



20 December 2018

Director Sydney Central Urban Renewal
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

RE: Submission to Draft 2036 Plan for St Leonards and Crows Next in relation to the site known as 429 Pacific Highway Crows Nest (Lot 1 DP651865)

1. Introduction

This submission has been prepared by Mecone on behalf of Fivex in relation to the Draft 2036 Plan for St Leonards and Crows Next (The Draft Plan) prepared by the Department of Planning and Environment (DPE). The Plan is currently on Public Exhibition until the 8th of February 2019 and invites submissions until this time. The submission should be read in conjunction with the heritage submission by GBA Heritage which is enclosed with this document.

The submission relates to the Fivex owned property located at 429 Pacific Highway, Crows Nest, legally referred to as Lot 1 DP651865. This site is a local heritage item known as Willoughby House under the North Sydney LEP 2013 (NSLEP 2013). The site is not within a heritage conservation area.

The submission provides alternative suggestions for the Draft Plan in relation to the subject site and the investigation area more broadly. Currently, the Draft Plan proposes no change in height or FSR at the site while adjoining development is afforded considerable uplift. The plan acknowledges this has occurred in an effort to conserve the heritage nature of Willoughby House, however, in practice we do not believe this will be the outcome achieved. Instead, we consider that the controls proposed will result in an adverse heritage impact and restrict the ability of the site to become a landmark corner site development in the future.

In addition, we feel that the uplift proposed along the Pacific Highway and arterial roads within the investigation area is not commensurate to the increase in capacity of the area that can be facilitated by the new metro system. It is considered that the Metro will provide for increased development capacity within the local area that is not reflected by the current Draft Plan.

In summary, this submission requests that DPE review their recommendations for the subject site and consider the following amendments:

- Revise maximum 'height in storey' controls to match adjoining sites along the Pacific Highway;
- Revise maximum Floor Space Ratio (FSR) controls to match adjoining sites along the Pacific Highway; and
- Review uplift achievable in the area more broadly to increase development capacity of the St Leonards to Crows Nest investigation area.

2. The Site

The subject site is located in Crows Nest on land known as 429 Pacific Highway Crows Nest (Lot 1 DP651865) within the North Sydney LGA. It is on the corner of the Pacific Highway and Willoughby Road. High quantities of traffic utilise the Pacific Highway as it is a major thoroughfare within the area, while Willoughby Road is a local road which provides a high-amenity, pedestrian orientated environment.

The site comprises a 4-storey brick building which is listed as a heritage item under the NSLEP 2013 as the former Willoughby House. It can be described as remnant of inter-war functionalist style architecture. The significance of the site as a heritage item is attributed to the role it plays in providing a dramatic landmark building which provides a gateway function to Crows Nest. This results from its imposing size relative to surrounding development, which is generally 2-storeys in height.

The building is currently used for commercial purposes comprising ground floor retail with office suites above. Additionally, advertising signage is also located on the lift motor room facing southbound. The site is currently serviced by several buses along the Pacific Highway and St Leonards Train Station, which is approximately 800m away. The site will be approximately 270m from the new Crows Nest metro station.



Figure 1 Site Context

Source: SixMaps (modified by Mecone)



Figure 2 St Leonards to Crows Nest Study area

Source: DPE Website (modified by Mecone)

3. St Leonards to Crows Nest Plan 2036

The vision of the Draft Plan is to create a vibrant precinct that caters to people of all ages through a 'revitalised' St Leonards and Crows Nest, supported by a new metro system. There is a desire to provide a balance of commercial and residential development, provide lively and active streets, and retain the village atmosphere along Willoughby Road and the outer leafy suburban environments. The vision is driven by a range of background technical studies and guiding design principles described under the headings of: place, landscape, built form, land use and movement.

Mecone has reviewed the recommended controls for the subject site against the Draft Plan and its guiding principles. Mecone and Fivex are broadly supportive of the Draft Plan and agree with its intent – particularly relating to the character of the Willoughby Road area. However, we request that the proposed controls for Willoughby House be reconsidered to ensure that the existing 'landmark' role of the building can evolve and transition along with the broader area (especially the Pacific Highway) over time. Furthermore, it is considered that development uplift along the Pacific Highway and arterial Roads could also be further increased to respond accordingly to the increased capacity of the area enabled by the new Metro Stations. The Metro Stations will drastically improve public transport access to the locality and therefore uplift in the area should subsequently reflect this.

As shown in the figures below, the Plan recommends a height control of 3 storeys for the subject site (even though the existing building is 4-6 storeys) while no change in FSR is proposed. This is inconsistent with adjoining buildings along the Pacific Highway, which are recommended for height controls between 8-17 storeys and FSRs ranging between 8:1 and 12:1 to the north.



