

PLANNING PROPOSAL

617-621 PACIFIC HIGHWAY, ST LEONARDS

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EXECUTIVE SUMMARY

OVERVIEW

This report has been prepared on behalf of Anson City Developments 1 Pty Ltd to initiate the preparation of an amendment to the North Sydney Local Environmental Plan 2013 (NSLEP 2013). The amendment relates to 617-621 Pacific Highway, St Leonards (Lot 1 in DP1022881, Lot 1 in DP577070 and Lots 1 and 2 in DP 455937) and proposes the following:

- Introduce shop top housing as an additional permitted use and specify a maximum residential floor space by amending Schedule 1 *Additional Permitted Uses*;
- Establish a site-specific height control; and
- Establish a minimum non-residential Floor Space Ratio (FSR) and maximum FSR control for the site.

This report has been prepared to assist Council to prepare a Planning Proposal for the NSLEP 2013 amendment of the site in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

BACKGROUND

In May 2015 North Sydney Council endorsed a strategic review of its planning framework for the St Leonards /Crows Nest area (the St Leonards /Crows Nest Planning Study – Precincts 2 and 3 (referred to throughout this report as the Planning Study)). The intention of the Planning Study was to explore opportunities for the further intensification of development across the area. The Planning Study acknowledges that existing capacity is available to support more intensive development within St Leonards.

The subject site is included within the defined study area, and is situated within Precinct 2. This Precinct is identified by the Planning Study as a high density commercial and mixed use area. The Planning Study envisages that the subject site will be redeveloped to accommodate a tall building. The Planning Study does not set a height for tall buildings but instead invites the landowners of sites identified as suitable for tall buildings to submit site specific Planning Proposals to Council for individual consideration.

This Planning Proposal responds directly to the recommendations of the Planning Study.

PROPOSED LEP AMENDMENT

Pursuant to the North Sydney Local Environmental Plan 2013 (NSLEP 2013), the site is zoned B3 Commercial Core. Commercial use is permissible within the B3 zone. All forms of residential use are prohibited. Additionally, the existing height control applicable to the site limits development to 49 metres.

This Planning Proposal has been prepared to enable the provision of a mixed use scheme on the subject site through the preparation of a site specific amendment to NSLEP 2013. To assist in conceptualising the character of the envisaged development, a Concept Design that would form the basis of a future Development Application has been prepared by Kann Finch Architects and is attached to this submission at **Appendix A**.

The key features of the Concept Design include:

- A six storey podium comprised of:
 - Lower ground floor and ground floor retail tenancies.
 - Community facilities at Level 1 and Level 2.
 - Commercial (offices) tenancies on Level 3, Level 4 and Level 5.
 - A sky garden for residents on the top of the podium (Level 6).
- A 43 level tower form accommodating:
 - 41 levels of residential apartments (Levels 7-23 and 25-48)

- Two levels of plant (Levels 24 & 49)

The proposed outcome will be achieved by amending NSLEP 2013 as follows:

- Amend *Schedule 1: Additional Permitted Uses* to allow “shop top housing” as a permissible use on the site at Clause 45, proposed wording as follows:

45 Use of certain land at 617 - 621 Pacific Highway, St Leonards

- (1) *This clause applies to land at 617 - 621 Pacific Highway, St Leonards being Lot 1 in DP1022881, Lot 1 in DP 577070 and Lots 1 and 2 in DP455937.*
- (2) *Development for the purposes of shop top housing is permitted with consent.*

- Amend the *NSLEP, 2013 Height of Buildings Map* to provide for a building height of 175m on the subject site at 617-621 Pacific Highway, St Leonards (as shown in **Figure 16**); and
- Amend the *NSLEP, 2013 Non-Residential Floor Space Ratio Map* to provide for a Minimum Non-Residential Floor Space Ratio of 4:1 on the subject site at 617-621 Pacific Highway, St Leonards (as shown in **Figure 17**).

PLANNING OUTCOMES

In summary, the site will achieve the following key planning outcomes with resultant community benefits:

- The proposal is consistent with State government policy which supports growth within existing centres: The proposal maximises commercial and residential opportunities in major centres well serviced by public transport. It would generate new employment and housing opportunities, including approximately **195 new dwellings**, within walking distance of major employment, retail, health and education facilities and excellent public transport connectivity.
- Improved pedestrian access and connectivity: It provides an opportunity for improved pedestrian access and connectivity through the St Leonards Centre through the redevelopment of the site to interconnect with adjacent lands and the surrounding footpath network and will enhance the public domain.
- Street activation: It involves the creation of new local retail facilities and public spaces that will activate the surrounding streets and complement the proposed land uses to encourage pedestrian activity and vibrancy.
- Other Public benefits:
 - Construction and dedication to Council of a state-of-the-art Community Arts Centre, with a superior quality fit out that will span two podium levels within the development, accessible from the ground floor and easily identifiable from the street. This will encourage the patronage of the arts to strengthen the St Leonards’ image as a highly desirable place to live, work and play.
 - Significant growth of employment from the current DA approval (residential and serviced apartments) with an estimated 35 ongoing jobs onsite compared with the proposal incorporating retail, art centre and commercial office space that will generate 252 ongoing jobs.

