

18 January 2019

218891

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

[att: Eva Klaic]

Dear Ms. Klaic,

SUBMISSION TO ST LEONARDS AND CROWS NEST 2036 DRAFT PLAN 27 – 57 Falcon Street, Crows Nest

This submission has been prepared by Ethos Urban on behalf of Lindsay Bennelong Developments Pty Ltd, who have entered into a contract to purchase the site at 27 - 57 Falcon Street, Crows Nest (the site) in relation to the *St Leonards and Crows Nest 2036 Draft Plan* (the Draft Plan).

The purpose of this submission is to propose an alternative to the maintenance of existing planning controls as proposed in the Draft Plan. The subject site is less than 400m from the future Crows Nest Metro station and directly adjacent to the Crows Nest Activity Centre. The site presents an opportunity to the urban renewal of the Precinct by providing more housing to support the growing population of the Northern District. Importantly, it can be delivered in accordance with all guiding principles – specifically – maintaining solar access to neighbouring sites.

This submission seeks a Height of Building control of 26m (7 storeys) on the site.

The Draft Plan restricts the site from contributing to the Precinct revitalisation and creation of a vibrant and compact development around Crows Nest Metro Station, as envisaged by the Draft Plan and the Regional and Northern District Plans for metropolitan Sydney.

In relation to the site, we request the following items are reviewed in relation to the Draft Plan:

- **Review the strategic importance of the site.** The site is strategically adjacent the Crows Nest Activity Centre. Maintaining the current planning controls does not capitalise nor reflect the site's close proximity to the Crows Nest Metro Station, Crows Nest Village, '5-Ways' intersection or health and education services. A review of the planning framework for the site to facilitate a transitional scale commensurate to the site's location – particularly the eventual planning controls of the '5-ways' site as determined by the Strategic Sites investigations is required.
- **Increase the maximum building height to 7 storeys.** Urban design analysis undertaken by Ethos Urban has determined that a building of 7 storeys can sit comfortably within the site and not detract from amenity values, solar access or heritage interface of surrounding properties. In addition, modelling shows that increased density can also accommodate new public spaces and improved interfaces with the streetscape.
- **Enable greater integration with the public domain.** Rezoning the subject site to increase the permissible building height to 7 storeys will enable and facilitate better built form outcomes that will enable a high-quality design response. The single ownership of the site will further enable a coordinated and integrated built form response that will enhance the public domain and enable green linkages along Falcon Street, as identified in the Draft Plan.

We believe there is strategic merit to increase the built form and density controls on the site in a manner that is entirely consistent with the Draft Plan's vision and objectives.

It is requested that the Department amend the Draft Plan to identify 27-57 Falcon Street for a higher density residential zoning, a greater building height of 26m (7 storeys) as this will allow the site to more comprehensively realise the vision for the precinct, optimise its proximity to Crows Nest Metro Station, and facilitate optimal outcomes for increased built form along Falcon Street. This will also contribute to meeting housing need and creating great places for the local community within the '30-minute city' – which is entirely consistent with the Draft Plan 2036.

We thank the Department for the opportunity to provide a submission on the Draft Plan and welcome future opportunities to provide input into the planning process. Further, we would welcome the opportunity to meet and discuss the opportunity the site brings to the realisation of the Precinct Vision.

Further discussion on each of these issues is provided at **Attachment A** and supported by Urban Design analysis at **Attachment B**. Should you have any further questions or wish to discuss this submission in further detail, please do not hesitate to contact me on

Yours sincerely,



Tom Goode
Director
tgoode@ethosurban.com

Appendix A. Ethos Urban Detailed Submission

1.0 The Site and the Opportunity

The site is in the North Sydney LGA, one block to the east of the Pacific Highway (refer Figure 1). It is located within a well serviced area and is:

- a short walk from:
 - Crows Nest Shopping Centre Village (50m, less than 1 minutes' walk).
 - North Sydney Girls High School (150m, 2 minutes' walk)
 - North Sydney Boys High School (250m, 3 minutes' walk)
 - the future Crows Nest Metro Station (400m; 5 minutes' walk);
 - St Leonards Station (approx. 800m; 10 minutes' walk);
- in close proximity to district and metropolitan health care services - less than 400m from the Mater Hospital and 1km from Royal North Shore Hospital.
- under 30 minutes travel time on public transport to major existing and future employment centres in Sydney (RNSH, Macquarie Park, North Sydney and the Sydney CBD).
- approximately 4,360m² and currently accommodates four two-storey attached commercial buildings within the eastern portion of the site and vacant land to the west.
- the site has frontage to Falcon Street to the north, Alexander Lane to the west and Hayberry Lane to the south. It is adjacent to existing two storey commercial premises and residential dwellings.
- subject to the *North Sydney Local Environmental Plan 2013* which zones the site B4 Mixed Use with a maximum building height of 10m. There is no existing FSR control.

The current planning process being undertaken by the Department is an ideal opportunity to facilitate a built form outcome for the site that reflects its strategic significance and capitalises on an underutilised site.



Figure 1 Subject site

Source: GANSW, Ethos Urban

2.0 St Leonards and Crows Nest Station Precinct – Interim Statement August 2017

In July 2016, the DPE announced the strategic planning investigation of the St Leonards and Crows Nest Station Precinct. In August 2017, the DPE released an Interim Statement which included the following draft objectives (among others), which are analysed against the opportunity presented by the Subject Site:

Table 1 – Assessment against Interim Statement Objectives

Objective	Comment
<i>Leverage world-class health and education uses to provide opportunities for future employment growth:</i>	<p>The site is optimally situated within walking distance to the Crows Nest Metro Station which will provide direct access to other metropolitan and district employment, health and education lands including Macquarie Park, Chatswood, North Sydney and the Sydney CBD. It is also in close proximity to the Mater Hospital and education facilities including the Cammeraygal High School, North Sydney Girls High School and North Sydney Boy's High school.</p> <p>The site has lain vacant for over a decade and the DPE's strategic review presents an opportunity to catalyse the site's renewal, mindful of its context on the main entry to the Crows Nest village from the east.</p>
<i>Protect and strengthen the Precinct's commercial role supported by complementary uses to capitalise on renewed confidence in the commercial market:</i>	The site is located within a B4 Mixed Use Zone and can strengthen employment generation through renewal of an existing unused site that can provide supporting mixed use land, integrated with vertical living opportunities adjacent to high frequency public transport.
<i>Create future employment opportunities leveraging off the increased transport capacity of the new metro station.</i>	The site is within accessible walking distance from the future Crows Nest Metro and metropolitan bus network. At present, the planning framework has failed to stimulate the renewal of the site as it has remained vacant for over a decade.
<i>Incorporate opportunities for transit-oriented development including commercial and mixed use development that takes advantage of existing and future transport.</i>	The site is perfectly positioned to capitalise on TOD opportunities, however this is currently not reflected in the Draft Plan. This submission puts forward the very concept – TOD based mixed use redevelopment at an important strategic location.

The Interim Statement identified 10-character areas. The site sits on the edge of the Crows Nest Village and Crows Nest Residential Precincts (refer **Figure 3**). The Interim Statement identified the following opportunities and key considerations for the Crows Nest Precinct, listed in **Table 2**.

Table 2- Assessment against Interim Statement Objectives for Crows Nest Residential Precinct

Objective	Comment
<i>Crows Nest area proposed to be retained for lower density residential development.</i>	<p>Urban design analysis undertaken by Ethos Urban demonstrates that a 7-storey mixed use scheme can fit comfortably within the context of the streetscape and interface sensitively with the adjacent built form and residential areas to the east.</p> <p>Future development schemes would seek to increase the height and scale of the building in a manner that both capitalises on its strategic location while also respecting surrounding character and heritage.</p>
<i>No significant increase in densities is proposed as the majority of these areas are located within the Naremburn and Holtermann Estate Conservation Areas.</i>	<p>A design scheme that respects the adjoining heritage conservation area can be achieved on the site. This is realised through the provision of low-scale built form to street frontages and setback building masses above the street wall.</p> <p>Development is pulled away from the landway to enable a shared space that respects the heritage area to the south, and creates a public space that could enliven the laneway network around the village.</p>
<i>Key matters for consideration include appropriate transitions between these character areas and any new development, protection of the heritage character of these areas and improved connectivity.</i>	The site is located on the edge of a vibrant commercial centre and a residential precinct. In this context, the site can provide an appropriate balance of transitional built form scale that respects local character while also achieving broader strategic objectives of housing provision, improved connectivity and transit-orientated development.

