The proposal is designed to support the regeneration of the Crows Nest area to connect and expand the active and vibrant destination by regenerating the High-Streets particularly to the south of Falcon Street and providing workplaces and dwellings adjacent to the amenity of the Village and transportation.   
*For further detail, see Section 08 Design Proposal.*



### Active transport

The Local Character Statement identifies that many community members walk or cycle around the area. The North Shore has one of the highest walking mode shares in Sydney at over 25 per cent. The Plan seeks to strengthen walkability and cycle connectivity within the precinct.

The new development contributes to the improvement of the walking and cycling network in the area by allowing public walks connecting the three street frontages (Pacific Highway, Falcon and Alexander Streets). These public walks also improve safety for pedestrians, increased area for the existing major bus stop, and opportunity for retail tenancies to open out to the public domain.   
*For further detail, see Section 08 Design Proposal.*



### Parking

Availability and accessibility for parking is correlated with traffic generation. Limiting parking and/or identifying a cost for parking can influence private vehicle demand, reduce congestion and reinforce sustainable travel goals by facilitating mode shift towards active and public transport modes.

The development encourages the use of public transport by being located close to the new Metro and also by allowing for innovative solutions such as car sharing.   
*For further detail, see Section 08 Design Proposal.*



### Road network

The proposed changes to transport infrastructure for the precinct have been modelled within future year 2026 and 2036 scenarios to confirm if these can be supported in conjunction with the forecasted increase in travel demand. The majority of these upgrades are feasible in both the 2026 and 2036 scenarios.

A traffic study, included as part of the proposal, considers the affect of the development on existing and future traffic networks.   
*For further detail, refer to the Traffic Report submitted as part of the proposal.*



# The 2036 Plan



## Actions

- ✓ Provide clear, continuous and direct pedestrian and cycle routes to priority destinations such as St Leonards Station and surrounding commercial core, the future Crows Nest Sydney Metro Station, Royal North Shore Hospital and St Leonards TAFE.
- ✓ Investigate footpath improvements
- ✓ Investigate cycle path improvements:
- Deliver a regional pedestrian and cycling link to connect the area and regional open space.
- ✓ Improve pedestrian crossings
- Undertake road network improvements
- Provide a pedestrian and cyclist extension from the Herbert Street bridge to improve east west connectivity.
- Limit the amount of car parking provided for new developments.
- Subject to further investigations, provide funding of a right hand turn only movement from the Pacific Highway to Oxley Street for south bound traffic to reduce traffic in St Leonards Core created by the current limitation on this movement.
- Improve pedestrian and cyclist comfort with tree lined streets along Reserve Road, Westbourne, Herbert, and Frederick Streets.
- Promote the provision of end of trip facilities to support cycling.
- ✓ Encourage the use and implementation of car share facilities.

## The Proposal

Refer to 05 Movement - Public & active transport

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The proposal includes additional setbacks designed to improve the pedestrian experience on the three site frontages.  
[See Sections 10 Placemaking Strategies: Loveable Places, Footpath Width and Pedestrian Microclimate.](#)

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Refer to 05 Movement - Active transport

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Refer to 05 Movement - Active transport

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Not applicable to this proposal

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The proposal follows the North Sydney DCP parking requirements.

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Not applicable to this proposal

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N/A

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N/A

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The proposal includes car sharing facilities.  
[See Sections 10 Placemaking Strategies: Conscious Mobility, Mobility on Demand, Network - Optimised Access to Car Share](#)



## Proposed planning controls

The proposed planning controls are outlined in the the 2036 Plan to understand the changes from the existing controls.

The following diagrams are sourced from pages 64-67 of the St Leonards and Crows Nest 2036 Plan. Analysis of how the proposal responds to the revised planning controls are listed in the 'response' section below.

### Areas of Change



### Land Zoning



### Building Height



### Floor Space Ratio



### Response:

- Control: The site is zoned as 'Recommended Changes to Planning Controls'.
- The site is identified as appropriate for changes in zoning, density and degree of significance as a local landmark.

- Zoning: B4 Mixed Use
- Proposed Programme:
  - Retail
  - Commercial
  - Residential
  - Basement Parking

- Indicative Building Height: 16-Storeys
- Building Height consistent with protection of sunlight to residential areas
- The proposed envelope is sensitive to the protection of sunlight for existing residential and Heritage Conservation Areas.
- The proposed height is compatible with the transition and local clusters of tall buildings at St Leonards, North Sydney and the future density of the Crows Nest OSD.

- Design Study consistent with Urban Design Principles approximately FSR 5.8:1 (including commercial FSR of 2.5:1)

## Proposed planning controls

The diagrams are sourced from pages 64-67 of the St Leonards and Crows Nest 2036 Plan. Analysis of how the proposal responds to the revised planning controls are listed in the 'response' section below.

