

CROWS NEST TOWN CENTRE



3.0.1 Significant elements

Land Use

- P1 Predominantly mixed commercial and residential development.
- P2 Public parking facilities.
- P3 Community facilities.
- P4 Medium density residential accommodation.
- P5 Passive and active recreational spaces.

Topography

- P6 Slight falls to the east and north east from the Pacific Highway which generally follows the ridgeline.

Natural Features

- P7 Ridge line following the alignment of Pacific Highway.

Views

- P8 The following views and vistas are to be preserved and where possible enhanced:
 - (a) Vista north along Willoughby Road and Pacific Highway.
 - (b) District views from the upper levels of taller buildings.

Identity / Icons

- P9 Crows Nest five ways intersection.



P10 Formalised outdoor dining on Willoughby Road, Burlington, Ernest and Holtermann Streets.

P11 Pacific Highway and Falcon Streets, major sub-arterial thoroughfares.

P12 Hume Street Park.

Subdivision

P13 Regular grid pattern interrupted by diagonal streets.

P14 Generally long narrow allotments with dual street frontages.

Streetscape

P15 In mixed use areas, buildings are built to the street and aligned with the street frontage.

P16 Continuous awnings provided for shops, cafes and other commercial uses.

P17 Wide footpaths with designated outdoor dining areas on Willoughby Road, Burlington, Ernest and Holtermann Streets.

P18 Landscaping provided along Willoughby Road to improve amenity for pedestrians and outdoor diners.

P19 Traffic calming and pedestrian crossings provided near shops and cafes on and around Willoughby Road.

P20 Irregular planting of street trees and shrubs.

Public transport

P21 Development is to take advantage of the Area's high levels of accessibility to public train and bus services.

3.0.2 Desired Future Character

Diversity of activities, facilities, opportunities and services

P1 Willoughby Road, between Falcon Street and Albany Street, and Pacific Highway, between Shirley Road and Hume Street, two storey parapet shopfront with shops at ground level, non-residential or residential above, with additional height set back above 2 storey parapet.

P2 Remainder of the Centre medium rise, mixed use development, boundary to boundary, with setbacks at laneway, public spaces and above podium - shops at ground level, non-residential/residential on first floor, residential above.

P3 Medium density residential development along Falcon Street.

P4 Provision of a large connected piece of open space connecting Willoughby Road to Oxley Street.

Accessibility and permeability

P5 Pedestrian access from Willoughby Road to through to Alexander and Hume Streets, improves access to the Council car parks.

Public spaces and facilities

P6 Ernest Place is a focus for the Town Centre.

P7 A significant urban park (Hume Street Park) is provided on land bound by Pole Lane, Oxley Street, Clarke Street and Hume Street.

P8 A public plaza with a pedestrian link to Willoughby Road is provided between Hume Street and Hume Lane adjacent to Hume Street Park.

3.0.3 Desired Built Form

Subdivision

- P1 Maintain a 10m - 15m frontage (consistent with two storey parapet shopfront scale), especially along Willoughby Road and Alexander Street.
- P2 Frontages of sites larger than this have their apparent width broken down with detailing and design features.

Setbacks

- P3 Zero setback to all street frontages
- P4 A 1.5m setback to all laneways.

Podiums

- P5 A podium of 13m (4 storey) to all streets with a setback of 3m above the podium level, with the following exceptions:
 - (a) A podium of 13m (4 storey) with a weighted average setback of 4m above the podium level to:
 - (i) the northern, eastern and southern frontages of the street blocks bounded by Falcon Street, Alexander Street, Holtermann Street and Willoughby Lane, and
 - (ii) the triangular street block bounded by Falcon Street, Alexander Street and the Pacific Highway.
 - (b) A podium of 8.5m (2 storey) with a setback of 3m above the podium to:
 - (i) Willoughby Road, between Falcon Street and Albany Street, and
 - (ii) Pacific Highway, between Shirley Road and Hume Street
 - (c) A podium of 10m (3 storeys) to all laneways, with a setback of 3m above the podium.

Building design

- P6 Consistent parapet facade heights are provided along Willoughby Road and the Pacific Highway.
- P7 Off-street car parking must be provided underground except when owned and operated by Council as a public car park.

