

11 June 2026

Dear Panel Members

RE: OBJECTION TO MODIFICATION 5 OF THE MIXED USE DEVELOPMENT AT FIVE WAYS, CROWS NEST

I object to the proposed increase in height for this development.

The Developer has received multiple, significant height uplifts since its initial application for development. From historically a low rise commercial building to 10 storeys (under the North Sydney LEP). Then to 16 storeys (under the St Leonards and Crows Nest 2036 Strategic Plan). Then to 22 storeys under State Significant Development including Affordable Housing. Another height uplift under Modification 2 of the Approved Development. Now, yet another request for height uplift. It is unacceptable that the developer continues to come back to the Department of Planning for further height uplifts.

The Development Plan approved by the Minister in December 2023 allowed for a Building Height of 58.2m with an additional 2m overrun for lift and rooftop plant bringing the approved height to 60.5m. This should be an absolute red line that the developer should not be allowed to cross.

Since that approval, which was strongly objected to by the community, the Developer has requested further increases in building height, with the latest request (Modification 5) for another 1.32m in height. This effectively adds another storey to this development when combined with prior "minor" increases.

This development breaches the arguments put to the Crows Nest community that Transport Oriented Development would be centred around the Crows Nest metro station and stepped down into residential areas and that development would provide community benefits.

Through multiple modification applications this developer has undermined the community consultation process and flouted ministerial directions with a substantially modified proposal that has removed virtually all community benefit. To give a single example, communal open space has effectively been removed with the purported public space on the roof now only for residents, not the wider community.

Please listen to the voice of the community with respect to this development and take into consideration the cumulative impact of changes to this development including multiple height increases.

There has been no revised assessment of the impact of the overshadowing of this building on the surrounding residential area, including the historic low rise Holtermann estate / Hayberry Precinct located within the area overshadowed by this development. At a minimum, revised shadow diagrams for this building should be provided for assessment.

From a personal perspective, my property will be directly overshadowed by this building with access to sunlight restricted during winter hours. The proposed increase in height will add

further to this overshadowing. I would highlight that that the original shadow diagrams provided by Turner Architects in 2023 did not accurately represent the impact of overshadowing of my property. They were drawn incorrectly to show overshadowing of the public street area when in fact the overshadowing was on my land. The proposed height increase will add to the overshadowing of my property and residential properties in the larger Holtermann estate community including the North Sydney Girls School open play area during winter. I would respectfully request that new shadow diagrams are obtained for the purposes of accurately assessing the impact of this development on the surrounding community, particularly the Holtermann estate area.

Please do not allow another increase in height for this building. It is already too high and overdeveloped.

Yours sincerely

Glenda McLoughlin

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