### Minimum Non-Residential FSR



### Street Wall Height



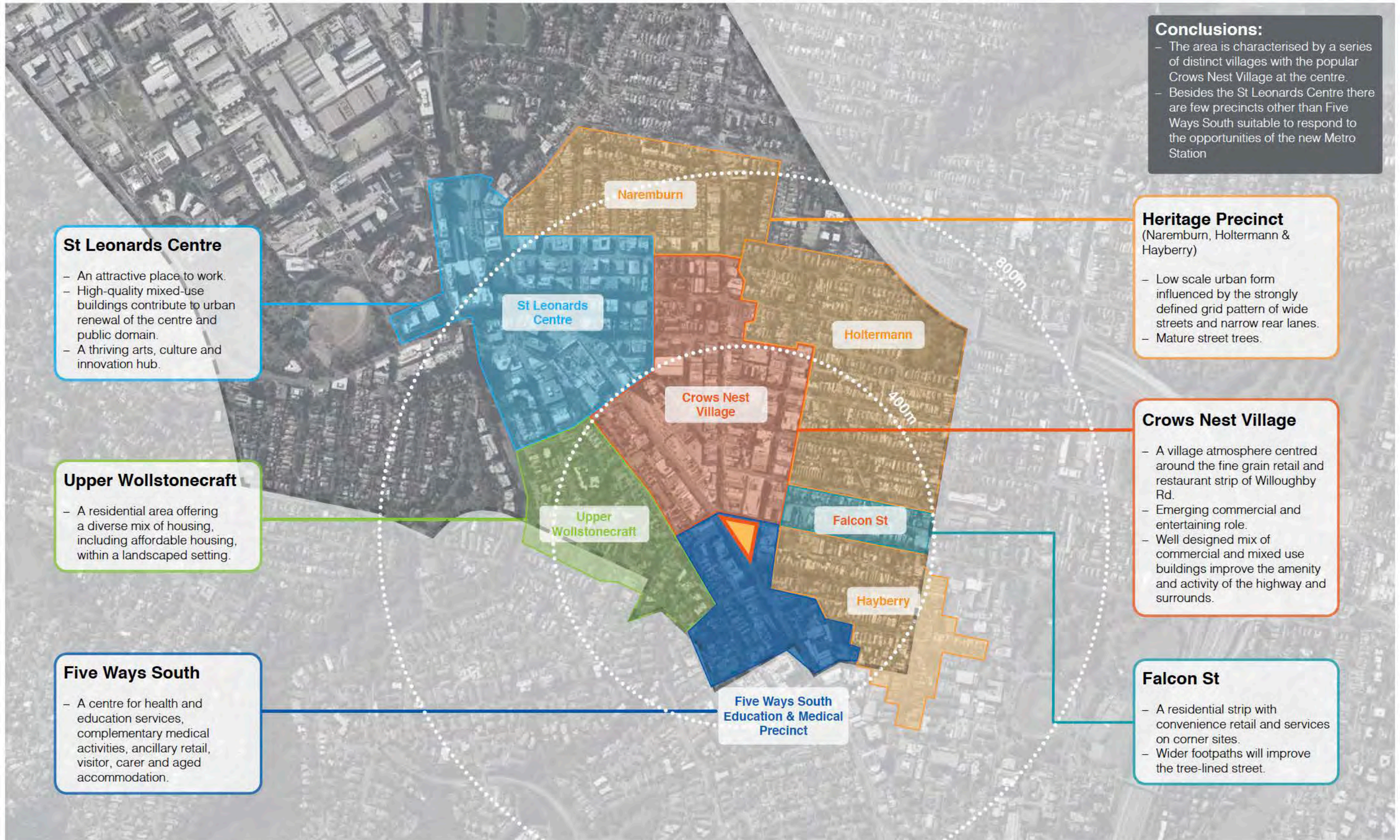
### Setbacks



### Response:

- Non Residential FSR Zoning: 2.5:1
- Proposed Non-Residential FSR: 8,002m<sup>2</sup> (2.5:1)
- Proposed within podium (3 levels + mezzanine)
- Proposed podium street wall: 3-storeys
- Approximately 15.4 (Falcon St and Pacific Hwy) and 18.5m (Corner of Alexander and Pacific Hwy)
- 0m setback (Podium levels: ground - level 2)
- 1m setback (ground level mid-block for street activation, outdoor dining and retail out-go trading zones)
- 6m typical setback with articulation zones (Tower)

# 04 Site Observations







**Conclusions:**

- Requirement for more Ancillary Medical Facilities
- Opportunity for Educational facilities close to Hospitals
- Larger Library close to Schools & university

 Medical Centre
  Hospital
  Educational Facility
  Emergency Services



**Conclusions**

- Larger Community Centre Required closer to the Town Centre and Metro
- Additional Childcare required in the area