Noise

- P8 Elevations of buildings fronting Falcon Street and Pacific Highway are to be designed and incorporate design features to minimise traffic noise transmission (e.g. the use of cavity brick walls, double glazing, minimal glazing, solid core doors, concrete floors, enclosed balconies etc).

Awnings

- P9 Awnings must be provided to all street frontages, except laneways.

Car accommodation

- P10 No vehicular access is permitted to:
 - (a) Willoughby Road, between Falcon Street and Albany Street, and
 - (b) Pacific Highway, between Shirley Road and Hume Street.
- P11 Shared vehicular access to Shirley Road must be maintained to all properties between 286 and 306 Pacific Highway.



3.0.4 Hume Street Park

Plan of Management

- P1 Development is not permitted on the Hume Street Park site:
- (a) until a Plan of Management has been prepared for the site; and
 - (b) the development is consistent with the Plan of Management.

Diversity

- P2 The principal purpose is to provide a large recreational area and urban plaza with a variety of community, recreational and business purposes provided below ground level.

Form, massing and scale

- P3 Development is predominately located below ground, to ensure that the land is highly accessible for pedestrians and can be actively used as a recreational space and urban plaza.
- P4 Any development located above ground shall not exceed 1 storey in height.

3.0.5 27-57 Falcon Street

3.0.5.1 Desired Future Character, Design Objectives and Key Principles

- P1 Development is to respond to the scale and character of the existing development and desired future character of the surrounding area.
- P2 Built form, scale and massing is to transition in scale across the site from a mixed use, higher density typology in the western portion reflective of the Crows Nest Town Centre to a lower to medium density residential typology on the eastern portion.
- P3 Development should balance the provision of new residential flat buildings within a Town Centre, while maintaining a reasonable level of amenity, privacy and solar access for low density neighbouring residents on Alexander Lane, Falcon Street and in the Hayberry Conservation Area.
- P4 A mixed-use typology with medium rise residential flat buildings built to the boundary with commercial on ground level at the corner of Falcon Street and Alexander Lane. A residential typology to the eastern part of the site along Falcon Street setback from the street, with multi dwelling housing fronting Hayberry Lane to respond to the existing scale of the Hayberry Conservation Area.
- P5 Built form to transition to the existing lower scale development in the Hayberry Conservation Area.
- P6 Road widening along Alexander Lane with pedestrian amenity and road widening with a landscaped response and pedestrian amenity to Hayberry Lane.
- P7 Vehicular access from Alexander Lane with two-way access from / to Falcon Street.
- P8 A secure pedestrian through site link between Falcon Street and Hayberry Lane.

3.0.5.2 Desired Built Form

Objectives

- O1 To provide for increased opportunity for height and density in the growing Crows Nest Town Centre, close to public transport and services.
- O2 Building envelopes are to respond to the site's surrounding context which transitions in character from the Crows Nest Town Centre to the lower scale Heritage Conservation Area on Hayberry Street.
- O3 To achieve appropriate separation distances between existing and proposed buildings and ensure reasonable privacy and solar access is maintained to surrounding dwellings, mindful of the need for renewal at the site.

- O4 To ensure appropriate building lengths, a variety of building facades and a 'fine-grain' response to the public domain.

Provisions

Building Height

- P1 The maximum height in storeys of any building must comply with the heights in storeys shown on the Site Layout Plan at Figure C-3.5 and the following provisions.
- (a) Building A - a maximum height of 6 storeys and stepping down in height to a maximum of 3 storeys at the Hayberry Lane frontage.
 - (b) Building B - a maximum height of 6 storeys and stepping down in height to a maximum of 2-3 storeys at the Hayberry Lane frontage.
 - (c) Building C - a maximum height of 4 storeys.
 - (d) Building D - a maximum height of 3 storeys with a maximum 2 storey presentation to Hayberry Lane, with the third storey generally accommodated within the roof form.
- P2 A site-specific LEP clause will allow minor exceedances of the LEP Height of Building control for plant and lift overruns only.