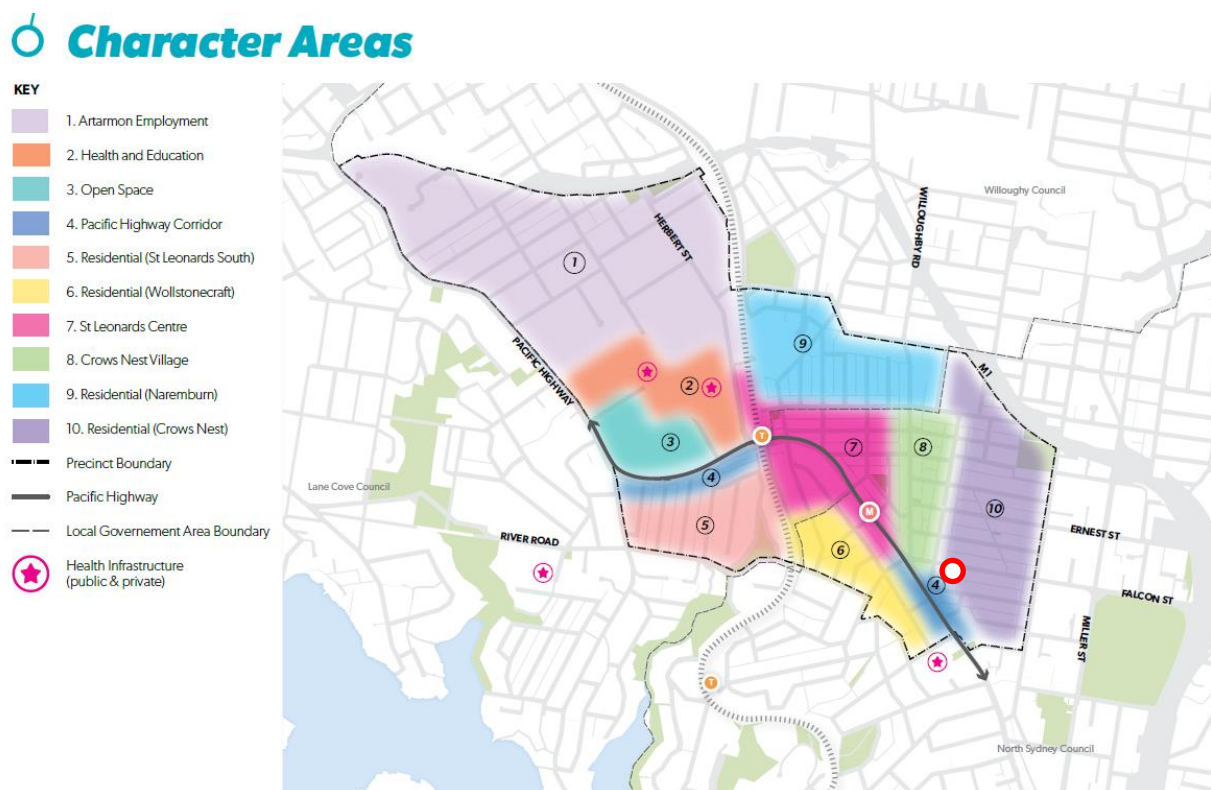


Figure 2 St Leonards and Crows Nest Station Precinct – Character Areas

Source: St Leonards and Crows Nest Station Precinct – Interim Statement

3.0 St Leonards and Crows Nest 2036 Draft Plan

On 14th October 2018, the DPE released the Draft Plan. The Draft Plan's vision for St Leonards and Crows Nest to 2036 is to create 'a major centre for workers, residents, students and visitors, offering a variety of homes, jobs and activities for the diverse local population'. Although the Draft Plan establishes principles for the whole precinct, the subject site sits just outside of the area identified for 'potential changes to planning controls' as shown in Figure 4.

We recognise that the intention of the planning process is to provide guidance to Council's when considering planning proposals to rezone land within Precinct. Notwithstanding, the proposition within the Draft Plan to maintain the existing planning controls for the site is incongruous with the original vision that identified the area as having strategic merit to accommodate transit-orientated mixed use development that leverages its location in the Precinct and its proximity to the Crows Nest Metro Station. In this regard, the Draft Plan misses the opportunity to bed down the previous strategic planning and design analysis undertaken by the Department and provide a compact, 30 minute city that provides greater housing choice closer to places of employment, recreation, health and education.

The retention of the 3-storey height limit on the subject site (i.e. the status quo) does not respond to the opportunities to achieve design excellence nor does it recognise the opportunity to strengthen the Crows Nest Precinct as a key centre. It is our view that the site presents significant opportunities to play a more active role in supporting the function of the Crows Nest centre by providing well-scaled and high-quality housing.

The site has remained undeveloped for over a decade. Clearly there is an opportunity for the DPE to stimulate the site's renewal.

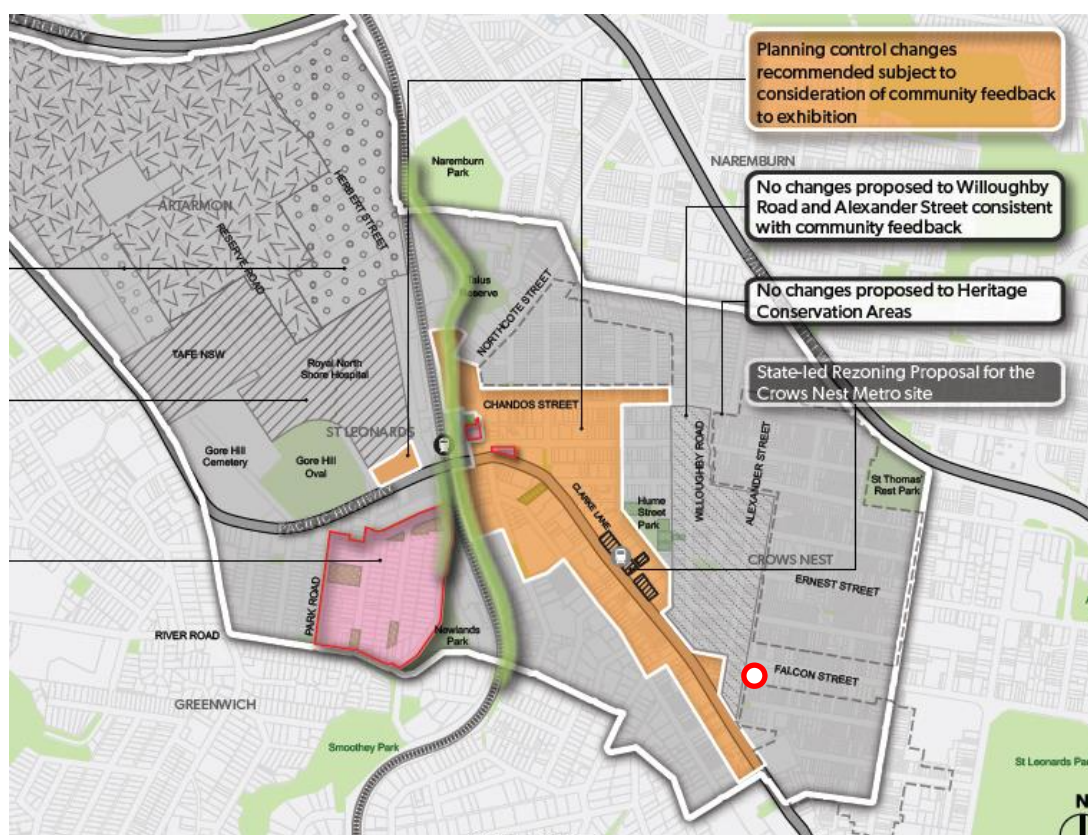


Figure 4 Extract from Draft Plan showing relationship between proposed areas for planning control changes (in orange) and subject site (red dot)

Source: St Leonards and Crows Nest Station Draft 2030 Plan

4.0 Design Analysis

4.1 Solar Access

Ethos Urban has undertaken an urban design analysis to determine the future development potential of the site in the context of the surrounding built form, heritage conservation area and established residential areas to the east. Specifically, the analysis reviewed Section 1.3.7 of the North Sydney DCP which sets out the objectives for solar access. The primary purpose of the objective is 'to ensure that all dwellings have reasonable access to sunlight and daylight':

- *P1 Developments should be designed and sited such that solar access at the winter solstice (21st June) provides a minimum of 3 hours between the hours of 9.00am and 3.00pm to:*
 - (a) any solar panels;
 - (b) the windows of main internal living areas;
 - (c) principal private open space areas; and
 - (d) any communal open space areas. located on the subject property and any adjoining residential properties.

Note: Main internal living areas excludes bedrooms, studies, laundries, storage areas.