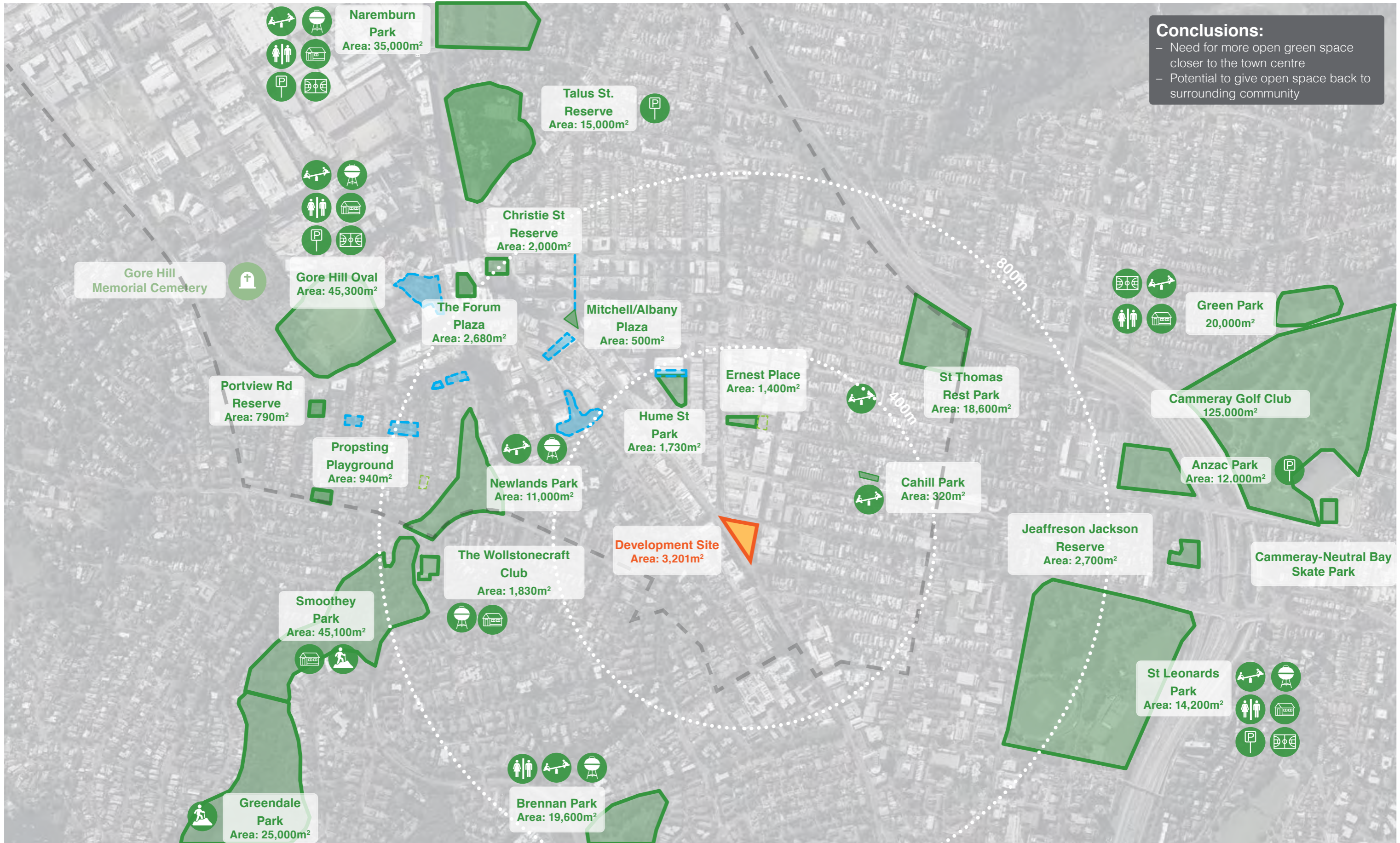

 Religious Institution
  Youth Care
  Childcare

**Conclusions:**

- Need for the community and recreational spaces closer to town centre.



- Green Space
- Bowling Centre
- Skating Facilities
- Cemetery
- Small Park
- Public Plaza
- Shopping Strips
- Sports Facilities
- Cricket Facilities
- Swimming Facilities
- Tennis Facilities
- Artistic Facilities
- Public Institutional Centre



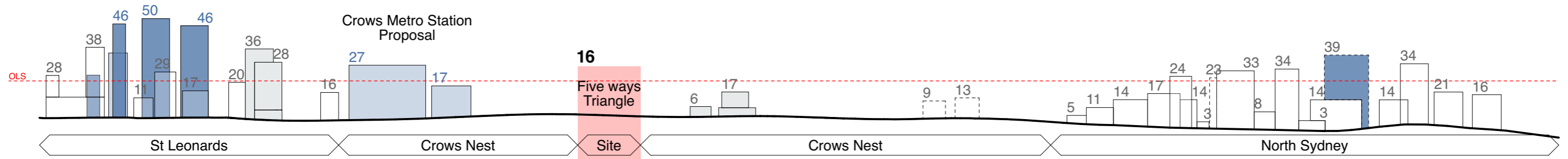
**Conclusions:**

- Need for more open green space closer to the town centre
- Potential to give open space back to surrounding community