Street and Side Setbacks

- P3 Building setbacks must, at a minimum, comply with the setbacks shown on the Site Layout Plan at Figure C-3.5 and the following provisions.
- P4 The following minimum setbacks are required to Falcon Street:
- (a) Building A - 0m.
 - (b) Building B - 0m.
 - (c) Building C - 2m.
- P5 The following minimum setbacks are required to Hayberry Lane:
- (a) Building A - 3m
 - (b) Building B - 3m.
 - (c) Building D - 1.5m.
- P6 The following minimum side setbacks are required to 56-63 Falcon Street:
- (a) Building C - 4.5m.
 - (b) Building D - 1.5m.
- P7 Building A is to be setback a minimum of 6m from the existing centreline of Alexander Lane.

3.0.5.3 Residential Apartment Building Design

Objectives

- O1 Ensure that the residential apartment buildings consider and are consistent with the nine design quality principles within [SEPP 65 – Design Quality of Residential Apartment Development](#).

Provisions

- P1 The residential apartment building design is subject to the requirements of [SEPP 65 – Design Quality of Residential Apartment Development](#) including the *Design Quality Principles* and the *Apartment Design Guide*.



3.0.5.4 Site Coverage

Objectives

- O1 To ensure that development is balanced and in keeping with the optimum capacity of the site acknowledging its unique size and location within the Crows Nest Town Centre at the interface between business and residential zones that accommodates a mix of building typologies.
- O2 To achieve appropriate building envelopes that ensure the development responds to its surrounding context and provides appropriate open space and landscaped area for residents and visitors.

Provisions

- P1 The maximum site coverage for this site is 65%.
- P2 For the purposes of P1, the following items are considered to constitute site coverage:

- (a) buildings as defined by the [EP&A Act 1979](#);
- (b) garages and carports;
- (c) sheds;
- (d) enclosed / covered balconies, decks, pergolas and the like;
- (e) swimming pools, spa pools and the like;
- (f) other structures including:
 - (i) permanent BBQ structures;
 - (ii) cabanas;
 - (iii) external staircases;
 - (iv) gazebos;
 - (v) greenhouse/glasshouse;
 - (vi) plant rooms;
 - (vii) rainwater tanks;
 - (viii) ramps;
 - (ix) garbage storage facilities.

However, site coverage excludes:

- (g) any basement;
 - (h) any part of an awning that is outside the subject site;
 - (i) any eaves;
 - (j) unenclosed balconies¹, decks, pergolas and the like;
 - (k) paving and patios (porous and non-porous);
 - (l) driveways and car stand areas (porous and non-porous);
 - (m) water features; or
 - (n) anything else defined as landscaped area.
- P3 For the purposes of P1, the area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area and site coverage.

¹ Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.

3.0.5.5 Communal Open Space

Objectives

- O1 To provide high quality communal open space at ground level and on buildings with a reasonable level of outdoor amenity without reducing privacy to neighbouring dwellings.
- O2 To provide a level of communal open space commensurate with *Apartment Design Guidelines* that is mindful of the site's unique location and building typologies.
- O3 To ensure communal open space is useable.

Provisions

- P1 Communal open space is provided in the locations shown on the Site Layout Plan at Figure C-3.5.
- P2 Communal open space can be provided on the Building B rooftop only if the space is designed such that there is no potential for overlooking into private open space and its location will not create any noise issues for surrounding dwellings.

3.0.5.6 Landscaped Area

Objectives

- O1 To ensure that landscaping is used to provide appropriate amenity for development and soften the appearance of buildings and their interface with the neighbouring dwellings and the public domain.
- O2 To provide a level of landscaped area commensurate with *Apartment Design Guidelines* that is mindful of the site's unique location and building typologies.

Provisions

- P1 The minimum landscaped area for the site is 20%.
 - P2 For the purposes of P1:
 - (a) Landscaped area is considered to comprise all parts of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area²;
 - (b) The area of any access handle, access way or right of carriageway is to be excluded from the calculation of site area, landscaped area and un-built upon area; and
 - (c) the following items are considered to constitute un-built upon area:
 - (i) any part of a basement which does not comprise site coverage;
 - (ii) unenclosed balconies³, decks, pergolas and the like;
 - (iii) paving and patios (porous and non-porous);
 - (iv) driveways and car stand areas (porous and non-porous); or
 - (v) water features.
- However, un-built upon area excludes:
- (vi) anything else defined as site coverage; or
 - (vii) anything else comprising landscaped area.