- *P2 Despite P1 above, living rooms and private open spaces for at least 70% of dwellings within a residential flat building should receive a minimum of 2 hours of solar access between the hours of 9.00am and 3.00pm at the winter solstice (21st June).*

The first step of the urban design analysis was to review the location of existing living rooms, habitable windows principal private open space, communal open space and balconies of the adjacent dwellings to the south of the site. In accordance with Section 1.3.7 of the North Sydney DCP, these areas must receive at least 3 hours of solar access (refer to **Figure 5**).



Figure 5 Study area subject to minimum 3 hours of sunlight during mid-winter

Source: Ethos Urban

By identifying these sensitive areas, Ethos Urban have developed a solar access envelope for the site which directly protects solar panels, windows of main internal living areas and principle private and communal open space areas on adjoining residential properties. The proposed envelope ensures that these southern adjoining properties can receive a minimum of 3 hours of solar access between 9:00am and 3:00pm (on 21 June). This is illustrated in **Figure 5**.

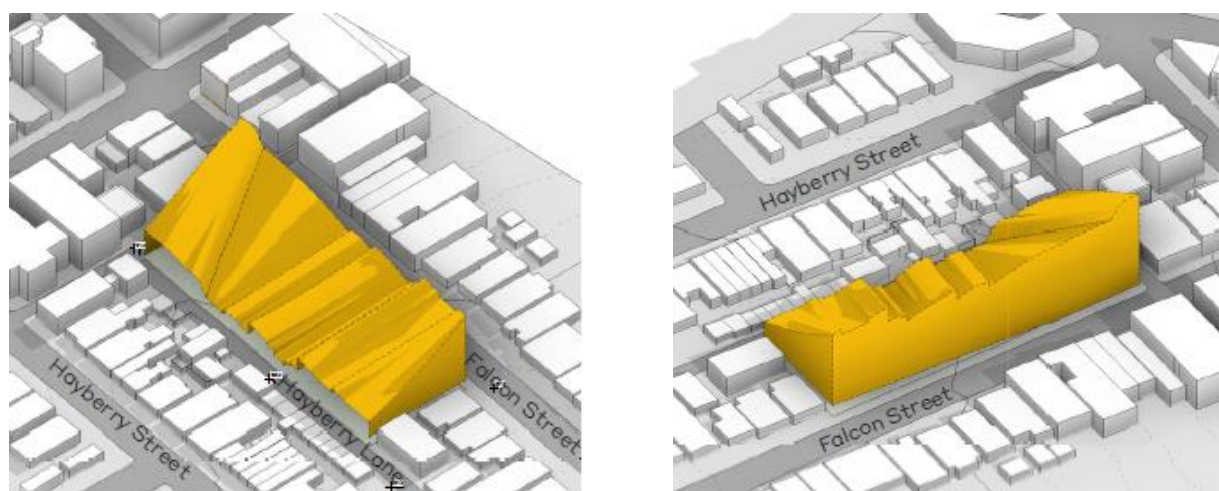


Figure 5 Solar envelope plane looking north (left image) and south (right image)

Source: Ethos Urban

Within this envelope, an appropriately scaled building mass has been modelled, incorporating relevant setbacks and practical design parameters (see **Figure 7**). The following key design principles were incorporated into the analysis:

- Scale and height transition from Falcon Street to Hayberry Lane to minimise visual bulk and overshadowing to the conservation area to the south;
- Through site links and buffer to the east interface to provide better amenity and activation;
- 3m to widen footpath to Alexander Lane and Hayberry Lane improving walking catchments to Crows Nest;
- 1 - 2 storey mixed use streetwall to maintain human scale, increase activation and respect heritage and residential interfaces; and
- Incorporation of linear park to Hayberry Lane to soften this edge and improve streetscape amenity which will enliven the laneway networks in and around Crows Nest.



Figure 7 Proposed massing within solar height plane looking north (left image) and south (right image)

Source: Ethos Urban

The urban design analysis demonstrates that a 7-storey development could be comfortably sit within the solar envelope whilst also maintaining consistent levels of solar access to the southern properties in accordance with the requirements of the DCP (see **Figures 8 and 9**).

Furthermore, the concept design analysis also demonstrates how increased density on the site can accommodate new public space, connections and public domain enhancement that will make a positive contribution to the adjoining streetscapes and renew a site that has lain undeveloped for over a decade.



Figure 8 Plan view of proposed height and massing

Source: Ethos Urban

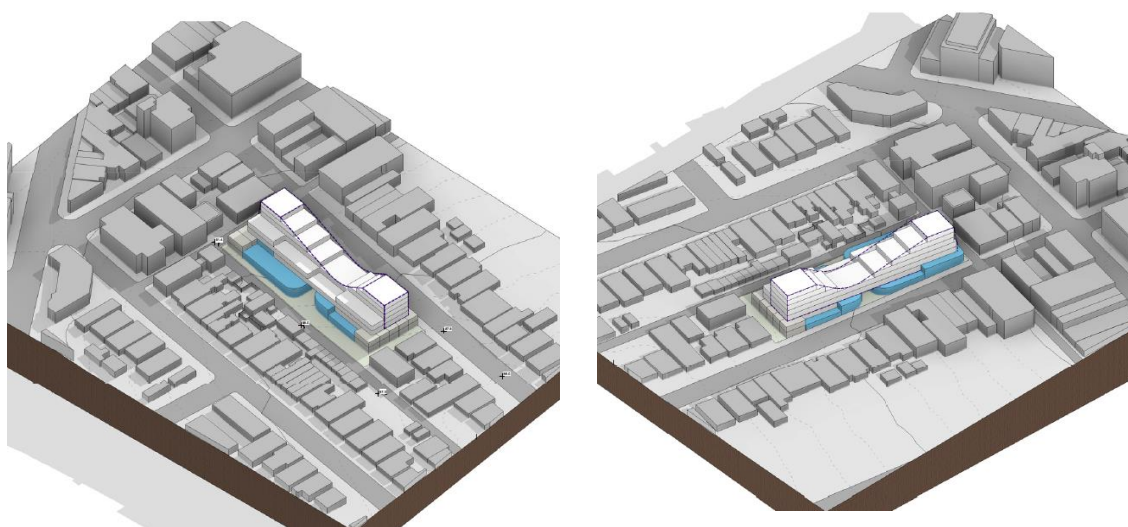


Figure 9 3D Perspectives of the proposed concept

Source: Ethos Urban

4.2 Local character and heritage

Alongside the release of the Draft Plan were a suite of other documents which provided additional analysis, details and objectives. Of relevance are:

- St Leonards and Crows Nest Draft Local Character Statement, dated October 2018
- St Leonards & Crows Nest 2036 – Heritage Analysis

GMU Urban Design and Architecture have prepared a submission on the draft Local Character Statement and heritage analysis that demonstrates that the site can readily achieve the key guiding principles relating to future developments in close proximity to heritage items and conservation areas, refer to **Attachment B**. These are:

- Consider a sensitive interface between areas of high density and those maintained as Conservation Areas.
- Compliment the scale of the heritage item and surround it with elements of appropriate scale through introducing podium and fine detailing.
- Introduce a minimum lot size of 1,500sqm for a building over 25 storeys to allow for a podium within a setback and more acceptable interface opportunities with smaller adjacent buildings and heritage items.
- Reduce the density further from public transport hubs and adjacent to open spaces or significant sites to create a transition of height and scale to minimise visual impact.
- Provide a transition between the building and adjacent heritage conservation area by creation of a podium to the taller building.
- Promote tree planting to mitigate the scale of change and partially screen adjacent large-scale development.

Further discussion of how these principles can be met by the proposal are contained in **Section 5.1** of this submission.

5.0 Strategic Planning and Housing Delivery

The analysis above demonstrates that the site is suitably located to accommodate a transit-orientated development and additional height and density and can do appropriately within the site's context. Increased height and density is also consistent with the Draft Plan's objective to concentrate the greatest height and density around Crows Nest (refer to **Figure 10**). In accordance with this height concept, the tallest buildings are to be located around the St Leonards train station and Crows Nest Metro site. In the peripheral areas around these stations, building heights and built form should transition in scale. The site is well positioned on the edge of the commercial and residential areas within Crows Nest to provide an appropriate transition.

