



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

7 February 2019

**Re: Town Planning Submission  
Exhibition of Draft Plan  
St Leonards and Crows Nest 2036**

Dear Sir/Madam,

I refer to the abovementioned draft plan that has been on public exhibition for a number of months and note that this draft Plan seeks to identify opportunities for the renewal and rezoning of land in St Leonards and Crows Nest whilst recognising fundamental planning issues for the local and broader communities.

I wish to advise that my firm acts on behalf of Hunters Hill Ventures Pty Ltd who is the owner of land at 437 – 441 Pacific Highway Crows Nest. While this submission is made on behalf of my client and their specific property, the contents within must be read in context with the broader changes proposed for this precinct.

The subject land comprises of three (3) irregular shaped lots, legally described as Lots 1-3 in DP 1079490, having a total site area of 461.6m<sup>2</sup>. The subject site is located on the north-eastern side of the Pacific Highway between Falcon Street and Hume Street and generally known as 437 – 441 Pacific Highway Crows Nest.

These properties consist of quite dated two (2) storey retail/commercial premises inclusive of a small arcade.

The majority of older style shops and commercial premises along this Pacific Highway commercial precinct are also dated and are in need of urban renewal to conform with the vision prescribed by the St Leonards and Crows Nest 2036 draft plan (2036 Plan) that seek to promote substantial urban change and complement the new Metro station.

A location map is provided at **Figure 1**, while a cadastral plan reflecting the site and surrounding subdivision pattern is provided at **Figure 2**.

An aerial photo of the site and surrounds is provided at **Figure 3** and a streetscape photo of the site looking north along the Pacific Highway towards the subject site is provided at **Figure 4**.

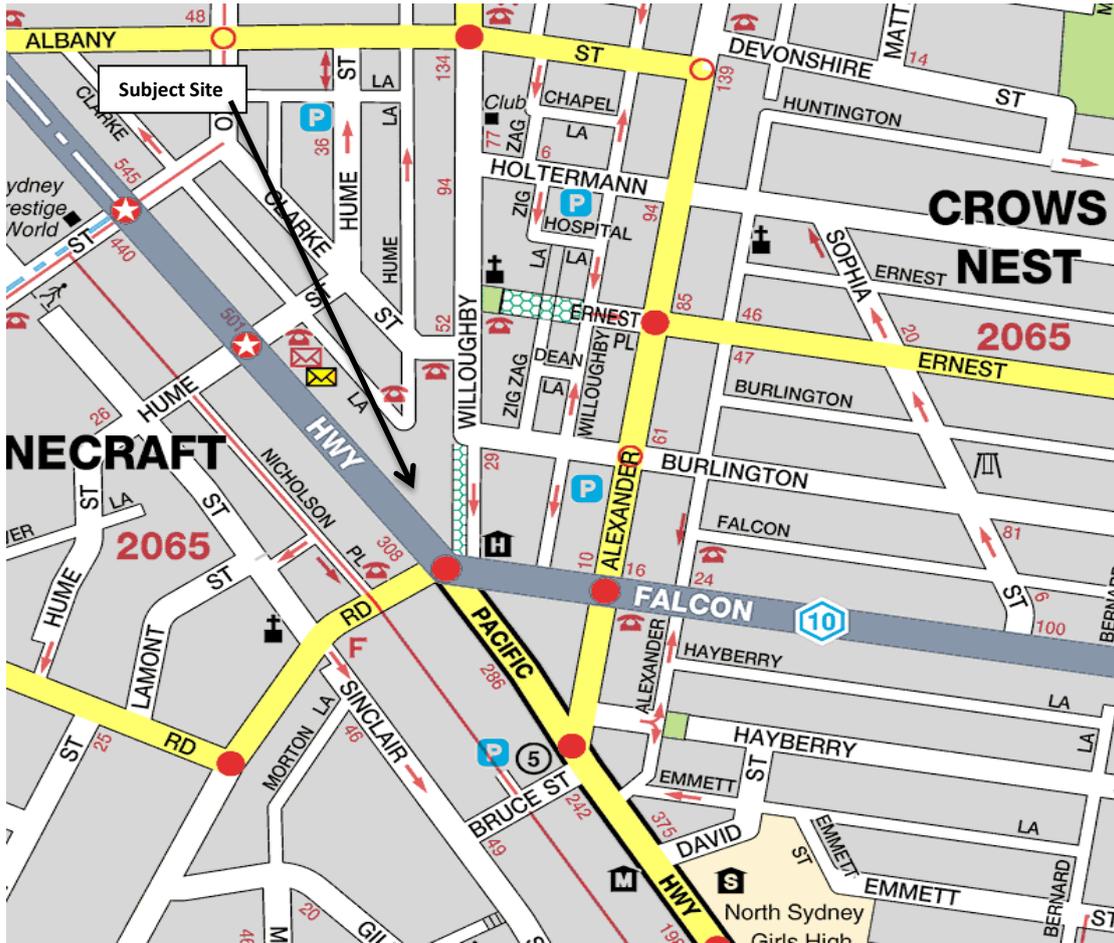


Figure 1  
Source: UBD



Figure 2  
Source: NSW Land Registry Services



Figure 3  
Source: Six Maps



Figure 4  
View North Along Pacific Highway Towards The Subject Site  
Source: Google Maps

### **Current North Sydney LEP 2013 Planning Controls**

The subject site is governed by the following planning controls:

- Zone - B4 Mixed Use under North Sydney LEP 2013;
- FSR – N/A;
- Building height – 10m or 3 storeys (approx.)