² Landscaping located above a basement or on the roof of a building does not constitute "landscaped area".

³ Balconies which are open on more than 1 side and are not located under the roof line of the building or a balcony directly above.



3.0.5.7 Traffic, Access and Parking

Objectives

- O1 To regulate traffic movements and reduce congestion on Falcon Street.
- O2 To ensure that vehicular access is safe for motorists and pedestrians.
- O3 To facilitate road widening along Alexander Lane.
- O4 To facilitate road widening and the provision of a shared way along Hayberry Street.
- O5 To create a safe, accessible and shared laneway network.
- O6 To provide appropriate amount of basement parking spaces for residents, visitors and staff.

Provisions

- P1 Vehicular access to the site must be from Alexander Lane and be located as far as practicable from Falcon Street.
- P2 To facilitate vehicular access from Hayberry Lane, Alexander Lane is to be widened to allow for the provision of two-way traffic between Falcon Street and Hayberry Lane.
- P3 Provide on-site parking, including visitor parking at the maximum rates stated Table C-3.1.

TABLE C-3.1: Parking Rates		
Development type		Maximum Parking Rate
Residential accommodation	Studio / 1 bedroom	0.5 space / dwelling
	2 or more bedrooms	1.0 space/dwg 0
	Visitor	0.25 space/dwg
Non-residential development		1/60sqm of non-residential GFA

- P4 On-site car parking provision significantly below maximum rates specified in Table C-3.1 will only be considered if the proposed development has good access to public transport due to the impact that unmet on-site parking demand may have on surrounding residential streets, if viable alternative transport modes are not available.



3.0.6 270-272 Pacific Highway, Crows Nest

3.0.6.1 Desired Future Character, Design Objectives and Key Principles

- P1 Development is to respond to the desired future character of the surrounding area and the site as established by the *St Leonards and Crows Nest 2036 Plan*.
- P2 Development should include appropriate design measures to mitigate visual and solar impacts to residential properties to the southwest.
- P3 The built form and massing are to transition in height and scale towards the existing lower scale residential development to the west of the site.
- P4 Landscaped podiums and terraces are to be incorporated within the design and used to provide high amenity to future occupiers and employees as well as mitigating and softening impacts, particularly to the south-west.
- P5 Vehicular access is to be provided from Bruce Street.
- P6 Avoid a "wall effect" along Pacific Highway by providing appropriate design measures including setbacks and articulation along the eastern facade.

3.0.6.2 Desired Built Form

Objectives

- O1 To provide sufficient commercial floorspace to support increased job density and economic activity within the St Leonards and Crows Nest precinct.
- O2 To implement the built form controls envisioned for the site under the *St Leonards and Crows Nest 2036 Plan*.
- O3 To provide a building with massing and articulation that responds to the site's surrounding context and retains solar access to adjoining residential properties in accordance with the *St Leonards and Crows Nest 2036 Plan*.
- O4 To ensure appropriate building articulation and treatment to the public domain.
- O5 To facilitate a degree of below ground level floor space that does not impact on the height, bulk or scale of the future building.

Provisions

Building Height

- P1 The maximum number of storeys for the site is 13 storeys above the ground level and 54 metres.
- P2 The building shall incorporate a 3 storey podium which relates to the adjoining heritage item (Former North Shore Gas Co office (I0150)) at 286-288 Pacific Highway, Crows Nest.
- P3 The building height should step away from the west and southwest boundary to ensure solar access is retained to the residential properties at 51-77 Sinclair Street, Wollstonecraft (for a minimum of 2 hours between 9am and 3pm) as well as provide a degree of physical separation to reduce the level of visual impact.
- P4 Any variation to the height limit as foreshadowed by clause 5.6 of the North Sydney LEP is to represent no additional visual or solar impacts to surrounding and nearby land and its occupants.

Note: Clause 5.6 of the LEP allows for exceedances of the LEP Height of Building control for architectural roof features which can include plant, lift overruns and the like.