Figure 3 Draft Maximum Height in Storeys Mapping
Source: Draft Plan



Figure 4 Draft Floor Space Ratio mapping
Source: Draft Plan

4. Recommended amendments

This submission requests that DPE consider the contents of this submission and heritage discussion paper enclosed and action the following changes to the Draft Plan prior to finalisation:

- Revise maximum height in storey controls to match adjoining sites along the Pacific Highway; and
- Revise maximum Floor Space Ratio (FSR) controls to match adjoining site along the Pacific Highway
- More broadly review uplift achievable in the area in response to the new Metro and increase development density along the Pacific Highway and Arterial Roads.

The basis for the above are explored in the headings below.

Heritage Considerations

The Draft Plan states that no changes are proposed to Heritage Conservation Areas or individual heritage items within the investigation area. This is proposed in an effort to ensure heritage objectives are achieved. However, in the instance of the subject site, we consider that this inaction will actually detrimentally impact the heritage significance of Willoughby House.

Under the Draft Plan, the height limit and density of adjoining properties increases along the Pacific Highway and north-west of the subject site. Directly adjoining building heights will be raised to 8 storeys while beyond this properties are recommended to allow for development up to 17 storeys. Furthermore, the new St Leonards Metro Station is proposed to reach 27 storeys in height while the site to the south is identified as a significant site with unconstrained height limitations.

We consider that this stark difference in heights with adjoining and nearby development identified for uplift will result in a disproportionate height transition at the site, and inevitable detriment to the heritage nature of Willoughby House. As cited in the heritage analysis to inform the plan, the state heritage inventory statement of significance for Willoughby House states:

'A 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.'

While the architectural importance of the site will remain, the increase in heights of adjoining buildings proposed will clearly reduce the 'dramatic and imposing' nature of Willoughby House and therefore its heritage significance overall. The increase in building height will result in Willoughby House no longer being a dominating landmark building on the Pacific Highway as it will be visually dominated by adjoining development. Therefore, the controls proposed to restrict its develop-ability, in an effort to preserve its heritage nature, will have the opposite intended effect.

Taking into consideration the above, we consider that the heritage significance of the building will be better preserved by allowing for controls to be introduced to the site that match adjoining development on the Pacific Highway. This provides an opportunity for the site to be revitalised and retain its role as a landmark building as has been the result for many other similar developments in Sydney, Australia and the world. Examples of where heritage buildings have been successfully developed to provide landmark buildings are provided in the heritage submission enclosed.

Development on the Pacific Highway

The Draft Plan identifies that the greatest height and density increases should occur along the Pacific Highway between the two metro stations where development can reach up to 50 storeys as established by past approvals. Furthermore, a number of sites have been identified as significant sites which can reach similar limits, subject to a design excellence process being undertaken. One such site is identified on the corner of the Pacific Highway and Falcon Street opposite Willoughby House.

The Draft Plan also states that moving away from the respective stations along the Pacific Highway, heights should begin to transition gradually into lower scale areas. In reference to Willoughby Road, the plan states the following:

"Gradual height transitions are proposed to Willoughby Road and the Five Ways intersection, with lower scale development recommended east of Oxley Street and north of Clarke Street towards Willoughby Road. Height transitions are also proposed along the Pacific Highway, reducing towards the Five Ways intersection."

We do not agree that the 3 storey limitation applied to the subject site represents a 'gradual height transition' when adjoining development earmarked for 8 storeys in height along the Pacific Highway – and possibly up to fifty stories for the adjoining 'significant site'. Furthermore,

we are of the opinion that additional height and FSR increases of adjoining buildings should also be explored to take advantage of the increase in development capacity created by the the new Metro.

Impact on Crows Nest Village and Willoughby Road

The plan expresses a desire to enhance and retain the 'village' atmosphere in and around Crows Nest, particularly Willoughby Road. Both Mecone and Fivex share this desire given the amenity this environment brings to the area and the clear importance it holds to the community as demonstrated in the consultation process expressed in the Draft Plan.

However, while retention of the Village atmosphere is desired, we do not consider the subject site to be a part of the undefined 'Crows Nest Village', which in our opinion truly begins north of the Willoughby Road/Burlington Street intersection, as also identified within the Heritage discussion paper enclosed.

In this area the 'village' type environment is evident as the footpath widens and the local shops, cafes and restaurants identified as of value to the community in the local character statement begin to appear. South of this intersection however, the street clearly is not of the same level of importance or value to the community. This is evident as this part of the street is clearly transitioning to a new environment which is encountered along the Pacific Highway where Willoughby House is located and orientated towards.

The transitioning nature of the street away from a 'village' environment is observable by the narrowing of the street; higher prevalence of business and office type premises occupying buildings along this part; and the presence of diagonal parking. This section of the street clearly provides less amenity and does not contribute to the 'village environment'.

As such, Willoughby House should be correctly recognised as a building which is representative of a change of environment as demonstrated by its differentiated building form and orientation towards an arterial road. The building is clearly of a differentiated height, bulk and scale when viewed comparatively to buildings along Willoughby Road and not a contributor to the village environment referenced throughout the Draft plan.

