

## **Appendix H**

### **Planning Proposals and S9.1 Ministerial Directions**

#### **The Five Ways Triangle, Crows Nest**

Lands bound by the Pacific Highway, Falcon and Alexander Streets, Crows Nest

## REPORT REVISION HISTORY

Revision	Date Issued	Revision Description	
01	1/12/2020	Final Version	
		<b>Prepared by</b>	<b>Verified by</b>
		Lucy Langley Senior Project Planner	Stephen Kerr Executive Director

### Disclaimer

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## 1. SUMMARY OF NORTH SYDNEY COUNCIL PLANNING PROPOSALS

Table 1 Planning Proposals within Planned Precinct submitted to the Department within last 5 years

Property Address	LGA	Description	Key Dates / Status
23 - 35 Atchinson St	North Sydney	Proposal to increase maximum building height from 20m to 56m, increase minimum non-residential FSR from 0.6:1 to 1.5:1 and introduce maximum FSR of 6.3:1.  These amendments permit the proposed concept of a 16-storey mixed-use development, comprising residential apartments and retail and commercial space.	Gateway Determination: 21 December 2018  Current Status: Finalising
100 Christie Street	North Sydney	Proposal to increase maximum building height from 49m to 132m, introduce maximum FSR of 18.1:1, introduce minimum non-residential FSR of 4.25:1 and Shop Top Housing as an Additional Permitted Use.  These amendments permit the proposed concept of a six-storey retail and commercial podium and 30 storey residential tower above.	Gateway Determination: 29 August 2018  Current Status: Post exhibition.
617 - 621 Pacific Highway	North Sydney	Proposal to make Shop Top Housing a permissible use, introduce maximum FSR of 25.4:1 and minimum non-residential FSR of 4.7:1 and increase maximum building height from 49m to 175m.  These amendments permit a six-storey podium comprising retail, commercial and community spaces and resident's sky garden, with a 43-storey residential tower above.	Gateway Determination: 25 October 2017  Current Status: Made (28 June 2019)
575 - 583 Pacific Highway	North Sydney	Proposal to increase maximum building height from 26m to 56m and introduce maximum FSR of 7.0:1.  These amendments permit the concept proposal of a mixed-use building comprising a podium and tower.	Gateway Determination: 25 May 2017  Current Status: Finalising
31 - 33 Albany Street, Crows Nest	North Sydney	Proposal to increase maximum height of buildings from 13m to 26m and introduce FSR of 4.27:1.  These amendments permit the concept proposal of an eight-storey mixed-used building.	Gateway Determination: 28 January 2016.  Current Status:

		A DA was lodged in September 2016 for the demolition of existing structures and construction of an eight-storey mixed-use development. Several Section 4.55 modification applications have been lodged for the site.	Made (25 November 2016).
St Leonards over-rail Plaza	Lane Cove	Proposal seeks to include the site within Schedule 1 of the LEP to permit the construction of a deck on land above the railway corridor.  This amendment permits the concept proposal of a public open space plaza for the local community.	Current Status: Under assessment by DPIE.
75 - 79 Lithgow Street and 84-90 Christie Street	Lane Cove	Proposal to rezone the site from B3 Commercial Core to B4 Mixed Use, increase maximum building height from 65m to 144m and increase FSR via an incentive bonus scheme.  These amendments permit the concept proposal of a mixed-use development comprising two residential 'elements' and a retail podium.	Gateway Determination: 21 October 2015 Current Status: Made (1 December 2017)

Table 2 North Sydney Planning Proposals - not yet submitted to Department

Property Address	Description	Status
27-57 Falcon Street, Crows Nest (PP6/19)	Proposal seeks to rezone site from B4 Mixed Use to R4 High Density Residential, increase maximum building height from 10m to part 14.5m and part 24.5m, introduce FSR of 1.85:1, remove non-residential FSR and add 'retail' as an Additional Permitted Use.  These amendments would permit the concept proposal of three Residential Flat Buildings between three- to six-storeys and eight three-storey townhouses, with retail premise ground floor uses.	Under consideration by North Sydney Council (2020).
50-56 Atchison Street, St Leonards (PP3/18)	Proposal seeks to increase maximum building height from 20m to 57.9m, increase non-residential FSR from 0.6:1 to 1.7:1 and introduce FSR of 6.4:1.  These amendments would permit the concept proposal of a mixed-use development, comprising retail and commercial space and residential apartments.	Lodged with North Sydney Council (2018).