Note: Measurements sourced from Google Earth

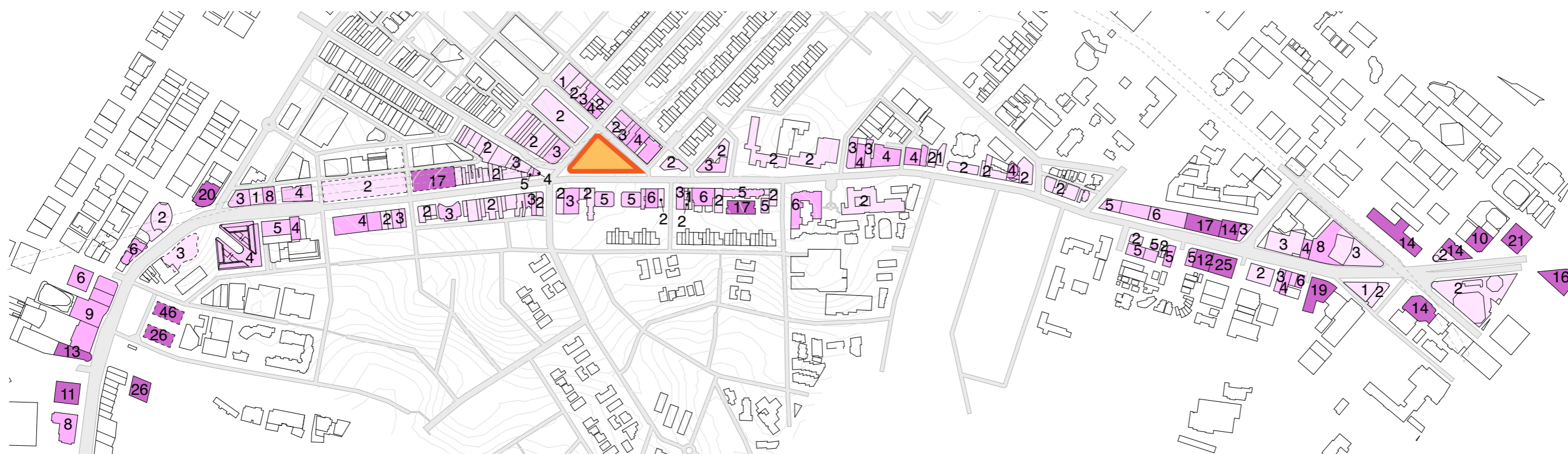
- Council Proposed Open Space
- Playground
- BBQ
- Public Toilets
- Carpark
- Sports Fields
- Community Hall
- Hiking Trails