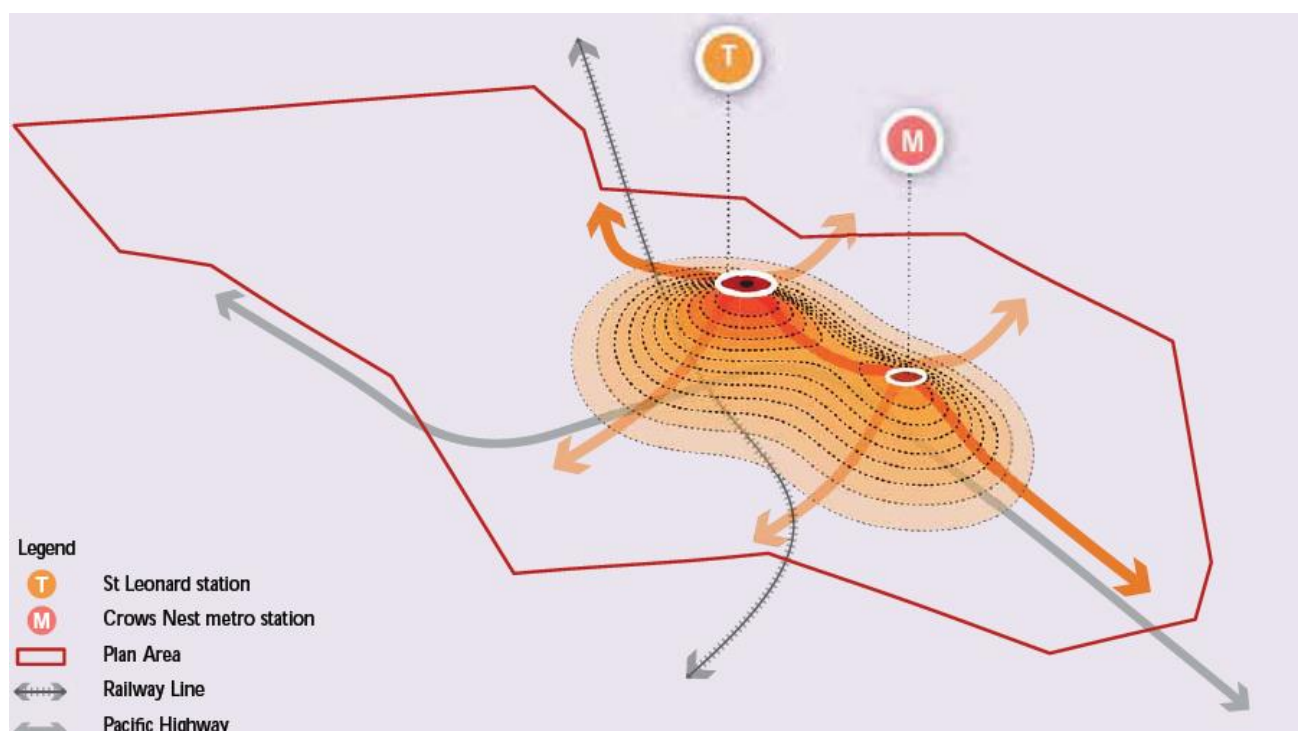


Figure 10 - Diagram showing height peaks concept

Source: DPE, LUIP 2036

The current planning controls (i.e. 3 storeys) restrict the ability of the site to deliver on a range of government priorities, including the vision and objectives central to this draft Plan. A revised planning framework for the site would allow the realisation of the following opportunities:

- **Housing:** respond to population growth by supporting housing diversity and choice in a well serviced and high amenity location.
- **Accessibility:** capitalise on the 30-minute city model by locating new housing in direct proximity to public transport, community services and employment.
- **Policy:** deliver local, metropolitan and state planning policy whilst also contributing to Council's housing targets for the precinct and the wider Northern District.
- **Great places:** Successful health and education precincts rely on supporting social infrastructure to flourish, this includes access to local housing and complementary and synergistic employment services. The provision of housing and/or supplementary mixed uses on the site would support the ongoing success and operation of the broader health and education precinct.

5.1 Guiding Design Principles

An assessment against the guiding design principles contained within the Draft Plan is provided below, which demonstrates the site's suitability for greater height and scale.

Table 3 Consistency with the Guiding Design Principles

Design Principle	Comment
<i>Meet solar height planes in this Plan</i>	<p>Increased density and height on the site is able to readily achieve compliance with solar height planes given its north facing orientation. Development on the site would not overshadow any existing public open space or identified streetscapes.</p> <p>As illustrated in the urban design analysis, the site can comfortably accommodate a 7-storey building whilst also maintaining solar access to adjoining properties. Furthermore, additional height on the site can be delivered to ensure sensitive interface with the adjoining heritage conservation area to the south.</p>
<i>Consideration of quality streetscape aspects such as setbacks, street wall height and heritage buildings</i>	<p>The proposal is setback from all side boundaries as well as generous upper level setbacks to reduce visual bulk. The maximum street wall height of two storeys ensures that the proposal respects the surrounding built form and maintains a positive relationship and human scale to the street.</p> <p>As the building's mass was designed and informed by the solar access envelope, no additional overshadowing to heritage buildings will occur.</p>
<i>Acknowledge key views and vistas such as long distances vistas which offer sky views, and vistas where a building may terminate the view</i>	<p>The site does not encroach on any key views or vistas. The building envelope is orientated to address the street and activates the frontages of Falcon, Alexander Lane and Hayberry Street. It will also provide an appropriate transition from the edge of the Crows Nest activity centre to the residential areas to the east of the site.</p>
<i>Avoid a monolithic street wall effect through the distribution of higher buildings</i>	<p>Urban design analysis and modelling demonstrates the site's ability to provide an active, fine grain and integrated street wall frontage to all street frontages. The provision of generous landscape setbacks throughout the site further softens the address of the building to the streetscape and public realm.</p>

Design Principle	Comment
<i>Transition heights from high rise areas down towards existing lower scale areas, including areas not proposed for height changes, and Willoughby Road.</i>	<p>The Draft Plan presents a vision to achieve increased growth and density around Crows Nest Metro Station and St Leonards Station. This is illustrated on page 24 of the Draft Plan in the 'height concept map' (shown in Figure 8). The Draft Plan proposes no changes to the existing planning controls and constrains future development to 3 storeys. This is inconsistent with the overall vision and objectives of the plan to accommodate increased growth and transit orientated development around Crows Nest Metro Station.</p> <p>Urban design analysis has demonstrated that a development of 7 storeys can comfortably fit within the surrounding built form and character and maintain a positive relationship to the conservation areas to the south of the site. The 7 storey built form also provides an appropriate transition from the activity centre to the residential areas.</p>

The Draft Plan introduces a new planning mechanism known as 'significant sites' designation which are locations which may be appropriate to accommodate additional height and density subject to further analysis. Significant sites must demonstrate consistency with the Draft Plan's vision, design criteria and area wide design principles.

Although this submission is not seeking the site to be designated as a 'significant site', consistency with the Significant Site Design Criteria has been undertaken below to further demonstrate the level of design excellence that can be achieved on the site and demonstrate that the site is an excellent candidate for increased height and scale. The assessment includes reference to urban design analysis presented in **Section 4.0** of this submission.

Table 4 Consistency with the Significant Site Design Criteria

Significant sites criteria	Comment
<i>Undertake a design excellence process</i>	The site has the capacity to accommodate an appropriately scaled building envelope. A design excellence process can be undertaken following the planning proposal stage if required.
<i>Sustainable, walkable and liveable city</i>	The site's location means it has the ability to achieve good levels of passive solar and natural ventilation. It is within walking distance of Crows Nest Metro Station, schools and metropolitan health services. As demonstrated by the urban design analysis, the site could accommodate new public open space in addition to achieving additional scale. This would enhance and contribute to the public domain and pedestrian environment, improve linkages to other nearby open spaces and make positive contributions to the character of the streetscape.
<i>Meet solar height planes in this Plan</i>	As above. This is discussed in detail in Section 4.0.
<i>Manage cumulative overshadowing impacts of significant sites in the area.</i>	Urban design analysis demonstrates that increased height on the site would not result in any additional overshadowing to adjacent sensitive land uses.
<i>Consider actions and recommendations detailed in the draft Plan</i>	The proposal can deliver on the actions and recommendations in the Draft Plan.
<i>Respond to street character and surrounding heritage items and/or areas when determining street wall height, awnings and ground and upper level setbacks</i>	Urban design analysis can demonstrate how this can be achieved. Subject to further detailed design, the site can achieve a high level of built form and maximise solar access whilst respecting existing character.
<i>Exemplary street level activation and contribution to the public domain with ground level setbacks, plazas or similar.</i>	As discussed above, the proposal can accommodate up to 7 storeys of mixed use and vertical living opportunities as well as provide new public open space and linkages.
<i>Have a positive view impact on the area's key view lines and vistas, with consideration of a visual marker of an important place</i>	The building envelope is orientated to the north. Future development on the site would enable an appropriate transition between the Crows Nest Activity Centre and the residential areas.