Following our analysis of the site and its surrounding context and the applicable State and local planning policies, it is demonstrated that there is clear planning merit to the Planning Proposal. It is therefore recommended that this Planning Proposal be favourably considered by North Sydney Council and that Council resolve to forward it to the Department of Planning and Environment for Gateway Determination in accordance with the Environmental Planning and Assessment Act, 1979 to prepare the necessary LEP amendment.

1. INTRODUCTION

1.1. OVERVIEW

This Planning Proposal has been prepared by Urbis on behalf of Anson City Developments 1 Pty Ltd (“the applicant”) to initiate the preparation of a Local Environmental Plan (LEP) to amend the statutory planning controls applying to the land at 617 - 621 St Leonards (“the site”).

The proposal seeks to enable high density mixed-use development on the site, through the following elements:

- Introduce “shop top housing” as an additional permitted use and specify a maximum residential floor space by amending Schedule 1 *Additional Permitted Uses*;
- Establish a site specific height control; and
- Establish a minimum non-residential Floor Space Ratio (FSR) control for the site.

The site is currently zoned B3 Commercial Core under the North Sydney Local Environmental Plan, 2013 (NSLEP, 2013). Despite the site benefitting from two lawful development consents for mixed use multi-storey residential developments, all forms of residential use are currently prohibited within the site should new applications be lodged.

The applicable built form controls that currently apply to the site include:

- Height of buildings: 49 metres (maximum).
- Floor space ratio: no applicable control.

1.2. STRUCTURE OF REPORT

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. It includes the following:

- Description of the subject site and its context.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal (concept plan).
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.

The Planning Proposal is accompanied by a range of plans and reports to provide a comprehensive analysis of the site opportunities and constraints. These include:

- Concept Design Report - prepared by Kann Finch Architects
- Landscape Concept – prepared by Urbis
- Traffic Impact Assessment – prepared by Arup
- Aviation Advice – prepared by AV Law
- Wind Impact Assessment – prepared by Windtech Consultants
- Building Services and Structure Report – prepared by Aurecon

Each of the above plans and reports has informed the proposed rezoning of the site to allow for high density mixed use development under the provisions of a site specific LEP.

2. SITE AND SURROUNDS

2.1. THE SITE

The site is located at 617 - 621 Pacific Highway, St Leonards on the northern side of the Pacific Highway at the intersection of the Pacific Highway, Christie Street and Atchison Street.

The site is immediately adjacent to 601 Pacific Highway, commonly referred to as the IBM site. We understand that redevelopment opportunities for more intensive mixed use development are similarly being investigated for the IBM site by the land owners and accordingly the Concept Plan takes this into account.

The site comprises two adjoining land parcels (1) Lot 1 in DP1022881 and Lot 1 in DP 577070; and (2) Lots 1 and 2 in DP 455937 which will be consolidated to accommodate future development. The site has a combined site area of approximately 1,067m².

The site features a fall of approximately 4m from east to west along the Pacific Highway and Atchison Street frontages.

The site is fully developed, being occupied by two separate commercial office buildings. The buildings are in poor quality (C-Grade classification) and only at 60% occupancy, support some 179 jobs.

Table 1 – Property Description

Address	Lot/DP	Existing Land Use
617-619 Pacific Highway	Lot 1 DP 577070 and Lot 1 DP1022881	7 storey commercial building
621 Pacific Highway	Lots 1 and 2 DP 455937	12 storey commercial building

2.2. THE SITE: PLANNING HISTORY

The existing buildings have reached the end of their economic life and the land owner is seeking opportunities to redevelop the site. The site benefits from two recent (separate and unrelated) development consents for mixed used development as follows:

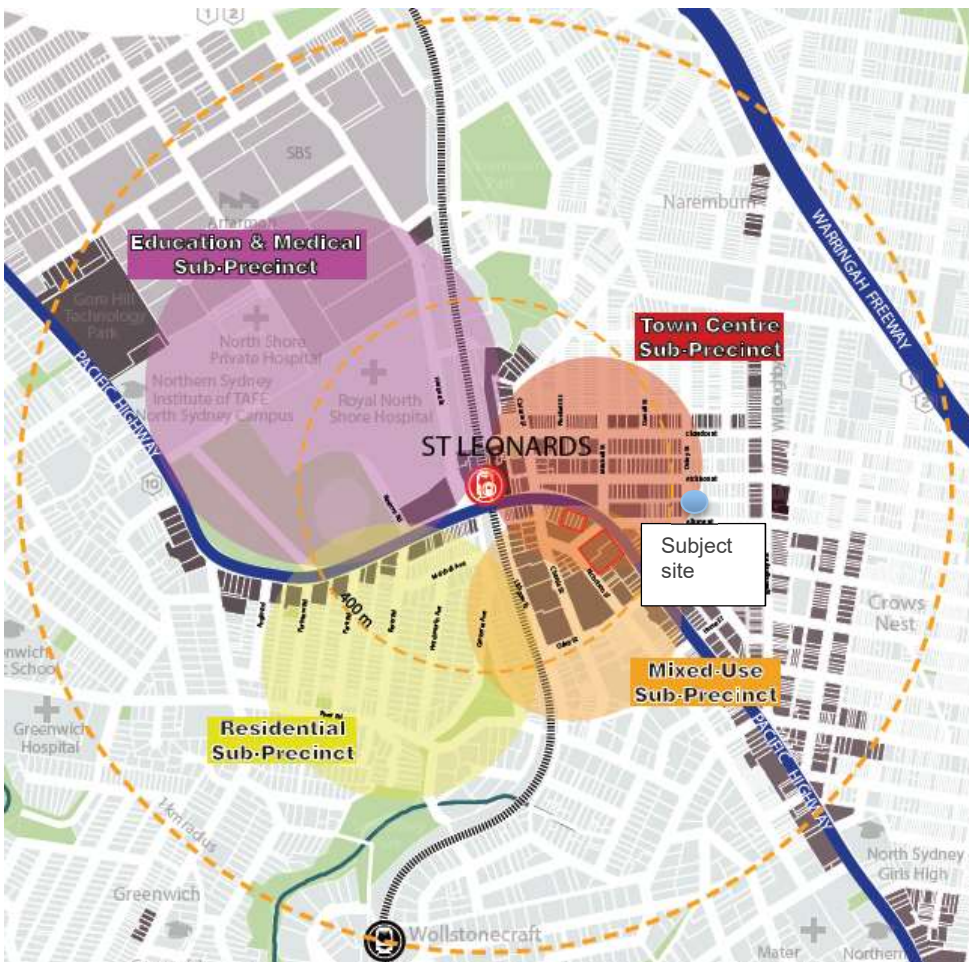
- 619 Pacific Highway: Demolish existing building and construct 16 storey mixed use building comprising retail, 21 serviced apartments, 48 residential apartments and basement parking.
- 621 Pacific Highway: Demolish existing building and construct 18 storey mixed use building comprising 36 serviced apartments, 72 residential apartments and ground floor retail with basement parking.

Of note, the DAs were lodged pursuant to the North Sydney LEP 2001 (repealed in September 2013 following the gazettal of NSLEP 2013) which permitted residential development within the site. The consents remain valid.

Figure 1 – Site Plan



Figure 2 – Site Location Plan



Source: [Click here to enter text.](#)

2.3. SURROUNDING CONTEXT

The site is located at the heart of St Leonards within convenient walking distance of the facilities and services available within the St Leonards rail precinct. The area is well advanced in its transition from an older style commercial precinct into a thriving mixed use area incorporating a mix of commercial and residential land uses. This transition is being supported by current development activity, recent approvals and further planned development. The immediate surrounds include a range of building forms which are predominantly medium and high rise commercial and multi-storey mixed use residential buildings. The surrounding area is described as follows:

- **North:** The site is bounded to the north by Atchison Street, a one way street (east bound) within a road reserve of approximately 20 metres which has recently been the subject of road and public domain improvement works undertaken by North Sydney Council. Atchison Lane on the north side of Atchison Street and directly opposite the subject site is a two way laneway within a road reserve varying in width from approximately 6-8 metres.

Built development on Atchison Street generally includes older style commercial buildings but the area is undergoing significant redevelopment activity and is becoming firmly established as a mixed use precinct with several buildings in the immediate vicinity of the site benefitting from development consents for mixed use development (refer to **Figure 3** and **Table 2** below).

- **South:** The site is bounded to the south by the Pacific Highway (six lane carriageway). The Friedlander Place Precinct which includes 472-486, 500 and 504-520 Pacific Highway is situated directly opposite. The Precinct is the subject of a Planning Proposal and Draft Amendment to Lane Cove LEP 2009. This proposes to rezone the subject site to B4 Mixed Use and increase building heights to 138m. The draft LEP amendment has been publically exhibited and formally adopted by Lane Cove Council and is currently with NSW Parliamentary Counsel awaiting gazettal.
- **East:** 601 Pacific Highway (known as the IBM site) is situated immediately to the east. Existing development comprises a 17 storey commercial office building. We understand that the site owners are currently investigating opportunities to redevelop the site for mixed use. Further east, Mitchell Street is a two way street with a road reserve varying from 11-13 metres.
- **West:** To the west the site is bounded by Christie Road. Further west is the St Leonards Railway Station which is articulated by the 38 storey Forum development.

2.4. ST LEONARDS

The site is located within the suburb of St Leonards in the North Sydney Local Government (LGA), at the boundary of both Willoughby and Lane Cove LGAs. St Leonards is located 6km north of the Sydney CBD within Sydney's Lower North Shore. The suburb is in close proximity and highly accessible to the commercial centres of North Sydney, Chatswood and Macquarie Park. The St Leonards Train Station is located approximately 100m to the west of the site, on which the St Leonards precinct is centred.

St Leonards is characterised by a mix of land uses generally including medical services, newly constructed mixed use commercial / residential buildings (with a significant number of recently approved mixed use developments currently under construction or soon to be constructed on the North Sydney LGA side of the Pacific Highway) and older B and C grade commercial office stock. The suburb is bisected east-west by the Pacific Highway and north-south by the North Shore Railway Line. Key land uses in the vicinity of the site include:

- **The Forum:** Built over the St Leonards railway station the Forum comprises a high rise development incorporating residential and commercial uses including a shopping centre. It is currently St Leonards' tallest development (38 storeys / 118 metres). Facilities and services available within the Forum, including the St Leonards rail station are within convenient walking distance of the site (approximately 100 metres). St Leonards station provides direct rail services to four primary employment areas: Macquarie Park, Chatswood, North Sydney, and Sydney CBD.
- **Royal North Shore Medical Precinct:** The Medical precinct comprises the Royal North Shore Hospital (RNSH), North Shore Private Hospital and the Northern Sydney Institute of TAFE. It is located in the north west of St Leonards and accommodates a range of health and associated tenancies. The Mater private hospital is also located in close proximity. In addition to being a valuable community resource the facilities provide significant employment opportunities.