Site Observations



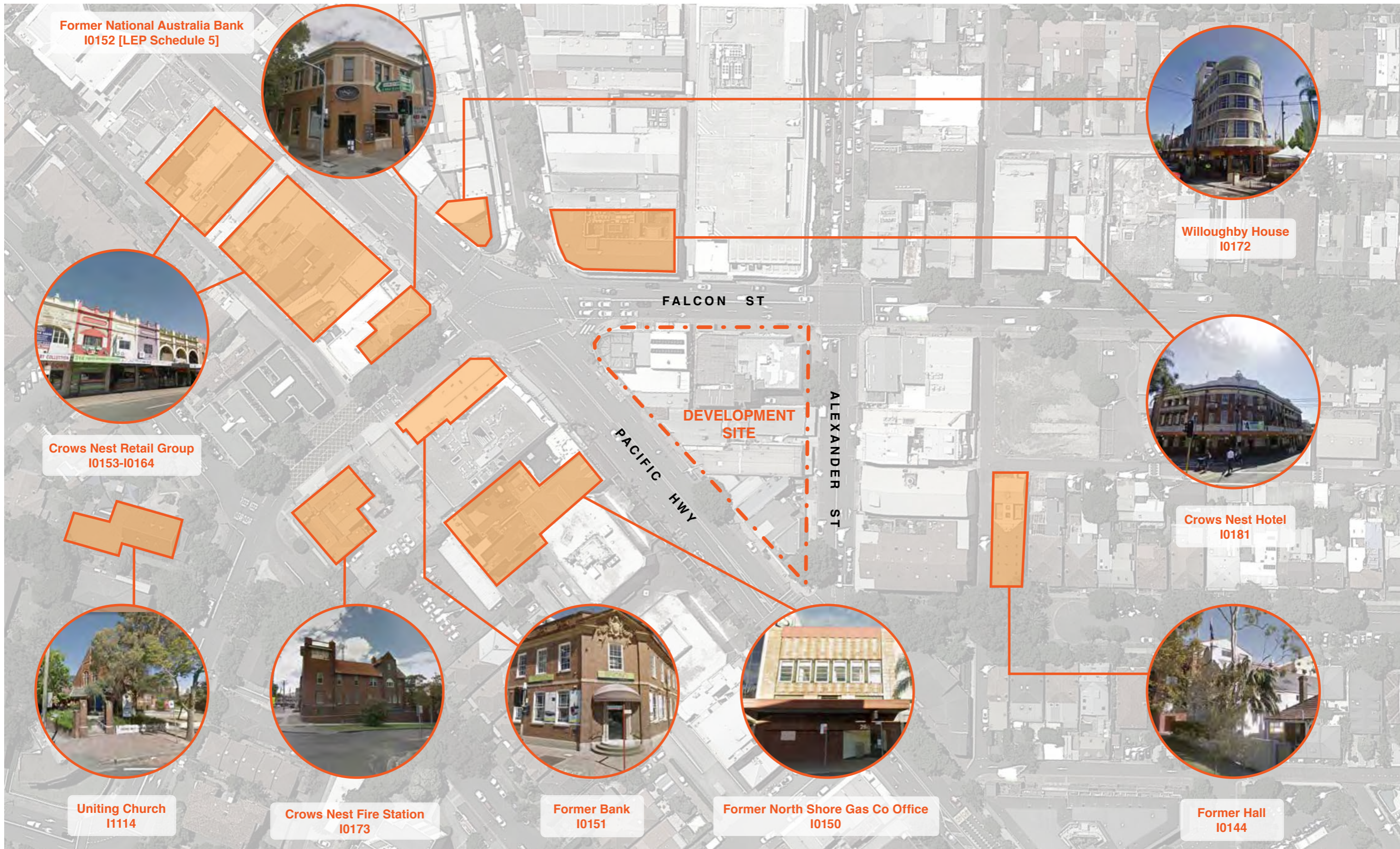
Site Observations

# Pacific Highway Tower Heights



Site Observations

# Pacific Highway Street Height

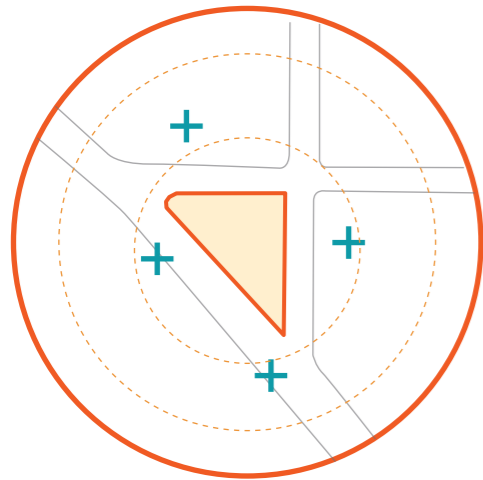


# 05 Project Vision



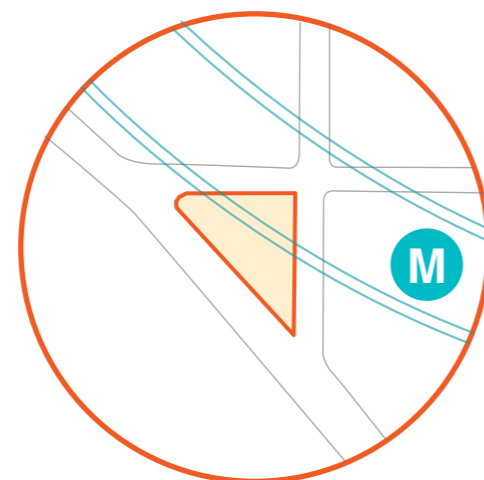
# The project vision

The project vision is informed by a series of key factors to help guide and create a framework for the Five Ways Crows Nest Planning Proposal.



## 1. Crows Nest as an urban centre & active urban hub

The Crows Nest area will be a major Urban Centre for workers, residents, students and visitors. This site is part of a plan that will create new opportunities for urban revitalisation and will accommodate new jobs, open space, infrastructure and dwellings in walking distance to 'turn up and go' rail services. The 2036 Plan identifies the Five Ways intersection as a gateway element into the precinct.



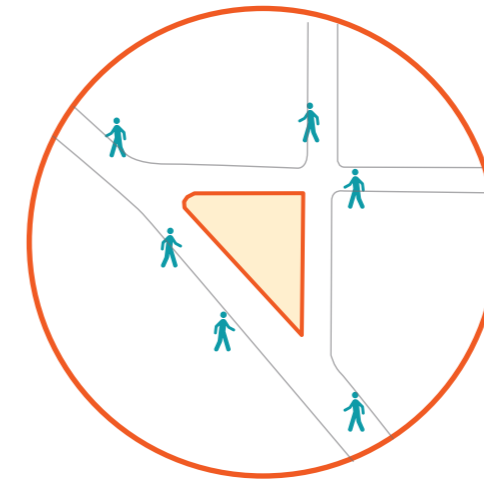
## 2. The proximity to the new development of the Metro Line Station

The revitalisation of the area is a direct response of the infrastructure upgrades associated with the new Sydney Metro station due to be operational in 2024.



## 3. Fine grain town centre

Five Ways triangle seeks to retain the mixed-use character of the area while taking advantage of opportunities for renewal along the Pacific Highway corridor. The village atmosphere and fine grain nature of Crows Nest is one of the most important features of the area and will be maintained. The materiality and articulation of the podium responds to the rhythm and character of the existing retail High-Streets.