Significant sites criteria	Comment
Slender towers (smaller floor plate) to avoid bulk	The site could comfortably accommodate a built form that was consistent with the preferred and future local character of the area. Given its location on the edge of a commercial/residential precinct, future development on the site would be commensurate to the transitional objectives of the Draft Plan.
<i>Make significant improvements to the public domain and local infrastructure</i>	Appropriate public domain and local infrastructure improvements can be made in association with the delivery of the proposal. This includes the provision of a new generous landscaped setbacks and open space.
<i>Provide gradual transitions, sensitive interfaces and an appropriate response to the scale of the street (using a combination of street wall heights, ground and upper level setbacks).</i>	<p>The proposal will provide an appropriate transition to the lower density residential dwellings to the south.</p> <p>Ground level along Falcon Street has the potential to be sleeved by a terrace style typology as it's situated below the street and is secluded from traffic. This will also act as a transitional interface from the residential area to the active corner.</p>
<i>Avoid unreasonably constraining development potential of neighbouring sites.</i>	The proposal would not constrain the development potential of neighbouring sites.
<i>Tree canopy planting or other landscaping in public spaces on site.</i>	The proposal can accommodate high quality landscaping that is appropriate to the location that will provide a high-quality public domain that will improve the pedestrian experience and connectivity to the nearby Crows Nest activity centre.

6.0 Conclusion

Lindsay Bennelong Developments Pty Ltd are supportive of the Department's strategic objective to plan a 'major centre' that encourages growth, stimulates economic development and collaboration in the St Leonards and Crows Nest Precinct.

However the Draft Plan fails to realise the opportunity to deliver an outcome that truly reflects the site's strategic value to the precinct. If suitable densities (of both jobs and homes) are not delivered in high amenity areas that are rich in infrastructure – then where will these jobs and homes be delivered?

Rezoning the subject site to increase the permissible building height will enable and facilitate better built form and public domain outcomes that will make strong positive contribution to the vitality and character of Crows Nest. Further work and consideration is required to develop a planning framework for the site that reflects its strategic location and more deeply considers the opportunity to revitalise the Crows Nest.

This submission has demonstrated that increased height on the site is consistent with the precinct vision, the guiding design principles and the significant site design criteria. The site can deliver future development that accommodates a built form and range land uses that are strategically appropriate and compatible with the existing low-density dwellings to the south.

Therefore, we request that the Department amend the Draft Plan to identify 27 - 57 Falcon Street **for greater height of 26m (7 storeys)**. This will allow the site to more comprehensively realise the vision for the precinct, optimise its location adjacent to Crows Nest Metro Station, and proximity to RNSH and St Leonards Station and facilitate optimal outcomes for the surrounding area. This will contribute to meeting housing need, increasing employment opportunities and contribute to creating great places for the local community.

We thank the Department for the opportunity to provide a submission on the Draft Plan and welcome future opportunities to provide input into the planning process. Further, we would welcome the opportunity to meet and discuss the opportunity the site brings to the realisation of the Precinct Vision.

Appendix B. GMU Submission on St Leonards and Crows Nest 2036 Draft Plan and Local Character Statement.

Submission on St Leonards and Crows Nest 2036 – Draft Plan and Local Character Statement



FOR 27-57 FALCON ST, CROWS NEST

Date: 4 December 2018

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Issue	Date	Status	Prepared by	QC
A	29 / 11 / 18	Final Report	NV	GM

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1. Introduction

GM Urban Design and Architecture (GMU) have been engaged to prepare a submission on the St Leonards and Crows Nest 2036 – Draft Plan on behalf of Lindsay Bennelong Developments Pty Ltd, the future owner of the properties located at Nos. 27-57 Falcon Street, Crows Nest (the subject site).



Figure 1. The location of the subject site.

GMU recognise and applaud the significant effort of the State Government in the preparation of the Draft Plan and Local Character Statement. We understand that the aim is to deliver a well-designed place capitalising on its existing unique character combined with a balanced commercial and residential development, to create a livable community and support job creation within St Leonards and Crows Nest.

GMU generally supports the Draft Plan's vision and principles to concentrate height density around the existing and new station and along the Pacific Highway Corridor whilst easing the development pressure on the surrounding lower scale residential/heritage conservation areas and Willoughby Road. This will maintain and enhance the existing village character of Crows Nest. We also support a use balance between commercial and residential to ensure sustainable growth of this major centre with a thriving economy.

However, it is GMU's opinion that the Draft Plan has not fully considered the development potential of the opportunity sites within close proximity to the new station and the Mater Hospital Health and Education Precinct and overlooked the role of a number of available sites which could contribute to the future growth of the area within the short to medium term.

Considering the main goals identified in the Draft Plan and reviewing the supporting documents, it is our opinion that the recommended height and density distribution specifically around Five Ways intersection (one of the main activity anchors in the area located on the southern gateway of the precinct) does not consider the actual potential of the available sites for the future development to support a transit-oriented development.

We are concerned that the proposed planning directions could result in unintended disincentives and unbalanced urban form opportunities. This would be contrary to the original aims of the Draft Plan. These issues, as well as their potential outcomes, are discussed in the later parts of this submission.

The purpose of GMU's submission is to encourage review of the Draft Plan relating to the proposed strategies for the distribution of height and density within the 400-800m walking catchment of the new station, especially around the Five Ways intersection and closer to Mater Hospital. These strategies should consider the realities of land ownership of the existing stock, land fragmentation and the location of heritage items.

Our analysis has been informed based on GMU's extensive knowledge of the precinct due to our involvement in numerous projects within the area, the previous location of our offices in Crows Nest, and our extensive knowledge and understanding of the context. In preparing this report, GMU has reviewed the following applicable controls and documents describing the site and its immediate surroundings:

- St Leonards and Crows Nest 2036 Draft Plan, dated October 2018
- St Leonards and Crows Nest Draft Local Character Statement, dated October 2018
- St Leonards & Crows Nest 2036 - Stage 02 Urban Design Study
- St Leonards & Crows Nest 2036 – Preliminary Urban Design Analysis
- St Leonards & Crows Nest 2036 – Heritage Analysis
- St Leonards and Crows Nest Draft Green Plan
- St Leonards and Crows Nest Social Infrastructure and Open Space Study

GMU has also conducted extensive site visits and photographic documentation of the site and its context.

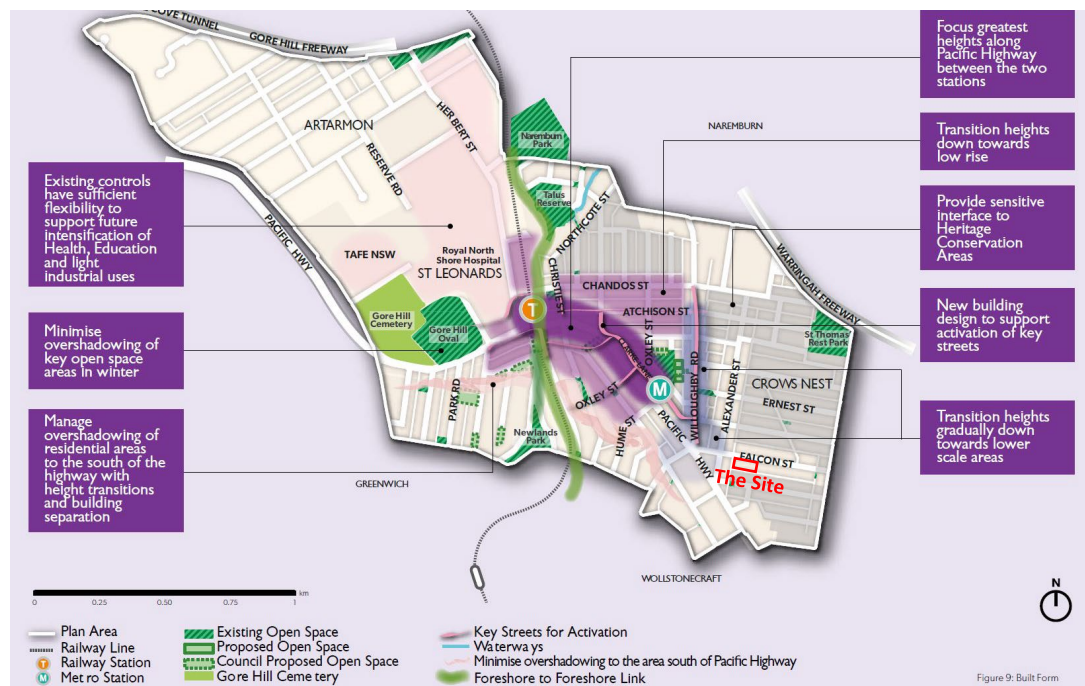
2. Review of St Leonards and Crows Nest 2036 – Draft Plan and Local Character Statement

St Leonards and Crows Nest 2036 Draft Plan is informed by a comprehensive study of the area and active community consultation. In conjunction with the Local Character Statement and the strategic direction for the area in the Greater Sydney Regional Plan and the North Sydney District Plan, it sets up the overarching development strategies, visions and guiding design principles to guide the future orderly development of the precinct.