## 2. CONSISTENCY WITH S9.1 MINISTERIAL DIRECTIONS

Table 3: Consistency with S9.1 Ministerial Directions.

Direction Title	Consistency	Comment
<b>Employment and Resources</b>		
1.1 Business and Industrial Zones	Yes	The planning proposal promotes employment growth and supports the viability of the St Leonards and Crows Nest Planned Precinct. The planning proposal will promote employment growth in a suitable location with additional commercial floorspace
1.2 Rural Zones	N/A	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable
1.4 Oyster Aquaculture	N/A	Not applicable
1.5 Rural Lands	N/A	Not applicable
<b>Environment and Heritage</b>		
2.1 Environment Protection Zones	N/A	Not applicable
2.2 Coastal Protection	N/A	Not applicable
2.3 Heritage Conservation	Yes	The planning proposal and the supporting Heritage Impact Statement ( <a href="#">Appendix I</a> ) has considered its impact on the heritage items within the vicinity of the site. The design concept seeks to ensure the built form is sympathetic to the heritage buildings, taking its cues from the existing streetscape at podium level. The planning proposal does not include the changes to any planning controls affecting a heritage item or change to a heritage conservation area and the Heritage Impact Statement concludes the proposal is supportable from a heritage perspective.
2.4 Recreation Vehicle Areas	N/A	Not applicable
2.6 Remediation of Contaminated Land	Yes	The planning proposal will involve the change of use of land and has considered the whether the land is contaminated by undertaking a preliminary contamination study.
<b>Housing, Infrastructure and Urban Development</b>		
3.1 Residential zones	Yes	The planning proposal encourages a variety of apartment types with appropriate access to infrastructure and services.

Direction Title	Consistency	Comment
		The planning proposal demonstrates appropriate built form whilst minimising the impact of residential development on the environment.
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable
3.3 Home Occupations	N/A	Not applicable
3.4 Integrating land use and transport	Yes	The planning proposal will enable commercial, retail and residential development in close proximity to jobs and services encouraging walking, cycling and use of public transport. The delivery of the planning proposal in a timely manner will ensure that new development and infrastructure are delivered in a collaborative timeframe.
3.5 Development Near and Regulated Airports and Defence Airfields	N/A	Not applicable
3.6 Shooting Ranges	N/A	Not applicable
Hazard and Risk		
4.1 Acid sulphate soils	N/A	The site is not located on acid sulphate soils. Accordingly, Direction 4.1 is not applicable.
4.2 Mine Subsidence and Unstable Land	N/A	Not applicable
4.3 Flood Prone Land	N/A	The site is not located within flood prone land. Accordingly, Direction 4.3 is not applicable.
4.4 Planning for Bushfire Protection	N/A	The site is not located within a Bushfire prone area. Accordingly, Direction 4.4 is not applicable.
Regional Planning		
5.1 Implementation of Regional Strategies	Yes	The planning proposal will be consistent with this Ministerial Direction.
5.2 Sydney Drinking Water Catchments	No	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable
Local Plan Making		
6.1 Approval and Referral Requirements	Yes	This direction is a requirement for Council.
6.2 Reserving Land for Public Purposes	Yes	This direction is requirement for Council.

Direction Title	Consistency	Comment
6.3 Site Specific Provisions	Yes	The planning proposal will be consistent with this Ministerial Direction.
Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney	Yes	Refer to Table 9 <b>Error! Reference source not found.</b> of the planning proposal for detail.
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	Yes	The planning proposal is entirely consistent with the vision, objectives, actions and urban design principles of the St Leonards and Crows Nest 2036 Plan. Detailed consideration of the 2036 Plan is outlined throughout the planning proposal which is the result of the development of the indicative built forms outlined in the 2036 Plan to achieve an appropriate development which is consistent with 2036 Plan's overall vision to encourage growth within the Planned Precinct.