

**SSD-66826207 – Fiveways Site including affordable in fill housing.**

Submission by: Pierre Benjamin

**I OBJECT to this application.**

The site has already been the subject of significant uplift in height and floor space as a result of the government-led 2036 Plan gazetted on 29 August 2020.

The applicant has since submitted two planning proposals, the result of which was an amendment to the North Sydney LEP (2013) for a mixed-use top shop development with a maximum FSR of 5.8:1, a minimum non-residential FSR of 2.5:1 and maximum building height of 58.5m. The amendment was dated 6 December 2023.

It should be noted that the department of planning asked for and received from the government architect, advice on the most appropriate development including height for the site. The height recommended was 16 storeys. The ink is hardly dry on the recent amendment to the LEP and now we have been presented with an application for a 22-storey tower having a FSR of 7.54:1 taking excessive advantage of the very generous SEPP bonus provisions for affordable housing. There is no strategic basis for this change given the Department of Planning's own work has set a significantly lower height for this site. The drive to approve and later build affordable housing is understood but to add more height to this site which underwent a rigorous review, is not the way to proceed.

The 2036 Plan had a basis of maximum height at the two stations with transition down to lower heights as developments got closer to lower height residential and conservation areas. This proposal as presented with a maximum height of 78.65 metres (RL176.00) ignores that strategic planning which supports the 2036 Plan. It is across Falcon Street from the low height Crows Nest Hotel, is within a stone's throw of the Holtermann Conversation area and looks down on the North Sydney Girls High School. It is a non-compliant and inappropriate proposal in this regard.

The 2036 Plan addresses affordable housing and recommends affordable housing be provided within the uplifted heights and leaves it to Councils to do so via their own government approved Local Housing regime of strategies and plans. It is possible and I suggest, enforceable by way of the 2036 Plan to insist on inclusion of some affordable housing within the approved number of storeys. The government should support the 2036 Plan and abandon SSD applications for extra height within the 2036 Plan area.

Impacts of this proposal are:

- Extreme overshadowing of properties both inside and outside the Plan area
- Additional wind impacts resulting from the extra 20 metres in height
- Additional adverse view impacts from the additional bulk and scale of the building. The extra surface area is estimated at 3,300 sqm
- Additional reflection from the additional surface area of the building



- Increase in traffic will impact on Crows Nest by adding to congestion in Alexander and Burlington Streets. The fact that the existing crossing on Falcon street won't be an issue is because the traffic lights will as they do now, favour the bi-directional flow along Falcon Street. Alexander street will be a nightmare because there will be more traffic wanting to either left turn, right turn or go straight ahead.
- Construction traffic, particularly during excavation will be extreme with parking of trucks in local streets taking up residential parking. This will be an impossible situation.
- No contribution is offered from the applicant or from government to address the critical shortage of open space in Crows Nest or to provide other amenity. Every claim that the applicant has made in the proposal about public amenity within the through walk-ways in the three level podium is not exclusive to the height of this new proposal. It would be the same for a 16 storey proposal having a three level podium.

The proposal should be refused.

  
Signed

05/06/2024  
Date