- Commercial offices: A fringe of low grade office buildings (one block deep) front the Pacific Highway and west of the railway line. A more focused commercially zoned precinct is located south of the highway and east of the railway line and is characterised by a mix of commercial buildings, medical and allied health premises, along with a hotel and some residential apartments.
- Emerging mixed use development: While recognised as an important employment precinct, the land use character of St Leonards is evolving to support a greater diversity of uses including residential apartments above commercial uses.

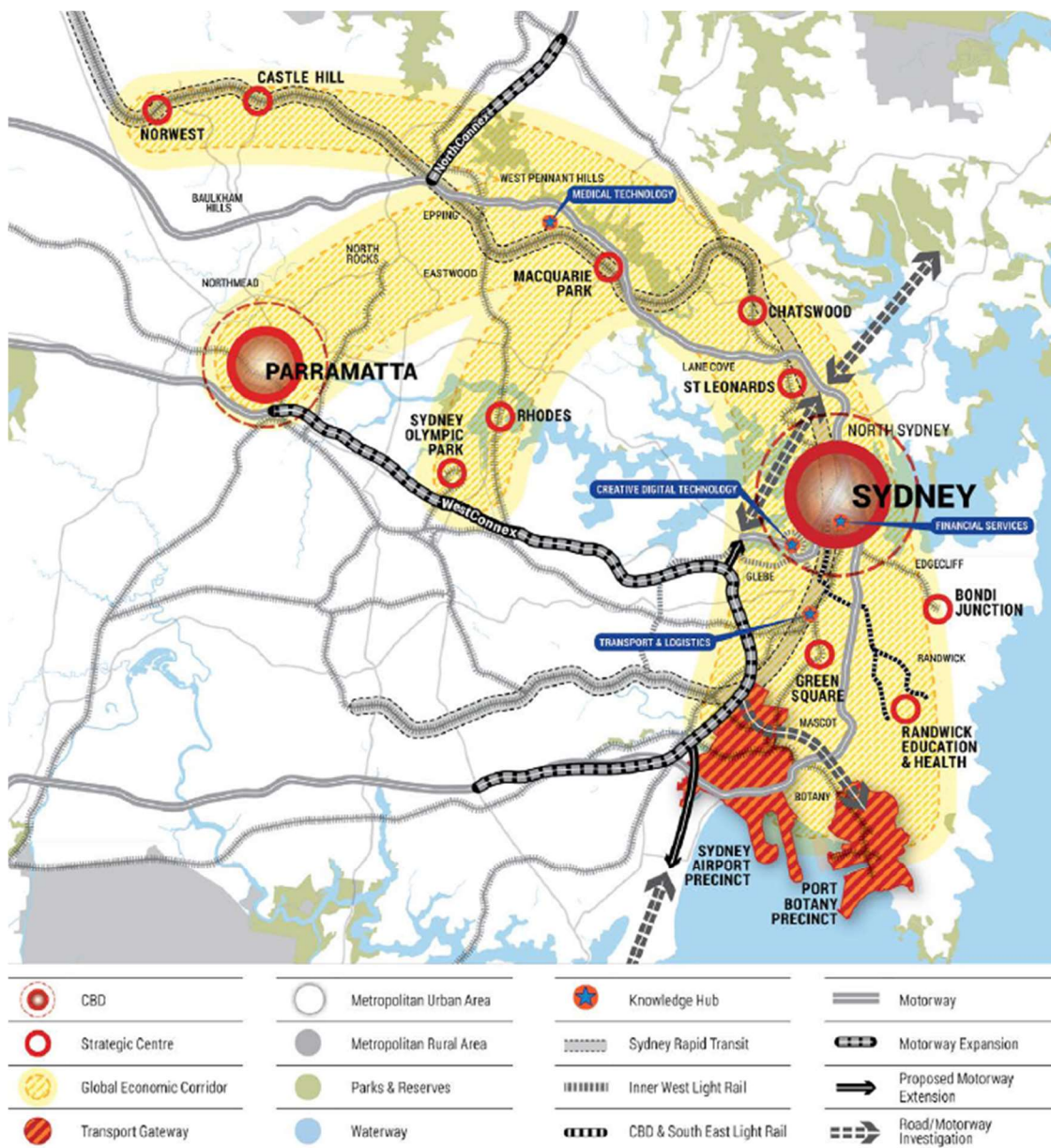
3. STRATEGIC CONTEXT

From a strategic context, the site is located within the St Leonards Specialised Centre and is within the St Leonards Centre precinct as identified in the St Leonards Strategy. The key strategic drivers of the planning proposal are generally summarised as follows:

3.1. A PLAN FOR GROWING SYDNEY 2014

Global Economic Corridor: St Leonards is an integral part of the Global Economic Corridor which is an identified area of global economic activity stretching from Port Botany and Sydney Airport, through the Sydney Central Business District (CBD), North Sydney and St Leonards to Parramatta. This region accounts for the majority of Sydney's globally orientated commercial businesses and over 40 per cent of the National Gross State Product. The policy direction seeks to expand the Global Economic Corridor (Direction 1.6) through providing for growth of employment opportunities and mixed use activities. St Leonards will make a significant contribution to this through providing for increased employment opportunities in areas supported by efficient transport networks.