Street and Side Setbacks

- P5 The minimum building setbacks are as shown below.
- P6 The following minimum setbacks are required for all parts of the building above the basement at the podium level:
 - (a) Frontage to Pacific Highway - 0m.

- (b) Western boundary (rear) – 6m
- (c) Northern boundary – 0m
- (d) Southern boundary – 0m.

Upper-Level Setbacks

P7 The following minimum above podium level setbacks are required:

- (a) Northern and southern boundaries – 3m above 3 storeys
- (b) Western (rear) boundary – 8m-10m above 3 storeys.

Note: The above minimum building setbacks are illustrated in the Site Layout Plan at Figure C-3.6.

3.0.6.3 Basement Floor Area

Objectives

- O1 To ensure additional gross floor area provided below ground level permitted under the site-specific LEP provision retains an appropriate level of amenity.

Provisions

- P8 An atrium is to be provided on the ground floor to allow sunlight through to lower ground floor areas.

3.0.6.4 Open Space

Objectives

- O1 To provide high quality open space for occupiers of the development.
- O2 To ensure open space is useable.

Provisions

- P1 Podium/terrace areas are to be designed as open space for use by occupiers of the building as employee break out areas. Such space may be assigned for the exclusive use of the occupier(s) of particular parts of the premises.
- P2 Key areas of open space should be oriented away from the busy environment of the Pacific Highway.
- P3 Open space is to be useable noting the primary user of these areas is likely to be employees on their breaks.
- P4 Privacy impacts arising from the location and design of open spaces to the adjoining and nearby residential properties are to be appropriately mitigated and managed.

3.0.6.5 Landscaping

Objectives

- O1 To ensure that landscaping is used to provide appropriate amenity for tenants of the development.
- O2 To ensure that landscaping is used to soften the appearance of buildings and their interface with the neighbouring dwellings and the public domain.

Provisions

- P1 There is no minimum landscaped area or deep soil area requirements for the site, due to the functionality of the vehicular laneway and nil side and front setbacks prescribed under the *St Leonards and Crows Nest 2036 Plan*.
- P2 Podium/terrace areas are to include landscaped elements including planter boxes with appropriate dimensions to facilitate mature vegetation.

- P3 Existing street tree planting along the Pacific Highway is to be retained and enhanced. A schedule of plant species is to be submitted with any development application on the site for Council's approval.
- P4 Landscaping should be integrated adjacent to the private laneway to soften the appearance of the proposed building from adjoining residential properties.

3.0.6.6 Traffic, Access and Parking

Objectives

- O1 To ensure that vehicular access is safe for motorists and pedestrians.
- O2 To ensure the existing private laneway (under right of carriageway X129789) is retained for shared use by both the future building on the site and the benefited residential properties.
- O3 To provide an appropriate amount of basement parking spaces noting that the area is highly accessible via public transport and is within 400m of the Crows Nest Metro Station.

Provisions

- P1 Vehicular access to the site must be from the private laneway which connects to Bruce Street.
- P2 Vehicular access to the rear of the benefiting residential properties to the west on Sinclair Street, Wollstonecraft via the private laneway is to be retained.
- P3 Bicycle parking and facilities is to be provided in accordance with Part B Section 10 of this DCP.
- P4 Notwithstanding Part B, Section 10 of this DCP, a maximum provision of car parking of 1 space per 113m² is applicable. Given the site's proximity to the location of the Crows Nest Metro station, and it being a purely commercial use, a lower provision of car parking is strongly encouraged.