## 4. Urban Design responding to community needs

The Five Ways Proposal is designed to integrate into the existing locality responding to the distinctive retail High-Street character of the area and connecting through to the existing street grid via new pedestrian walks. Setbacks are defined to activate street frontages and find space for trees and landscaping. Commercial tenancy space contributes to the 2036 Plan vision of a regenerated employment area and residential dwellings create new communities connected to the city by the new Metro.



## 5. Benefiting the community through improved services & amenity

The public domain and ground floor level is designed to extend the Crows Nest Village with activated retail, opportunities for outdoor dining, street trees, public art and landscaping. Retail tenancies are designed to complement the local offering. Key-worker housing assists housing diversity and provides much need options for local workers who have difficulty accessing market housing.

# 06 Design Principles

## Key design insights

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Key design insights were formed from our site observations and review of the strategic planning documents.

The analysis of both the 2036 Plan and the Better Placed document informed the following key design insights, providing a framework for testing options and interrogating the design.





**1. Be local & responsive to context**

**Local character** makes neighbourhoods distinctive. A place-based approach will ensure the retention of local character

Proposing developments which are **sympathetic to the existing history and local character** of places is important in achieving successful design outcomes which are responsive to context.



**2. Responds to the needs of the community**

It is critical for new developments to be responsive to the needs and aspirations of the local community, **promoting innovative uses, healthy habitation, social interaction, productivity and enjoyment.**

New developments must also **enhance safety and comfort** to further facilitate activities of working, living, relaxing and social interaction.



**3. Better for the community**

The design outcomes of new developments must be better for the community, wherein all **streets and public walks are inviting, accessible and community focused**

The contribution to the built environment must seek to address growing economic and social disparity, creating equitable environments.



**4. Integrated relationships**

The urban environment is inherently complex, diverse and multi-layered, reflecting the evolving nature of all cities.

An **integrated relationship between the parts and elements of the built environment at differing scales is critical** to the holistic success of spaces and places.

This involves working at multiple scales with common goals and aspirations that defines the overall design principles of all developments, irrespective of scale.



**5. Resilient to adapt & evolve**

The success of new developments highly depends on the embodied degree of resilience and adaptability.

This relates to architecture which is **resilient and dynamic in overcoming the challenges of evolving social, environmental and political environments**, whilst retaining the essentialness of quality design and practical programmatic requirements of the building use(s).

These key design icons are repeated in the report to show where the insights are implemented in the proposal



**6. Celebrates the streetscape**

**7. Variety in housing**

**8. Different employment options**

**9. Promote a variety of uses**

Celebrating the streetscape and creating attractive places invites visitors, residents and business activity, **fostering a sense of local identity and pride.**

Furthermore, streets and public spaces which are visually attractive, engaging, welcoming and accessible embody **greater vibrancy and interest.**

A celebration of streetscape is further enhanced through the longevity of materials and detailing which weather gracefully and develop patina over time.

A variety in housing accommodates and recognises the diversity in the community.

Developments which contain different housing and tenure options provide **resilience to continuously changing demographics and needs of the local population.**

A range of different spaces and tenancies cater for both small, medium and large business, thus promoting different employment options.

Successful towns and cities provide the **infrastructure which facilitates access to different employment, education, social and cultural spaces** wherein a diverse working population is supported.

To promote diversity and longevity, the design of the built environment must seek to accommodate a variety of different programs and uses.

This includes **spaces which are easily adaptable** with inherent flexibility to serves a number of different uses with different programmatic requirements.

Ultimately, buildings which successfully serve their proposed use will remain well-utilised and valuable.

These key design icons are repeated in the report to show where the insights are implemented in the proposal

# 07 Building Program

## The Five Ways Triangle

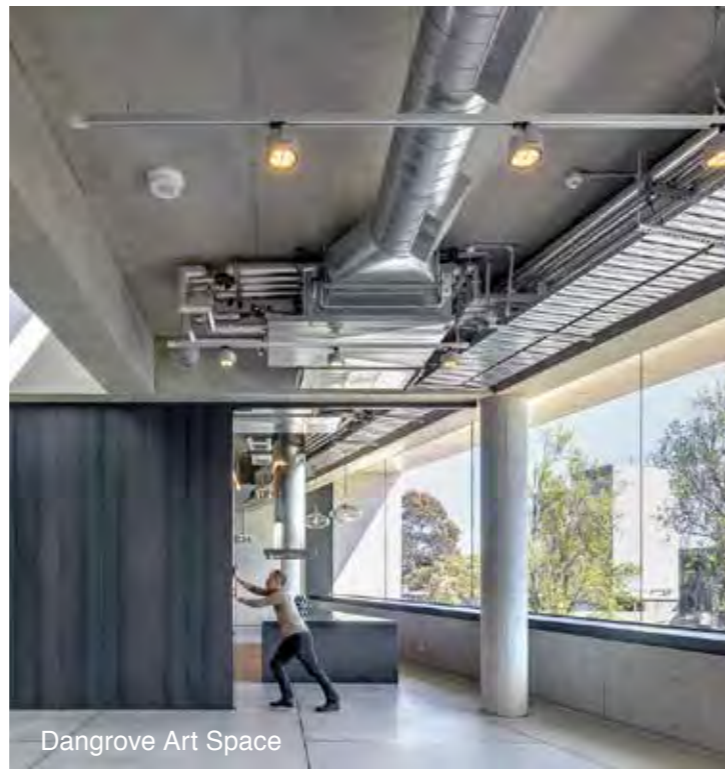
The Five Ways triangle site creates opportunities for urban regeneration and will accommodate new jobs, retail tenancies and residential dwellings in walking distance to Crows Nest Village and rail services.