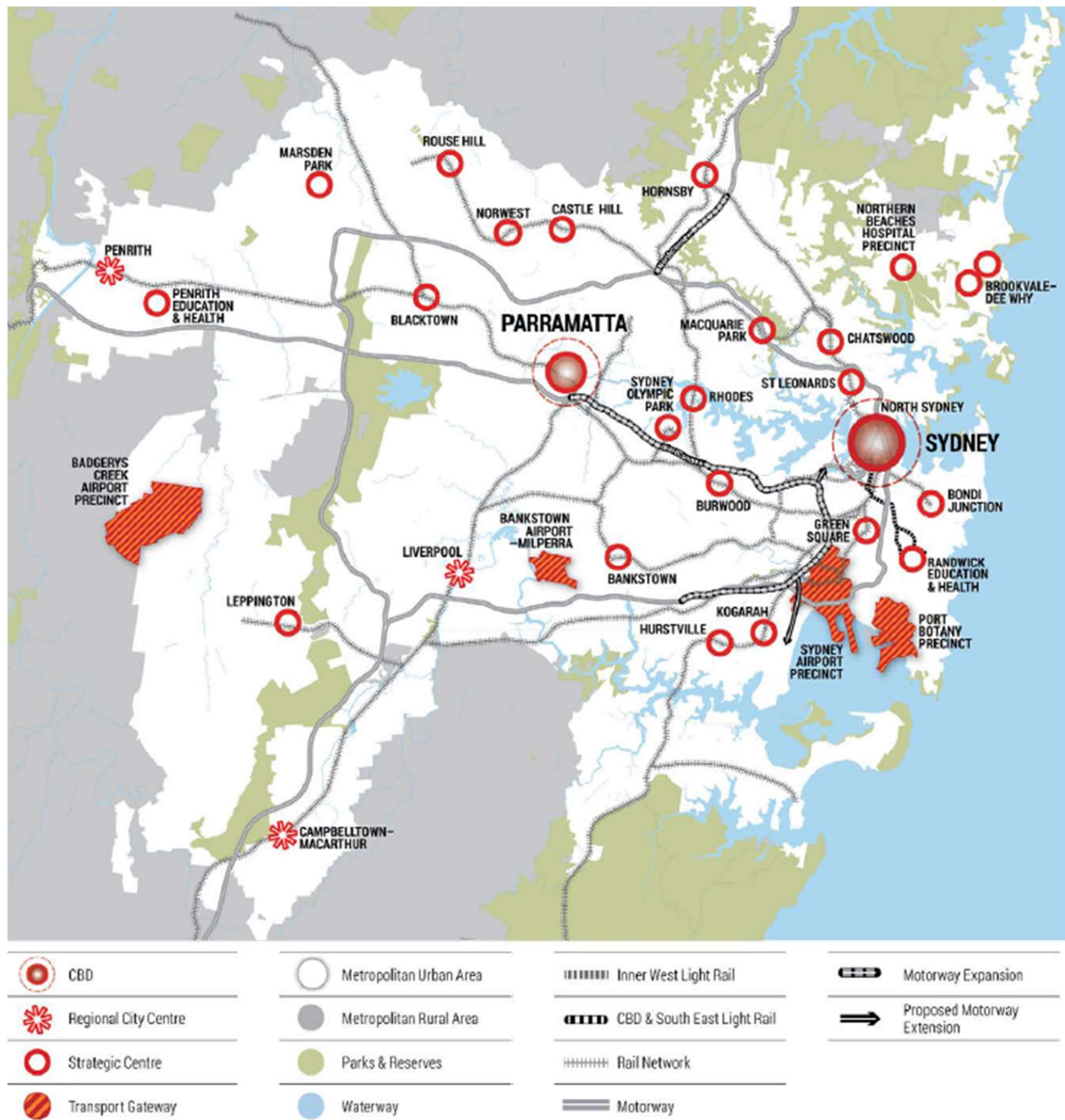
Figure 3 – Global Economic Corridor



Source: A Plan for Growing Sydney (Figure 15)

Strategic Centres: St Leonards is identified as a Strategic Centre in a Plan for Growing Sydney. The policy direction seeks to grow these centres to provide more jobs closer to home (Direction 1.7) and recognises that investment in these centres will grow jobs and housing and create vibrant hubs of activity.

Figure 4 – Strategic Centres and Transport Gateways



Source: A Plan for Growing Sydney (Figure 16)

3.2. DRAFT NORTH DISTRICT PLAN 2016

The Greater Sydney Commission released the 6 draft District Plans for Sydney in November 2016. The site falls within the North District.