With regards to the desired future density and scale within the precinct, the Local Character Statement demonstrates a number of key findings (through community consultation) which aim to:

- Protect heritage areas and make sure development nearby fits in with surrounds.
- Higher density areas around St Leonards Station and along the Pacific Highway.
- Additional density around the new metro station at Crows Nest with a lower hierarchy compared to St Leonards.
- Opportunity for improvements along Pacific Highway and around the Five Ways junction.
- Provide gradual sensitive height transitions from high-rise to low-rise areas & minimise overshadowing of public open space.
- Retain low-scale village atmosphere in Crows Nest and its heritage areas.

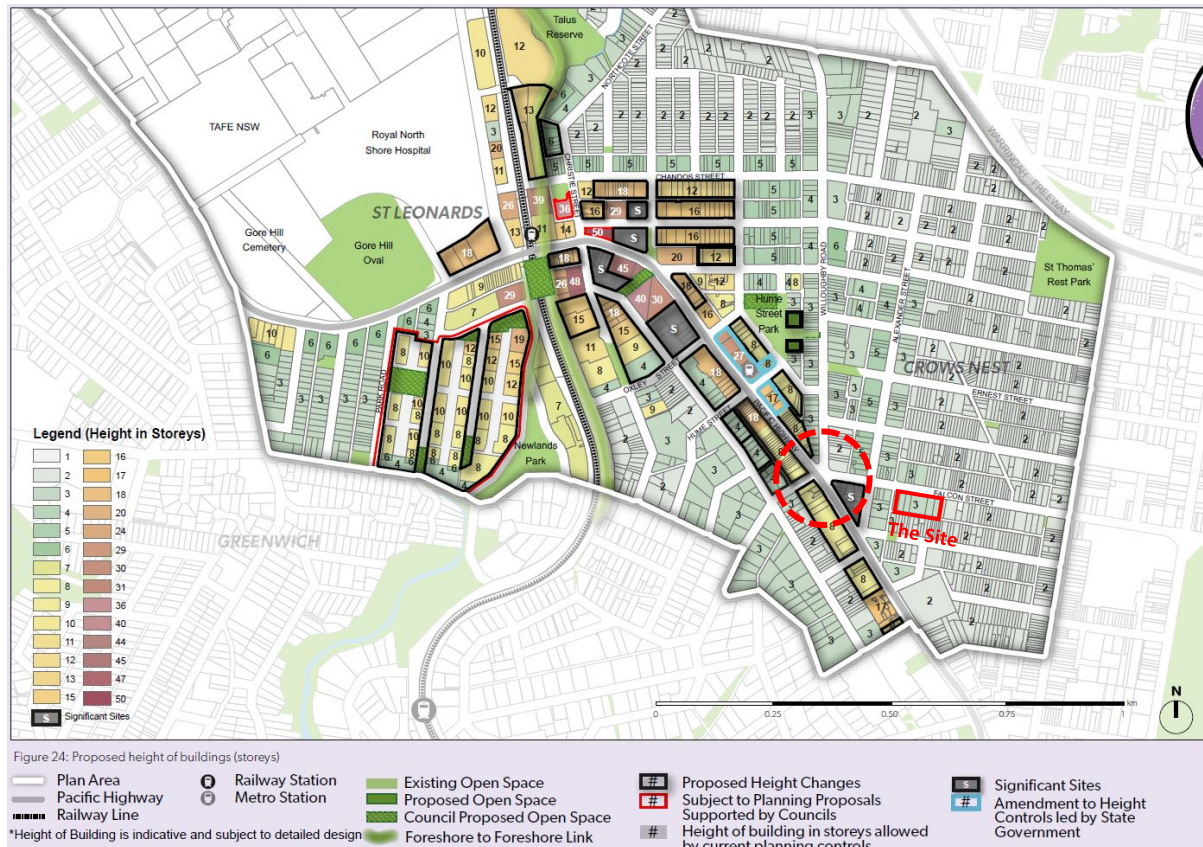
To achieve the Greater Sydney's Commission Vision for the precinct, the Draft Plan has proposed a set of design principles and recommendations. They are Place, Landscape, Built form, Land use and Movement. The principles seek the distribution of higher density development around transport hubs with the transition to the lower density characteristic areas -considering the findings of the Draft Local Character Statement. This is to ensure that new developments cater to the future employment and population growth of the area and support the upcoming major public transport facilities.



GMU agrees with the general principles of the Draft Plan. However, the proposed draft built form/density strategies to the south of Crows Nest Station including towards Mater Hospital and the Five Ways intersection is questioned. It is GMU's opinion that the proposed density in this area overlooks a number of available sites. Details will be discussed later in this submission.

The Draft Plan's height and density distribution

We understand and support the focus of the Draft Plan on concentrating the density in close proximity to the stations and along Pacific Highway with a transition to lower density developments and heritage conservation



areas.

Figure 3. Proposed amendments to LEP Height of Map

However, we believe that Crows Nest Station Precinct to the south has not achieved an appropriate development potential. The Draft Plan does not seem to have recognised traditional prominent locations such as the ridge top, key intersections or height to mark arrival within its strategy.

Five Ways intersection is both prominent topographically, or major intersection and an activity anchor. It is part of the prominent southern gateway to the precinct as the starting point to the mixed-use spine along the highway. It is GMU's opinion that the intersection presents a greater opportunity to mark the arrival point to the mixed-use heart of the precinct as is occurring with the triangle site, where the strategy identifies the site as a 'Significant Site' with greater height and density potential.

The Draft Plan's recommended density along Pacific Highway shows that some of the potential sites identified for heights up to 8 storeys close to the Five Ways intersection are actually 'fine-grain' heritage lots which call into question their suitability for such development potential. There appears to be no economic study informing the draft

package. We question the feasibility of these sites redeveloping given their heritage status and fragmented ownership. However, other sites around the station, Five Way intersection and the triangle site are already amalgamated, are not affected by heritage status and are allowable for greater density as part of the transitional scale. The subject site, for instance, is a large site close to the triangle site. It has been given no opportunity for uplift or detailed study of its potential opportunity by the Draft Plan. The proposed 3 storeys applying to the subject site provides no potential at all to encourage the redevelopment of the site.

Transition and interfaces

The overall 3D illustration of the precinct –extracted from the material exhibited in the community consultation session- shows a greater height potential (up to 17-18 storeys) for the significant triangle site at the intersection of Falcon Street and Pacific Highway.



Figure 4. Physical 3D model showing the proposed built form with indicative heights recommended for Significant Sites by DP&E (displayed at one of community consultation session held at Crows Nest)

However, the development opportunity seems to be solely limited to that site without any allowance for a gradual transition in scale and density around it to the lower scale conservation areas and Willoughby Road. GMU is aware of a number of available sites consolidated under single ownership including the subject site (Figure 8 – outlined in yellow) which are able to and should contribute for an appropriate transition in scale. The sites in this location do have a role in contributing to increased patronage for the new station, creating transition, reinforcing the Five Way intersection and encouraging revitalisation of these areas which are currently occupied by poor quality built form and streetscapes. These sites can assist in celebrating the role of this pocket as a recognisable cluster to support the future growth of the Mater Hospital Precinct, already identified as one of the employment areas and activity nodes. We understand the focus of the Draft Plan is to preserve the existing character of the conservation areas around Falcon Street with lower height; however, we believe that with a skilful design, the subject site will be able to achieve an increased development potential whilst respecting the sensitive surrounding context to the east.

The introduction of 'Significant Sites'

The Department through the strategy has identified 5 Significant Sites for increased height and density. These sites are consistent with Council's approach for the St Leonards Crows Nest Planning Study Precincts 2 & 3 adopted in May 2015. The approach that the Council adopted identified:

- Opportunity sites to provide desired public benefit, i.e. public links, linear park, support of major community facilities and public open space.
- Sites suitable for increased density to positively contribute to urban renewal, as they are more economically viable for delivering of commercial/retail activities at the lower levels.
- Lands less constrained by strata development and that are ageing stock (over 20 years).
- Encourage land owner-initiated planning proposals for larger amalgamated sites to seek amendments to the planning controls.