### **Proposed Numeric Planning Controls - St Leonards and Crows Nest 2036 Draft Plan**

The proposed numeric planning controls as identified by the 2036 Plan are set out as follows:

- Zone – B4 Mixed Use – No change
- Building height control – 8 storeys;
- FSR – 3.5:1
- Non-residential FSR – 2:1;
- 2 storey street wall;
- Nil setback to Pacific Highway

### **Submission**

My clients site is located approximately 100m south or a 4 minute level walk of the new Metro station, which demonstrates that the subject site is located in an ideal location to maximise usage of the new Metro and employment opportunities generated by the Metro.

Having regards to the draft controls set out under the 2036 Plan, my clients site is too small to be developed for a mixed use development on its own and as such my clients would rely on consolidating with neighbouring properties that have lots with a street frontage to the Pacific Highway. This approach would meet the vision identified by the 2036 Plan for the orderly development of land along the Pacific Highway.

As set out under the 2036 Plan, my client supports maintaining the current B4 Mixed Use zone for their site, particularly because of their sites close proximity to the proposed Metro and the need to promote quality mixed residential and commercial development in a precinct that is highly accessible to all public amenities and services.

The 2036 Plan concentrates high density development on most sites that have a frontage to the Pacific Highway with two (2) new 27 storey towers proposed over the Metro. To the south of the Metro towers, the 2036 Plan provides for building heights of 17 storeys and 8 storeys along the Pacific Highway. My client's site and adjoining properties are identified as being within the 8 storey precinct.

We believe the transition in height from 27 storeys to 17 storeys and then stepping down to 8 storeys does not provide for a sympathetic transition in building height. We say this because the proposed built form will drop 11 storeys, which in our view is excessive given the height controls about adjoining lots, rather than being separated by streets where in most instances there is less visual impact.

Having considered the visual fit of the future built form in this precinct, we believe a building height of 14 storey's for this precinct is a more reasonable response. Meaning, in this particular circumstance, future development inclusive of my client's site would step down towards the south, from 27 to 17 to 14 storeys.

Our design testing of increased shadow impacts as a result of the requested 14 storeys demonstrates no significant change in shadow, primarily because the shadow cast by the two (2), 27 storey tower buildings and the single 17 storey tower to the north of my clients site will cast shadow across the Pacific Highway of a morning and over my clients site of an afternoon. Additional shadow cast by future development of my clients site and adjoining/neighbouring properties along the Pacific Highway, will have no unreasonable shadow impacts on the Pacific Highway/Falcon Street or Willoughby Street or likely future buildings on the western side of the Pacific Highway. Further, because my client's site is located south of the Crows Nest Village, building heights of up to 14 storeys as requested by my client in this submission will also not generate any unreasonable additional shadow upon the Crows Nest Village during critical times of the day on the Winter solstice.

Development of land up to 14 storeys along the Pacific Highway, inclusive of my client's site will have no unreasonable visual impacts upon the Crows Nest Village in terms additional building bulk and scale when viewed from the core and edges of the Crows Nest Village. The building height requested by my client can only enhance the changing vista and streetscape and new built form along the Pacific Highway to complement the 27 storey towers above the new Metro.

We note the current North Sydney LEP 2013 does not provide an FSR control for my clients site or adjoining land but relies on the LEP height control and other non-statutory planning controls to control the bulk and scale of development whereby we note that the 2036 Plan seeks to introduce an FSR over my client's site and neighbouring properties of 3.5:1 of which a mandatory non-residential component of 2:1 is to be provided.

While my client is supportive of a non-residential FSR component of 2:1 for their site, the overall FSR for their site and neighbouring development sites will need to be increased to 5:1 to respond to the increased building height (14 storey's) sought by my client.

The 2036 Plan requires the subject site and adjoining land to provide the first two (2) storeys of any future development to consist of commercial floor space, which my client is supportive of as it will increase employment opportunities and provide greater economic benefits to the Crows Nest village.

My client also supports a nil setback design response to the Pacific Highway as it will assist to active the street, offer greater safety and promote public domain works along the footpath to enhance the aesthetics of the Pacific Highway retail strip.

In summary, the proposed increase in building height from 8 storeys to 14 storeys and FSR from 3.5:1 to 5:1 for my clients site and neighbouring properties fronting the Pacific Highway is consistent with State government policy to support growth in existing Centres by providing employment and housing opportunities, which in this instance will complement the new Crows Nest Metro and the transitional context that this precinct is about to undergo.

Should you need to discuss any of the above, please do not hesitate to contact my office.

Yours sincerely,



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