The plan has a range of priorities to primarily guide growth of employment and housing as well as achieving sustainability city goals. Relevant actions include:

- Increase housing choice around all centres through urban renewal in established areas
- Stronger economic development in strategic centres and transport gateways
- Facilitate place-making and growth and diversification of job opportunities in St Leonards

Specifically, the draft District Plan calls for a clear direction for St Leonards to balance the competing needs of residential and commercial development. As outlined below, Council's Planning Study for St Leonards/Crows Nest, provides that clarity of land use and built form density direction.

The proposal satisfies the strategic directions of the draft District Plan in that it provides for a substantial proportion of non-residential floorspace in the form of retail, community arts and commercial office space. This will ensure that the centre maintains a clear employment function and a diversity of employment opportunities as sought for the centre. In addition, the proposal incorporates residential apartments in a tower form that will contribute to North Sydney Council's 5 year housing target of 3,000 dwellings in a high-amenity location with ready access to retail services and transport.

3.3. ST LEONARDS/CROWS NEST INVESTIGATION

The Department of Planning & Environment is working with Lane Cove, North Sydney and Willoughby City Councils to undertake a strategic planning investigation of the St Leonards and Crows Nest Station Precinct.

The Sydney Metro Project is Australia's largest public transport project and a new metro station is proposed at Crows Nest. The investigation area incorporates areas that are within walking distance of the existing St Leonards station and the proposed Crows Nest station as well as the industrial and employment areas in Artarmon.

St Leonards is identified as a Strategic Centre in A Plan for Growing Sydney and the investigation will respond to the actions identified in this Plan, including ways to maintain employment in the area, provide new homes, shops, cafes and open space and maximise the great access to public transport.

As part of this investigation, infrastructure needed to support the area into the future will be identified, including improvements to transport, the road network, open space and social infrastructure including community and education facilities. A Special Infrastructure Contribution will be considered as a potential option to fund new infrastructure.

The investigation will be undertaken in a number of stages. The first stage involves an analysis of existing employment in the Precinct and understanding future employment demands and requirements. The outcomes of this study will inform the Land Use and Infrastructure Strategy, stage 2.

At present, no details have been released. Given that Council's Planning study already provides sound strategic direction to inform this Planning Proposal, it is not necessary to delay processing of this Planning Proposal to await further information from this work which we expect will ultimately support the adopted directions by Council for the site.

3.4. METRO RAIL INFRASTRUCTURE

Public transport services to St Leonards are well established. High frequency bus connections operate along the Pacific Highway. The site is also proximate to St Leonards railway station (within 100m). Regular train services to the major employment centres of Chatswood, Macquarie Park, Sydney CBD and North Sydney are available from this station. St Leonards is extensively served by both bus and rail services. Being a major employment destination in its own right and accommodating the Royal North Shore Hospital Campus, St Leonards has developed as a transport hub that has a high level of connectivity to surrounding suburbs and centres with a high frequency of services. The subject site is located approximately 200 metres from the entrance to the St Leonards railway station. Rail services through this station run on the North Shore Line, linking to the CBD to the south (Parramatta) and to the north (Hornsby). St Leonards Station is a major interchange having one of the highest levels of rail and bus accessibility in the Sydney Metro Area.

In late 2015 the NSW Government made an announcement regarding the location and commissioning of the Metro Station in St Leonards/Crows Nest. The station will be located on the western fringe of the Crows Nest village, between the Pacific Highway and Clarke Lane (eastern side of the Pacific Highway). The station creates a new transport focus on the southern side of the St Leonards specialised centre which supports the St Leonards southern gateway to commercial and mixed-use activities, this will further enhance the accessibility of St Leonards.

3.5. ROYAL NORTH SHORE HOSPITAL

The Royal North Shore Hospital (RNSH) meets the health needs of Mosman, Willoughby, Lane Cove and North Sydney LGAs. RNSH is undergoing significant redevelopment and expansion. The redevelopment of the medical and clinical uses of RNSH will be complemented by the development of a 10,000sqm “support zone” which will include staff accommodation, childcare facilities, administration buildings, car parking and commercial / retail uses. Medical and health related services are principal employment uses within St Leonards accounting for 25 per cent of jobs within St Leonards (based on 2011 data). The importance of the health industry to local employment is expected to continue and grow into the future supported by the major redevelopment of RNSH.

3.6. ST LEONARDS DEVELOPMENT TRENDS

Increased density and scale: Recent development has redefined the character of the area and this will continue to evolve over the coming years in line with State government policies for the area (as articulated in A Plan for Growing Sydney and supported by the soon to be released District Plans). New higher density development has been approved as illustrated in **Table 2** and **Figure 3** below.

