



30 September 2024

Ms Anthea Sargeant
Executive Director
Key Sites and Regional Assessments
Department of Planning, Housing, and Infrastructure

SB (P&E)

Sent via Planning Portal

Dear Madam

Re: Amended Proposal SSD-66826207 - Mixed-use Development - 391-423 Pacific Highway, 3-15 Falcon Street and 8 Alexander Street, Crows Nest (Five Ways)

I refer to the recent notification of amended plans and documents for the proposed mixed-use development at Five Ways Crows Nest.

Council has reviewed these documents and offers the following comments which should be read as an addendum to Councils original submission dated 6 June 2024:

Affordable Housing

Council welcomes the increase in provision of affordable housing from 33 to 48 units.

Building Height

Council notes the increase in building height with no increase in the number of stories arising from the need to achieve a 3.200 metre floor-to-floor height to meet construction requirements. However, this increases building height from 78.650m to 80.305m.

Building height remains a key issue and Council objects to any increase in building height. Building height should comply with the provisions of NSLEP 2013.

Proposed Advertising Signage

Council welcomes the deletion of the proposed advertising signage.

Proposed parking spaces.

The current amended proposal maintains 327 spaces, exceeding DCP limits by approximately 170 spaces. This excess would increase traffic and excavation impacts.

In 2023, Council revised DCP parking requirements to ensure appropriate on-site parking levels, considering proximity to sustainable transport options like Metro and existing railway stations. As the site falls within a DCP-identified high accessibility area, the proposed parking provision should be reduced to reflect Public Transport Accessibility Levels, not just dwelling type and land zoning.

Council notes that the proposal otherwise remains materially unchanged in intent and outcome to that originally submitted to the Department for assessment.

Council offers the following comments regarding the proposals compliance with provisions of the Draft Crows Nest Transport Orientated Development (DCNTOD) rezoning proposal:

Reduce the proposed building height to sixteen storeys as mandated by current NSLEP 2013 provisions.

The DCNTOD mandates affordable housing contributions for all new residential developments within the precinct, with no additional affordable housing incentives available.

Provide 15% affordable housing in perpetuity.

The Draft CN TOD requirements should prevail in this instance over provisions within the SEPP Housing 2021.

Council therefor maintains its objection to this development proposal being approved.

Yours sincerely



Stephen J Beattie
Manager Development Services