Given the context and nature of the building, we consider that the same uplift levels, in relation to building height and FSR, should be afforded to the subject site as neighbouring properties on the Pacific Highway. This will avoid a poor transition in heights occurring along the Pacific Highway and land in proximity to the new Crows Nest Metro Station being unnecessarily underutilised.

Amalgamation of Sites

The Draft Plan not only restricts the developability of the subject site as a standalone property, it also has the potential to reduce other opportunities for development to be undertaken in collaboration with adjoining landowners.

There have been preliminary discussions about site amalgamation along the Pacific Highway to create a new development between the subject site up to as far as 459 Pacific Highway, to the north. If this were to occur, the subject site is proposed to be a pivotal part of that development given its highly exposed location and role as a landmark building within the area.

The proposed controls which apply to the site will restrict this from occurring and instead result in the subject site being unnecessarily isolated and potentially dominated by significantly larger adjoining buildings. This is not a desirable outcome and will be a direct result of the current controls applied under the Draft Plan. As such we request that these recommended controls be revised to align Willoughby House's controls with the adjoining built form along the Pacific Highway.

Sub-Soil Stratum Land Acquisition

The Government is compulsorily acquiring a sub-soil stratum beneath the subject property without financial compensation being provided to Fivex as the landowner. Not only will an increase in height at the subject site result in an enhanced urban design outcome but it is considered that as a matter of equity, it is just and reasonable to increased height and FSR to offset the loss caused by this compulsory acquisition.

Development of corner sites

Urban design principles and strategic planning generally support the development of corner sites to act as a bookend and be a minimum of one to two stories higher than their neighbours. The existing Willoughby House building demonstrates this by being significantly taller than neighboring development; a characteristic which makes it a landmark building in the first place. As such, the Draft Plan directly contradicts established urban design principles in relation to corner sites and instead proposes that the site be dwarfed by buildings in the surrounds. It is considered that this will result in a poor urban outcome.

5. Recommendations and Conclusion

This submission has been prepared by Mecone on behalf of Fivex in relation to the Draft 2036 Plan for St Leonards and Crows Nest prepared by the Department of Planning and Environment. The submissions specifically relate to 429 Pacific Highway, Crows Nest, legally referred to as Lot 1 DP651865 and known as heritage item 'Willoughby House' under the North Sydney Local Environmental Plan 2013.

The submission requests the following amendments to the Draft Plan in relation to the subject site and broader St Leonards to Crows Nest Investigation area:

- Increasing the proposed height control to match the height of adjoining development along the Pacific Highway;
- Increasing the proposed FSR control to match development along the Pacific Highway; and
- Further increases to uplift within the St Leonards to Crows Nest Investigation to meet development capacity enabled by the new metro system.

The rationale behind the above requests to the Draft Plan is based on the following:

- While the current draft controls have been proposed in an effort to reduce heritage impacts on Willoughby House, we consider that they will have the opposite effect. The subject building will be visually dominated by surrounding development if the current draft controls remain. Therefore, the heritage significance of the building, which is known for its 'dramatic and imposing' role on the corner of the Pacific Highway and Willoughby Street will be diminished;
- Development of heritage items is becoming increasingly common and, in many cases, provide great urban outcomes that revitalise a building and renew visual interest. Ensuring a positive outcome at the site can be guaranteed through a rigorous Development Application process in the future. It is therefore not necessary to implement stringent controls that restrict all development potential for the site at this stage in the process of developing Crows Nest for the future;
- The Draft Plan encourages greater densities along the Pacific Highway and densities which gradually transition to lower density areas. It is suggested that an 8 storey to a 3 storey height decrease does not represent a 'gradual' height transition. Alternatively, it is suggested that this would create disproportionate scales of development and a poor visual outcome;
- Additional height at the subject site would not result in any detriment to the Willoughby Village area, which is noted as of value to the community throughout the Draft Plan.

The height increase would allow the site to be consistent with the surrounds and for the subject building to be revitalised. It is further suggested that a high quality, architectural development at the site could provide a landmark point of entry to Willoughby Road and the Crows Nest Village area;

- No change to the height of building controls will reduce the developability of the site unnecessarily and restrict the ability of adjoining and nearby sites to amalgamate in the future. Amalgamation of adjoining properties would allow for larger floor plates to be achieved and present an opportunity for a high quality corner site development in line with the principles and desired outcomes of the Draft Plan; and
- Overall it is considered that uplift within the investigation area is not commensurate to the level of uplift which can actually be achieved by the increased development capacity created by the new Metro. It is suggested that uplift should therefore be revised and increased accordingly.

Thank you for the opportunity to make this submission. Please do not hesitate to contact me on 8667 8668 or kbartlett@mecone.com.au with any comments or queries on its contents if any clarifications are required.

We are very eager to work with the DPE on this matter and hope that this document can be taken into consideration during finalisation and the requested changes adopted.

Yours sincerely,



Kate Bartlett
Director

Attachment 1 – Heritage Discussion Paper – GBA Heritage