The development of the Five Ways site will be an innovative hybrid building which responds to the 2036 vision, the new Metro and the needs of the Crows Nest community. It will be instrumental in the regeneration of the Five Ways Precinct and the future delivery of high quality mixed-use retail, commercial workplaces, and high-amenity residential apartments.



Retail

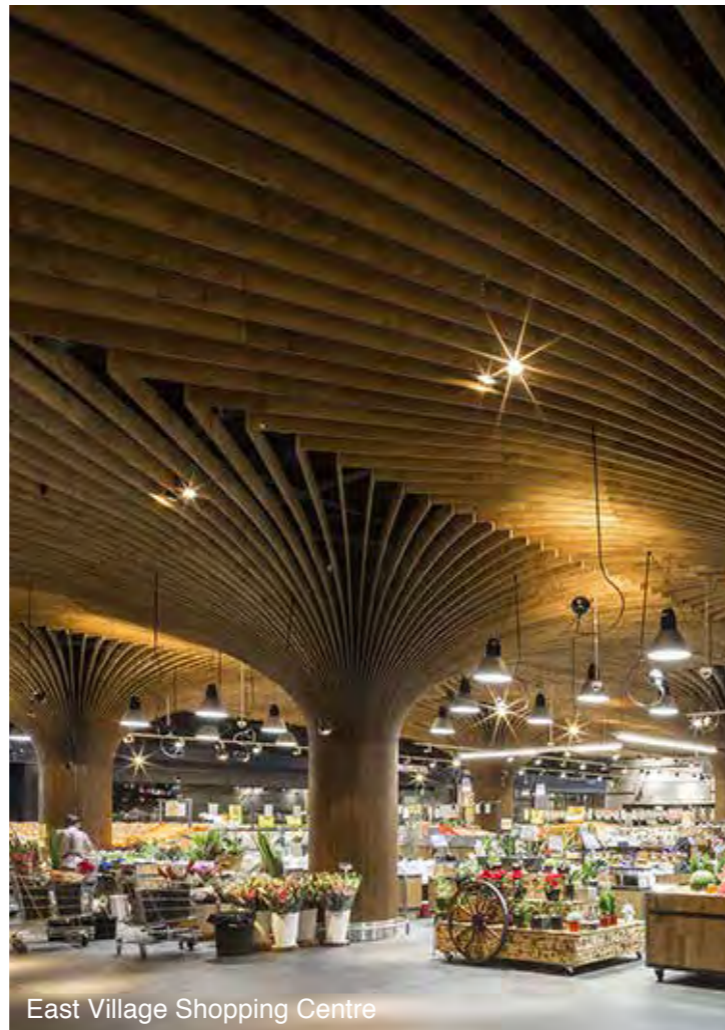
Case studies are referenced here to demonstrate the potential program of the retail spaces on the ground floor. The proposed variety of tenancy sizes are suitable for a wide range of uses including food market, food & beverage operators, showrooms, and gallery spaces.