We support this approach and the link of these sites to contributions for public benefit, e.g. open spaces or community facilities. We also note these sites are located close to the St Leonards Station to support the rail line and commercial uses as well. It is GMU's opinion that a similar approach should be adopted for Crows Nest Station and its centre given its close relationship with the Mater Hospital, numerous schools and the walkability to North Sydney and its new railway station. We consider it would be beneficial for the Department also to include sites that are ready for redevelopment within the 400-800m walking catchment of the new station in proximity to Five Ways intersection, Willoughby Road and the highway. That can contribute to the sense of scale transition and are larger sites such as the subject site.

3. Review of supporting draft documents and technical reports

GMU has also reviewed other supporting documents which include:

- Draft 2036 Plan Urban Design Study
- Draft Green Plan
- Draft Heritage Report
- Draft Social Infrastructure Study

The Draft Green Plan sets out the development principles to achieve a green community within the area whilst complementing the desired density development around the stations. An audit was concluded of the existing open spaces and connections and the implications of potential additional locations were considered with concept plans for additional open spaces and new tree canopies. The study identifies Falcon Street as one of the major green and blue link which connects Crows Nest and recommends additional tree planting along the street to enhance the role of the street as one of the key pedestrian/cycling links connecting to the Five Ways intersection. There is an opportunity for the sites along the street including the subject site to contribute to the future desired character by providing additional landscape and particularly even a link or a pocket park area part of the site.

The Heritage report has a number of guiding principles and a series of design responses that are to guide future developments in close proximity to heritage items and conservations areas. The key elements of the recommendations are to:

- Consider a sensitive interface between areas of high density and those maintained as Conservation Areas.
- Compliment the scale of the heritage item and surround it with elements of appropriate scale through introducing podium and fine detailing.
- Introduce a minimum lot size 1500m² for a building over 25 storeys to allow for a podium within a setback and more acceptable interface opportunities with smaller adjacent buildings and heritage items.
- Reduce the density further from public transport hubs and adjacent to open spaces or significant sites, to create a transition of height and scale and minimise visual impact.
- Provide a transition between the building and adjacent Heritage Conservation Areas by the creation of a podium to the taller building. The incorporation of a podium reduces the visual impact of the tower.
- Promote tree planting to mitigate the scale of change and partially screen adjacent large-scale development.

The study has taken into account the opportunities and challenges presented by wider planning strategies for the precinct and has created design considerations to meet the needs of the projected future population of the area, whilst ensuring that existing character and heritage is preserved. This provides opportunities for the larger sites adjacent to the heritage/conservation areas – including the subject site- to achieve additional development potential within an overall higher scaled centre whilst respecting the surrounding sensitive lower scale context.

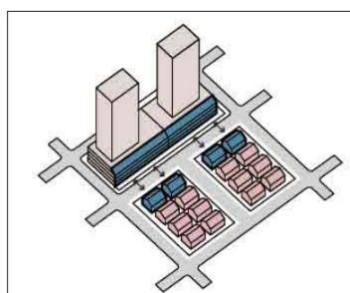


Figure 14: How a podium can respond to a height transition between a heritage conservation area and larger high density tower.

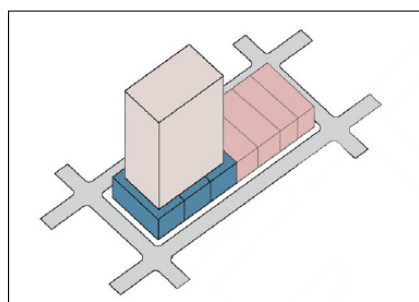


Figure 17: How development should respond to the surrounding height of a heritage conservation area or heritage items.

Figure 5. Built form recommendation by heritage study – Height/scale transition to the conservation areas

Social infrastructure and open space study has also been prepared for the precinct to review the existing community and open space facilities and provide a series of recommendations for additional facilities to support the needs of the increased population. GMU's review of the study shows that the Five Ways intersection is one of the few nodes in the precinct -similar to St Leonards Station Precinct- with a high-level of accessibility to a wide range of the existing facilities including community centres, primary and secondary education, health and emergency facilities (Pages 26-30 of the report). GMU considers additional consideration is needed of other sites as strategic sites for Crows Nest to enable site-specific testing to determine the appropriate scale and density.

Draft 2036 Plan Urban Design Study

This study underpins the Draft Plan. The study identifies constrained sites based on the following criteria:

- Heritage items and conservation areas
- Strata development with 8+ owners

The sieving process with only these parameters does not fully identify sites that are suitable for future development as key sites within 400-800m of the new station. The study identifies the 400m walking catchment but limits the development opportunities significantly to the south-east of the station only. Whilst the decision to retain the low scale character of Willoughby Road is supported, the low scale 'village' character can be maintained whilst supporting higher redevelopment to the east in areas of the existing centre currently either vacant sites or with low-grade existing development. Larger sites within this walkable catchment should be identified as opportunity sites and their final scale should result from a detailed master planning and design excellence process.

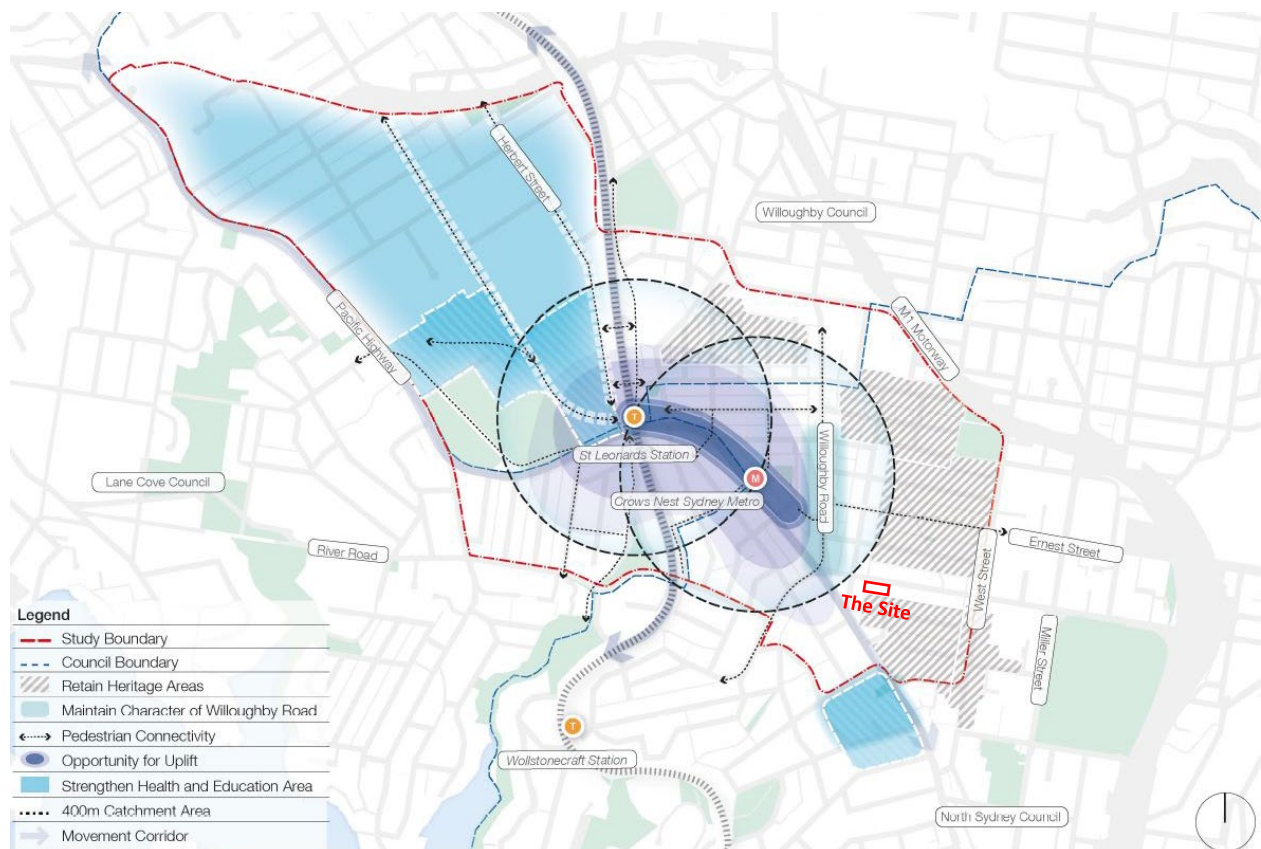


Figure 6. Stage 01 Opportunities (excerpts from Preliminary Urban Design Analysis Stage 01 by SJB)

To understand which sites can offer this increased capacity close to the new Metro Station, GMU has conducted a more detailed sieving analysis to show the genuinely constrained lands, (see Figure 7). These lands include:

- Heritage-listed items and conservation areas
- Existing development over 6 storeys
- Community uses including schools, hospitals, etc.
- Strata titled residential development with 16+ owners
- Strata titled commercial development with 50+ owners



Figure 7. Lands with limited development potential (source: GMU)

GMU has then developed the following diagram to illustrate the sites that are suitable for redevelopment in short to medium term including amalgamated sites into one ownership.