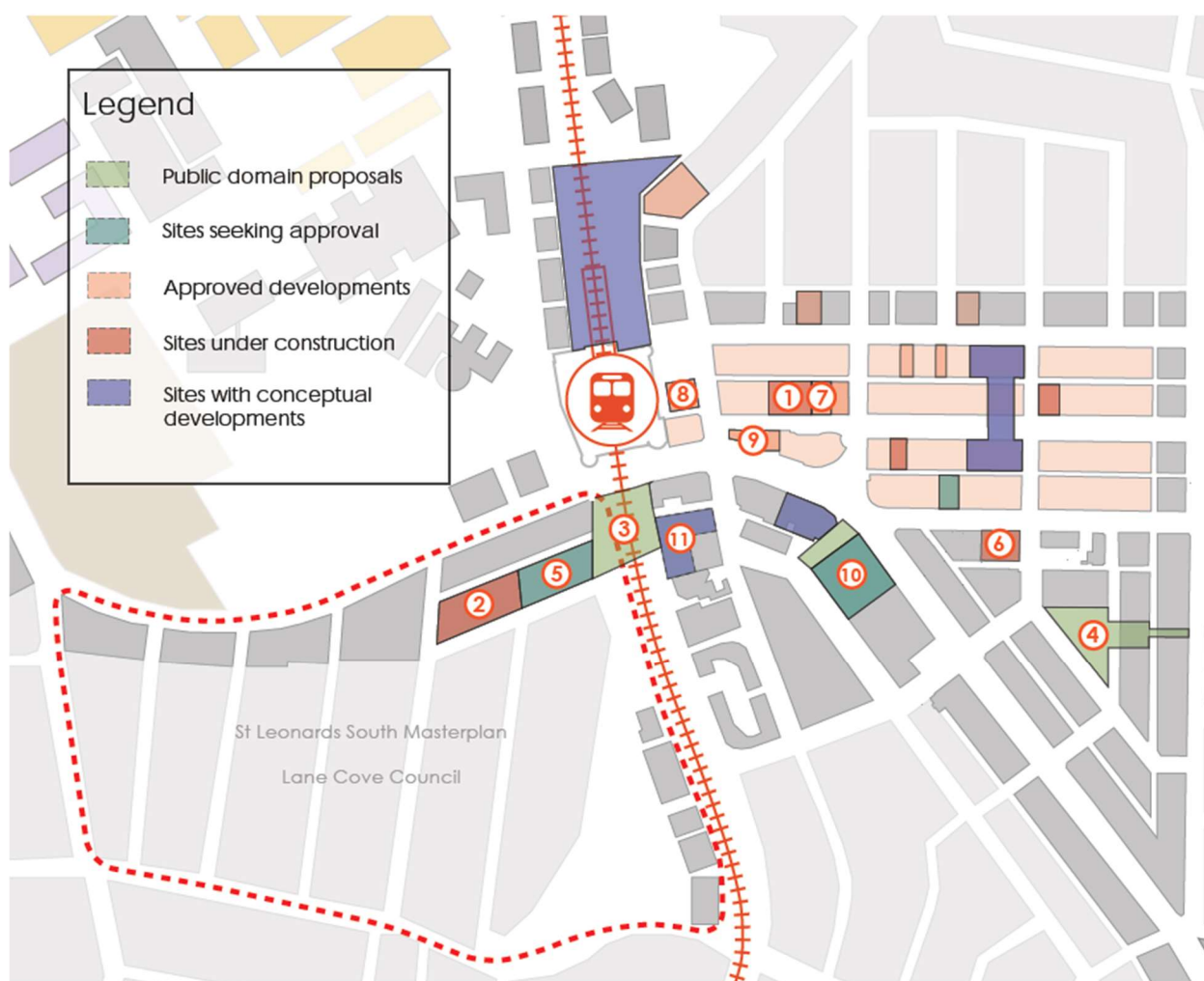
Residential use: The character of St Leonards is evolving from a purely employment based precinct to support a more diverse range of uses. New development includes high density residential uses which complement (rather than replace) the traditional commercial focus and help to activate the Precinct outside business hours. New residential uses are generally concentrated around the St Leonards train station. Recent approvals and current applications for mixed use development within and around St Leonards are described in Table 2 below.

Table 2 – Local Development

Site	Development	Building Height
2-4 Atchison Street	DA consent: Mixed use building	17 storeys
6-16 Atchison Street	Mixed use building -constructed	34 storeys
18-20 Atchison Street	DA consent: Mixed use building	16 storeys
22 -24 Atchison Street	DA consent: Mixed use building	16 storeys
472-494, Pacific Highway	DA consent	2 x mixed use residential towers 36 and 28 storeys
500, 504-520 Pacific Highway	DA under assessment	1 x mixed use tower of 43 storeys
601 Pacific Highway	Existing building	20 storeys
	Developer intention to lodge a Planning Proposal for the comprehensive redevelopment of the site for mixed use.	TBC
1-13A Marshall Street	Current DA: Residential flat building	29 storeys
7-11 Albany Street	DA consent: Mixed use building	13 storeys
100 Christie Street	DA consent: Conversion of existing office building to residential apartments <i>Note: A Planning Proposal has been lodged seeking residential tower of 45 storeys.</i>	11 storeys

84-90 Christie Street	Awaiting LEP Amendment Gazettal	2 x residential towers:27 and 46 storeys.
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Figure 5 – Major Development Sites in St Leonards



Source: Extract from St Leonards / Crows Nest Planning Study, May 2015 (Page 28)

3.7. ST LEONARDS / CROWS NEST PLANNING STUDY – PRECINCT 2 AND 3

On 29 November 2010 North Sydney Council resolved to undertake a Planning Study of the St Leonards / Crows Nest area with the following objectives:

- New open space in St Leonards / Crows Nest;
- Increased investment in St Leonards and decreased commercial vacancy rates, with particular focus on the rejuvenation of the Pacific Highway between St Leonards train station and the intersection of Pacific Highway and Willoughby Road;
- Improved connectivity, particularly between St Leonards / Pacific Highway and Willoughby Road;
- Improved urban design and street level amenity particularly in St Leonards and along the Pacific Highway; and
- Improved building design and residential amenity in St Leonards.

