

16 December 2013

Mr Craig Wrightson
General Manager
Lane Cove Council
48 Longueville Road,
LANE COVE NSW 2066

Attention: Stephanie Bashford, Manager—Strategic Planning

VIA EMAIL sbashford@lanecove.nsw.gov.au

Dear Mrs Bashford,

Re: St Leonard's Town Centre – Addendum No.2 to Planning Proposal

1 Background

On behalf of our clients Charter Hall and Leighton Properties, owners of the properties at 504-520 and 472-486 Pacific Highway, and 95 Nicholson Street, St Leonards, we request that this letter be considered as a further Addendum to the Planning Proposal submitted to Council in October 2013.

Prior to the release of the officer report, we submitted an Addendum to our Planning Proposal (by letter of 5 December 2013) to amend the concept plan for the Charter Hall building (504-520 Pacific Highway) to comprise 4 podium levels of retail/commercial and accordingly increase the proposed building height from 135m to 138m (Addendum No.1). This reflected what we understood the officer report would recommend in terms of the minimum provision of 4 levels of retail/commercial space at the lowest levels of the Highway fronting buildings.

2 Council Officer Report

We have now had the opportunity to review the Council officer report on our Planning Proposal. Firstly we would like to clarify that the report incorrectly stated the Charter Hall building would be taller in storeys than the Forum, we advise that the proposed storeys will be equivalent in both buildings.

Secondly, we refer to Recommendation 1(i) of the officer report states that: *all buildings are to have a four-level retail/commercial podium*. This recommendation differs from what we had understood in prior discussions with Council and has arisen not from recommendations from Council's independent economic advisors but rather from discussions with neighbouring Council's in St Leonards Centre and the Department.

We have considered the Council Officers report and particularly the desire for 3 of the lower residential levels in the rear tower on the Leighton site to be converted to commercial. As an alternative, we request that Council consider, as part of an amendment to the Planning Proposal, the provision of 6 levels of commercial within a podium that fronts the Pacific Highway. This approach will ensure that the proposal meets Council's objectives for the provision of office space while at the same time reinforcing the character of St Leonards as a commercial centre.

3 Alternate Approach

The benefits of concentrating the commercial floorspace within a podium that fronts the Pacific Highway and sits beneath the Leighton Properties tower 2, are as follows:

- A purpose built, large floorplate office podium will provide enough floorspace over 6 levels (G+5) to ensure that approximately one half of the sites existing job capacity will be retained.
- The proposal will ensure that the office will have a prominent address with high visibility. This will strengthen the commercial viability of the office component.
- The proposal will reinforce the character of St Leonards as a commercial centre.
- It will achieve a street wall height consistent with the existing pattern in the centre including the existing Leightons House building.

Accordingly, the table below summarises the updated amended statutory changes sought by this Planning Proposal, taking into account additional commercial floorspace and corresponding increase in building height.

TABLE 1 – ALTERNATE APPROACH

PROPERTY	PROPOSED ZONING	PROPOSED HEIGHT	PROPOSED FSR	RETAIL/COMMERICAL STOREYS
486 Pacific Highway (Tower 1 – rear of site)	B4 Mixed Use	115m (115m original proposal)	No change	1 storey (1 storey original proposal)
472 Pacific Highway (Tower 2 – Highway fronting)	B4 Mixed Use	91m (85m original proposal)	No change	6 storeys (4 storeys original proposal)

4 Consequences of Proposed Changes

The architect has examined the shadow impacts of this change and has confirmed that the shadow impact arising from the additional proposed building height storey is negligible, and thus a minimum of 4 hours of sunlight access would still be afforded to all residential properties affected by the proposal during the worst case mid-winter scenario **which exceeds the SEPP 65 requirement**. A copy of the updated diagrams is attached.

The additional 2 storeys to Tower 2 fronting the highway to accommodate additional commercial floorspace required by Council will have a minor visual impact given the large scale of the buildings.

From an urban design perspective, the increase in building height will still maintain the notional “arc” of building heights stepping down from 38 storeys to 27 storeys, reinforcing the buildings as visual markers of the core of the urban centre.

5 Summary and Amended Recommendation

The proponents have worked constructively with Council staff throughout this process and are willing to accept the request for further changes as required in order to achieve a site-specific Development Control Plan.

Adopts the proposed changes would stimulate redevelopment and positively contribute to an enhanced streetscape amenity and liveliness within the centre as well as positively support Councils' development vision for the new St Leonards Plaza by committing to enter into Voluntary Planning Agreements with Council.

Accordingly, we request Council consider our proposed alternate recommendation as follows:

That:-

- 1. Council approve the Planning Proposal for submission to the NSW LEP Gateway seeking exhibition, subject to the following amendments:-**
 - i. 504 -520 Pacific Highway + 95 Nicholson Street built form controls be amended as follows:**
 - a. Building Height of 138m and a four-level retail/commercial podium**
 - ii. 486 Pacific Highway (Tower 1 at rear) built form controls be amended as follows:**
 - a. Building Height of 115m and a one-level retail/commercial podium**
 - iii. 472 Pacific Highway (Tower 2 fronting highway) built form controls be amended as follows:**
 - a. Building Height of 91m and a six-level retail/commercial storey**
- 2. Council request that the Gateway approval be conditional upon a draft Voluntary Planning Agreement, as outlined in the report, and a site specific Development Control Plan being prepared to Council's satisfaction for 472, 486 and 504-520 Pacific Highway/ 95 Nicholson Street and exhibited concurrently with the draft LEP amendments.**
- 3. A Councillor workshop be held on the draft DCP and VPA before exhibition.**

If you have any questions arising from this letter, please don't hesitate to contact me on 02 8233 9955.

Kind Regards,



Stephen White
Director – Planning

Attachment: Revised Urban Design Diagrams (dated 16 December 2013)