Figure 8. Lands are available for future redevelopment (source: GMU)

The diagram above shows that the known available sites are concentrated along the Pacific Highway corridor around the new Crows Nest Station and to the south-west of Pacific Highway and around Five Ways intersection. Best practice suggests the greatest density should be concentrated on sites within the 400m radius with a scale transition provided within the 400-800m catchment from these taller forms.

The potential massing model shows that little opportunity has been identified or given for the Crows Nest Area and Pacific Highway to the south where in fact more opportunity exists. The Draft Land Use and Activity Framework - p56- emphasises high to medium density development around transport nodes and employment which has not been optimised to the south of Crows Nest Station.



Figure 9. Potential built form massing (excerpts from Stage 02 Urban Design Study prepared by SJB)

The study recognises the importance of Five Ways intersection as one of the key intersections/activity areas which is in alignment with the rest of the supporting documents including the Green Plan and the infrastructure study which highlight the role of the junction as one of the main key meeting points for pedestrian and cycling links, the termination points of the main local and arterial links including a wide range of social amenity. However, the insufficient focus has been given to enhance and celebrate its role in the changing urban context. We think this is a missed opportunity to truly celebrate the intersection.

It is GMU's opinion that the intersection and the available/opportunity sites in its immediate surrounding context should be considered as 'Significant Sites' to deliver much needed public benefits and assist in accommodating the desired population increase and employment. We understand the desire to preserve the low-density heritage character along Willoughby Road and the conservation areas; however, through reviewing the principles of the preferred approach in the heritage study, we consider design mitigations are possible to enable uplift and achieve a harmonious interface between the heritage context and the new developments.

4. Draft Strategy in relation to the subject site

The subject site consists of 27-57 Falcon Street with a site area of approximately 4360 m². It is located approximately 450-500m from the new Crows Nest Station. The land is currently zoned B4 Mixed-use and is located on the southern point of the mixed-use/commercial spine of the precinct within close proximity to the Mater Health and Education Precinct. The subject site is located approx. 150m to the east of the Five Ways intersection. It is a consolidated site with single ownership which is ready and ideal for redevelopment.

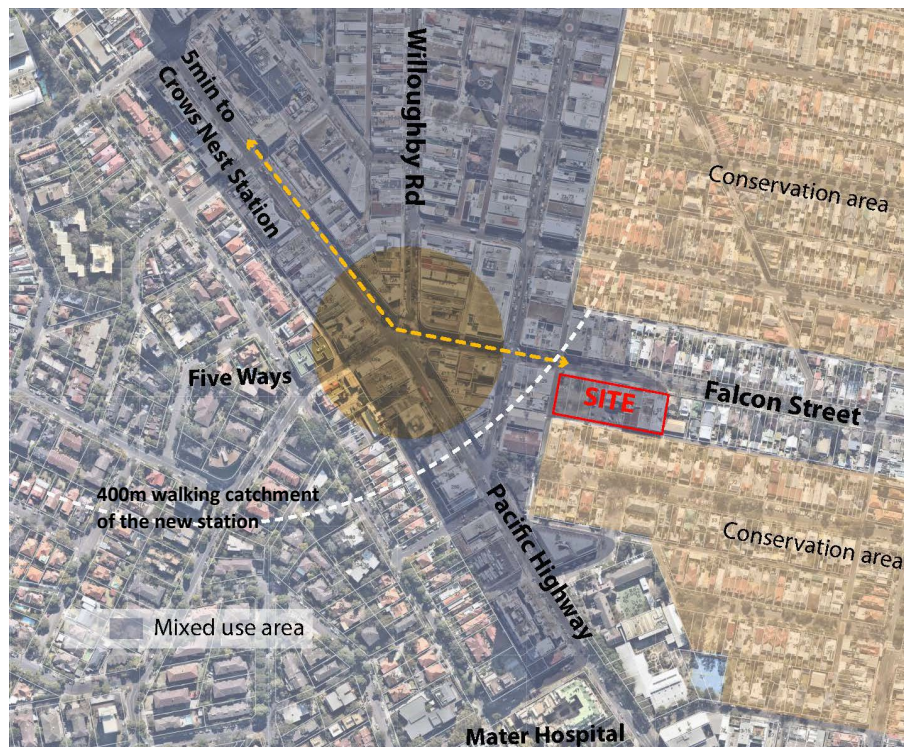


Figure 10. The location of the subject site

The subject site has a 100m frontage to Falcon Street. Falcon Street is identified as one of the major green and blue links connecting Crows Nest to surrounding recreational areas. There is an opportunity for the subject site to provide additional community benefits and enhance the green character of the street.

As discussed in the previous sections, the Draft Plan aims to respond to a number of key concerns in this area including the interface to the conservation areas to the south and north, potential overshadowing impacts to the lower density development to the south and ensuring solar access is maintained at a minimum of 3 hours as per the Draft Plan p26.

We support the principles to preserve the existing heritage areas and reasonable amenity. However, we consider that these principles are not contrary to some additional development potential for this site. The Draft Heritage Study has recommended a number of mitigation measures to deal with the potential future growth of the areas adjacent to the existing lower density areas including scale transition at the interfaces, breaking the built form, use of a podium level and slender upper level built forms to enhance the compatibility of any development and allow for the required solar access.

The draft strategy has identified the triangle site (at the intersection of Pacific Hwy and Falcon St) as a 'Significant Site' with a height potential around 17-18 storeys (according to the 3D illustration exhibited by DPE on the community session in Crows Nest). Such an approach will create a major built form emphasis only to the triangle site in a sea of low scale development (3-8 storeys) yet it is not the only focal site at this intersection. Guaranteeing

the height to only one site makes it far too dominant without balancing or transitional height around it, counter to the objectives of the plan.

In alignment with the Draft Plan, it is GMU's opinion that the subject site and other allowable sites close to the Five Ways intersection are able to contribute to the scale transition from Five Ways intersection to the lower density surrounds whilst celebrating the intersection, ridge line and termination of vistas. The site's predominant location and composition under one ownership offer greater opportunity for revitalisation with increased density to:

- Serve the mixed-use precinct by providing additional community facilities.
- Contribute to the role of Five Ways intersection to cater to its surrounding employment hub.
- To capitalise on the surrounding public transport nodes.
- Provide additional community benefit and improve the public domain within the precinct.
- Encourage redevelopment of poor quality, ageing stock and revitalise this end of Falcon Street.

Given the site's position and proximity to the conservation areas, we consider that this site is ideal as a 'Significant Site' to allow rigorous testing of built form opportunities that maintain reasonable amenity and transition to the heritage areas whilst also exploring opportunities to respond to the greater scale of the Five Ways intersection (as part of the transitional zone).

5. Conclusions and Recommendations

Supporting the vision and recommended principles for the future development of the area, it is GMU's opinion that the Draft Plan has not fully considered the development potential for sites closer to Five Ways and the southern part of the precinct to link the Mater Health Precinct into the broader strategy and to capitalise on the new transport infrastructure and transit-oriented centre.

The Draft Plan has identified the triangle site at the intersection of Pacific Highway and Falcon Street with a height range of 17-18 storeys in the latest 3D model, consistent with a taller desired future character for the junction. There are other opportunity sites around the junction - including the subject site which are also available for a short-mid term development and they also can contribute to the future growth of the junction. Allowing a 'Significant Site' status to such sites will result in a more balanced built form outcome by providing built form transition from the highest built form marker to the surrounding low-density context.

GMU strongly recommends that the Department of Planning review the built form strategy consider the subject site as a 'Significant Site' so its potential can be fully investigated.

GMU recommends that the following considerations are incorporated into the Final Plan:

- Support the existing social infrastructure and employment hub to the south of Crows Nest Station by providing additional density in the right locations (additional strategic site opportunities).
- Reconsider the role of Five Ways junction as a main activity destination and visual determination point.
- Reconsider the building height strategy along Pacific Highway to encourage redevelopment of available sites.
- Celebrate the role of Falcon Street as one of the main green & blue links by revitalising the opportunity sites along the street.

GMU recommends the subject site be nominated as a 'Significant Site'.