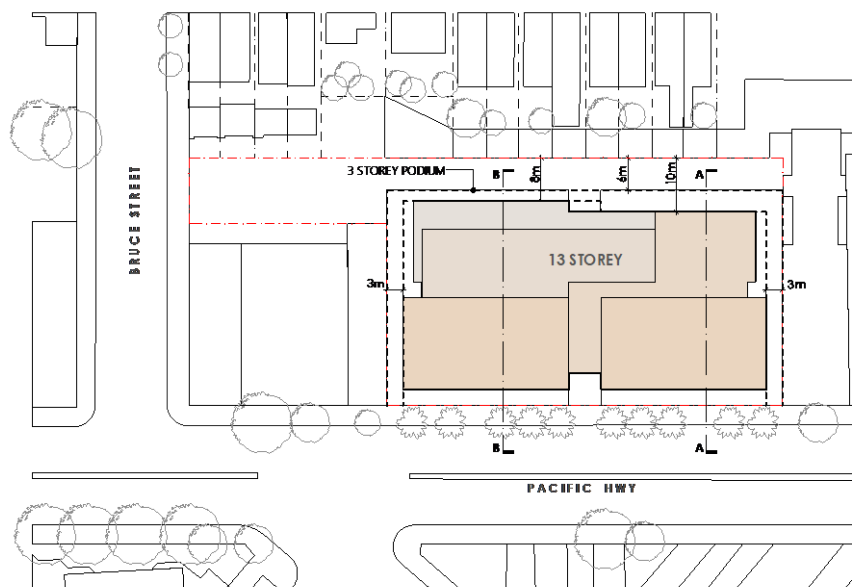


Figure C-3.6: Site Layout Plan

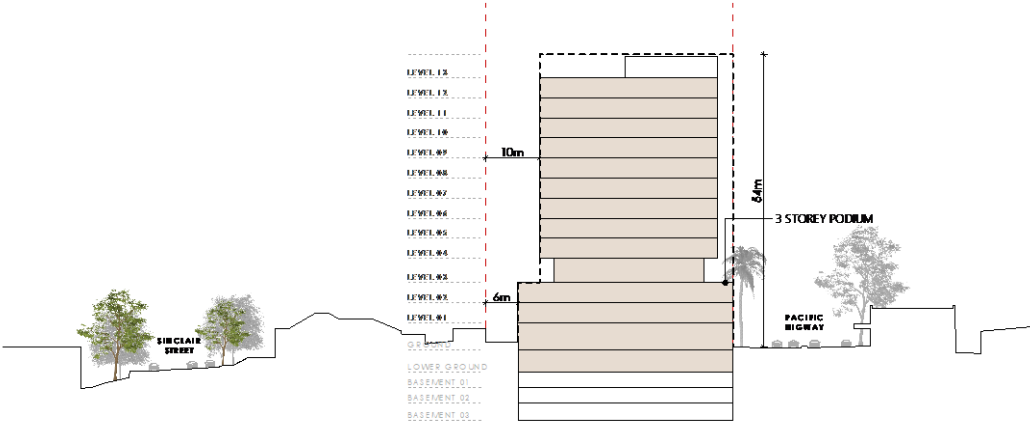


Figure C-3.7: Section A

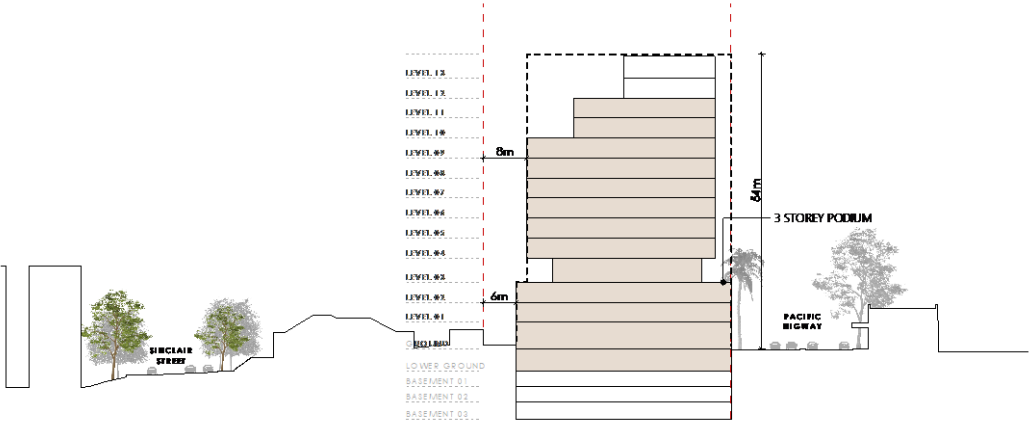


Figure C-3.8: Section B