



10 December 2024

Amy Watson
A/Director Social & Affordable Assessments
Department of Planning, Housing and Infrastructure

via email: [REDACTED]

Dear Amy,

**Five Ways Crows Nest Mixed Use Development (SSD-66826207)
Questions on Notice and Request for Information**

I refer to the State significant development application for the Five Ways Crows Nest Mixed Use Development (SSD-66826207) (**Application**), currently before the Independent Planning Commission (**Commission**) for determination.

Following the Commission's Stakeholder Meeting with the Department of Planning, Housing and Infrastructure (**Department**) on 5 December 2024, the Commission is seeking a response to the following matters which were taken on notice by the Department:

1. Council has provided a [recent Land and Environment Court judgment](#) to the Commission for a development at 286-294 Pacific Highway, Crows Nest in which the Court considered the *St Leonards and Crows Nest 2036 Plan* and the *Explanation of Intended Effect, Crows Nest Transport Oriented Development Precinct*. Noting the Council's assertions in the [transcript of Council's meeting](#) (pages 6 and 7) with the Commission regarding the implications of the judgment, is there any change to the Department's consideration of these plans and assessment of the Project?
2. Please confirm if the Department is satisfied that the provision of 190 residential parking spaces does not require any of the parking spaces to be included in the calculation of Gross Floor Area (GFA) as per the definition of GFA included in the *North Sydney Local Environmental Plan 2013*.
3. Is the Department satisfied that the cumulative traffic impacts resulting from both the Project and the anticipated future precinct of Crows Nest have been adequately assessed?

Additionally, the Commission is seeking further information on the following matter:

4. Please confirm the maximum number of apartments sharing a single lift (given the proposal includes three residential lifts and 188 apartments) and whether the Applicant's Vertical Transport Advice (dated 23 February 2024) is still applicable, given changes to the number and mix of apartments made by the amended application.

The Commission requests that the Department provide a response by **5pm on Tuesday, 17 December 2024**.



New South Wales Government
Independent Planning Commission

Should you require any clarification in relation to the above, or wish to discuss further, please contact Brad James at [REDACTED] or at [REDACTED].

Yours sincerely,



Stephen Barry
Planning Director