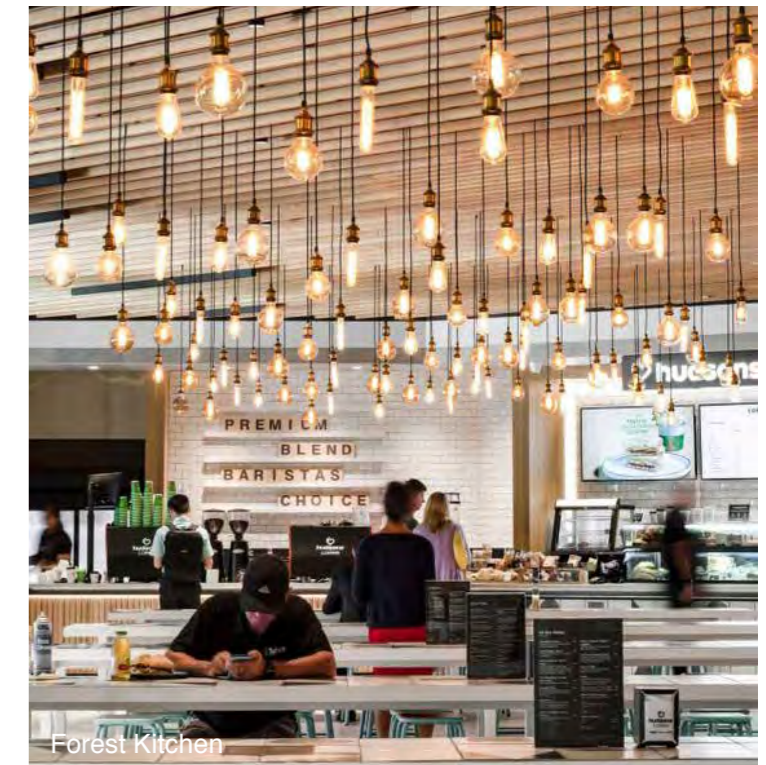
Dangrove Art Space



White Rabbit Gallery



East Village Shopping Centre



Forest Kitchen



# Public Domain

Case studies to demonstrate the potential program and activation of the Public Walks creating pedestrian links through the Podium.



Hardware Lane Melbourne



Llanckelly Lane Potts Point



Barrack Place Sydney



Angel Place Sydney



Kensington St Chippendale

# Housing Diversity

Case studies to demonstrate the potential for housing diversity through the integration of key-worker and market housing configured as 1-, 2- and 3-bedroom apartments. The examples include various features and arrangements including garden apartments, integrated storage, study nooks, kitchens located at the perimeter, and larger penthouse apartments.



# Commercial Space

Case studies to demonstrate the potential for commercial space in the podium for co-working, medical facilities, office space and council chambers. Multi-level commercial buildings include those with provision for vertical connection between levels.



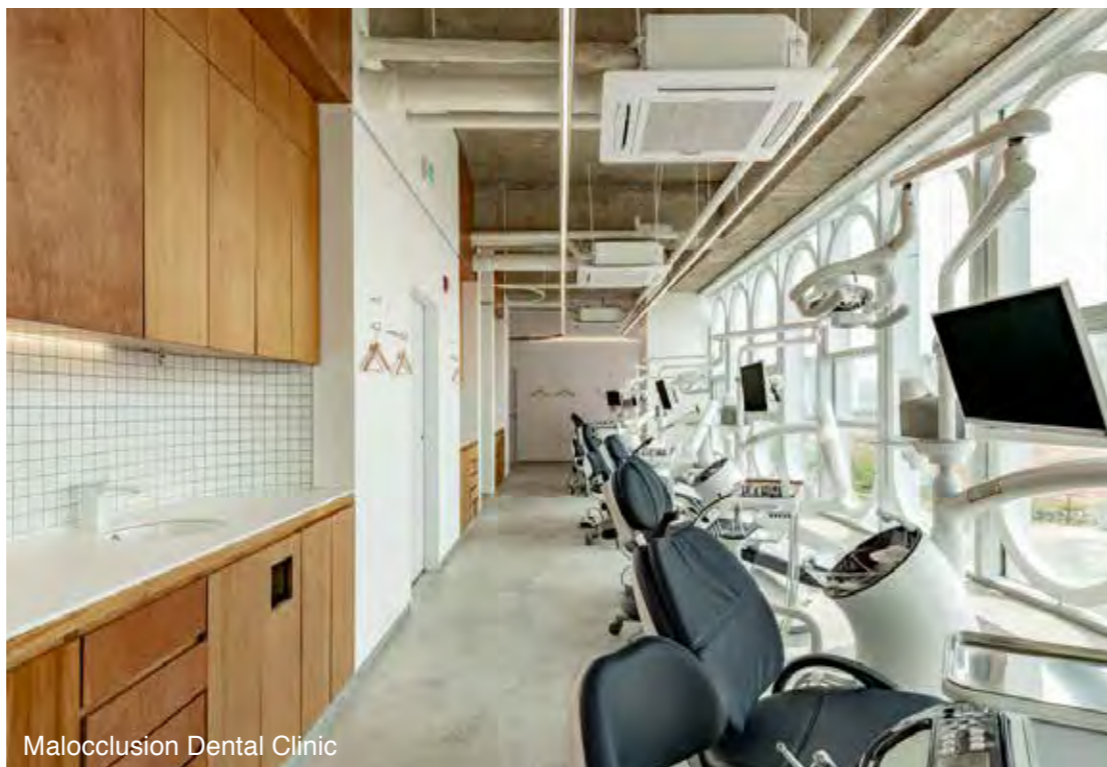
Co-Working



Paramount Office Space, Surry Hills



BBVA Headquarters, Madrid



Malocclusion Dental Clinic



Second Home London

# Landscape & Sustainability

Case studies to demonstrate the potential program of the landscaped pockets throughout the proposed development including podium and rooftop gardens.



High Line NY



Tokyo Plaza



Paramount Rooftop, Surry Hills



Observatory Tower Sydney



Rooftop Terrace Copenhagen



Alley24 Seattle