The broader study area incorporates all of North Sydney's jurisdiction in St Leonards and its interaction and connections with Crows Nest and the Pacific Highway. A precinct-based approach was adopted and divides the area in four precincts. The subject site sits within Precinct 2: the high density commercial and mixed use area immediately east of the St Leonards train station. The planning study for Precincts 2 and 3 was completed in May 2015 with work currently underway to implement the schemes.

Figure 6 – St Leonards/ Crows Nest Planning Study – Area Map



Source: Extract from St Leonards / Crows Nest Planning Study, May 2015 (Page 28)

The intention of the Planning Study was to explore opportunities for the further intensification of development across the area and to investigate opportunities for a more diverse range of land uses, including residential use as a means of meeting the challenging employment and housing targets set out in A Plan for Growing Sydney.

Specifically within Precinct 2, the study proposes:

- upgrading Christie Street Reserve and Mitchell Street Plaza;
- two new linear parks along Mitchell Street and Oxley Street;
- more employment opportunities, including the West Oxley Creative Precinct;
- supporting high quality mixed use towers close to St Leonards Station; and
- a new community arts centre, start-up commercial space, daycare facility and affordable housing.

With regards to the subject site, the study defines the future character for this area as follows:

Development will reflect the high density character of the centre where the impact on neighbouring buildings and the public domain is mitigated through well located tall, slender towers. Tall buildings on key sites will act as urban landmarks for the precinct, supporting major community facilities and public open space.

There will be a strong commercial focus and a wide range of new activity in the centre : including a community arts centre, galleries, entertainment and retail.

A key emphasis of the Planning Study is to identify opportunities to harness the public benefits that can be gained from increased development density within St Leonards. A number of measures are proposed:

- Major, new public domain upgrades, a community centre and smaller projects that building the precinct's emerging creative economy.
- Improved pedestrian access to the station, bus stops and taxis and complete bike paths.
- Protection of employment function of the precinct through changes to the existing planning controls to support small to medium sized local companies.
- Support for additional housing density near St Leonards station with tall slender towers considered in the centre precinct (the site is nominated as a tall building site).

The Planning Study makes a number of recommendations aimed involving amendments to the existing LEP and DCP controls. The following are directly relevant to this planning proposal:

- To allow consideration for spot rezoning's for shop top housing as an additional permitted use on sites with mixed use approvals in the B3 Commercial Core zone (this includes the subject site which benefits from development consents for mixed use development).
- To increase the non-residential floor space ratio of mixed use land to fill podium levels (minimum 4:1 proposed for the subject site).
- To increase podium height near the station to accommodate non-residential uses.
- New ground level, whole building and above podium setbacks to improve built form.
- Consider landowner initiated planning proposals to increase height on identified sites.
- The height limit on four sites identified for "tall buildings" to be determined on merit (a tall building defined as being over 18 storeys in height).

Site Opportunities

The site has a number of attributes that make it suitable for more intensive development as recognised with by the Planning Study. These attributes include:

- The site area, being in excess of 1,000sqm, makes high density development possible.
- Excellent proximity to existing infrastructure (including St Leonards train station).
- As noted above, the Planning Study nominates the site as a "tall building site." No maximum height limit has been allocated to these sites, instead landowners are invited to submit site specific Planning Proposals.

The Planning Study reaffirms the intention for St Leonards to further develop as a mixed use hub and enable landowner-initiated planning proposals to be received to by Council to implement the scheme.

4. EXISTING PLANNING CONTROLS

4.1. ZONING

The North Sydney Local Environmental Plan, 2013 (NSLEP) is the relevant planning instrument for the site. Under the NSLEP, the site is zoned B3 Commercial Core. A plan showing the existing zoning is provided at **Figure 7**.

The objectives of the B3 zone are as follows:

To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.

To encourage appropriate employment opportunities in accessible locations.

To maximise public transport patronage and encourage walking and cycling.

To prohibit further residential development in the core of the North Sydney Centre.

To minimise the adverse effects of development on residents and occupiers of existing and new development.

Figure 7 – Existing Land Use Zone (NSLEP,2013)



4.2. LAND USE

The range of permitted and prohibited uses within the B3 zone are set out within the NSLEP as follows (emphasis added):

Permitted without consent

Nil

Permitted with consent

*Amusement centres; Backpackers' accommodation; Child care centres; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Serviced apartments; Sex services premises; Signage; Vehicle repair stations; Veterinary hospitals*

Prohibited

Any other development not specified in item 2 or 4.

Commercial premises are permissible within the B3 zone. Commercial premises are defined as follows:

Commercial premises means any of the following:

- *Business premises*
- *Office premises*
- *Retail premises*

All forms of residential development are prohibited within the B3 zone.

4.3. HEIGHT AND FSR CONTROLS

The development standards under the NSLEP that are applicable to the site include:

- Building Height – Maximum building height 49 metres (as shown in **Figure 8**)
- Floor Space Ratio – no applicable control (as shown in **Figure 9**)
- Non-residential floor space – no applicable control (as shown in **Figure 9**)

Figure 8 – Existing Building Height Control (NSLEP,2013)

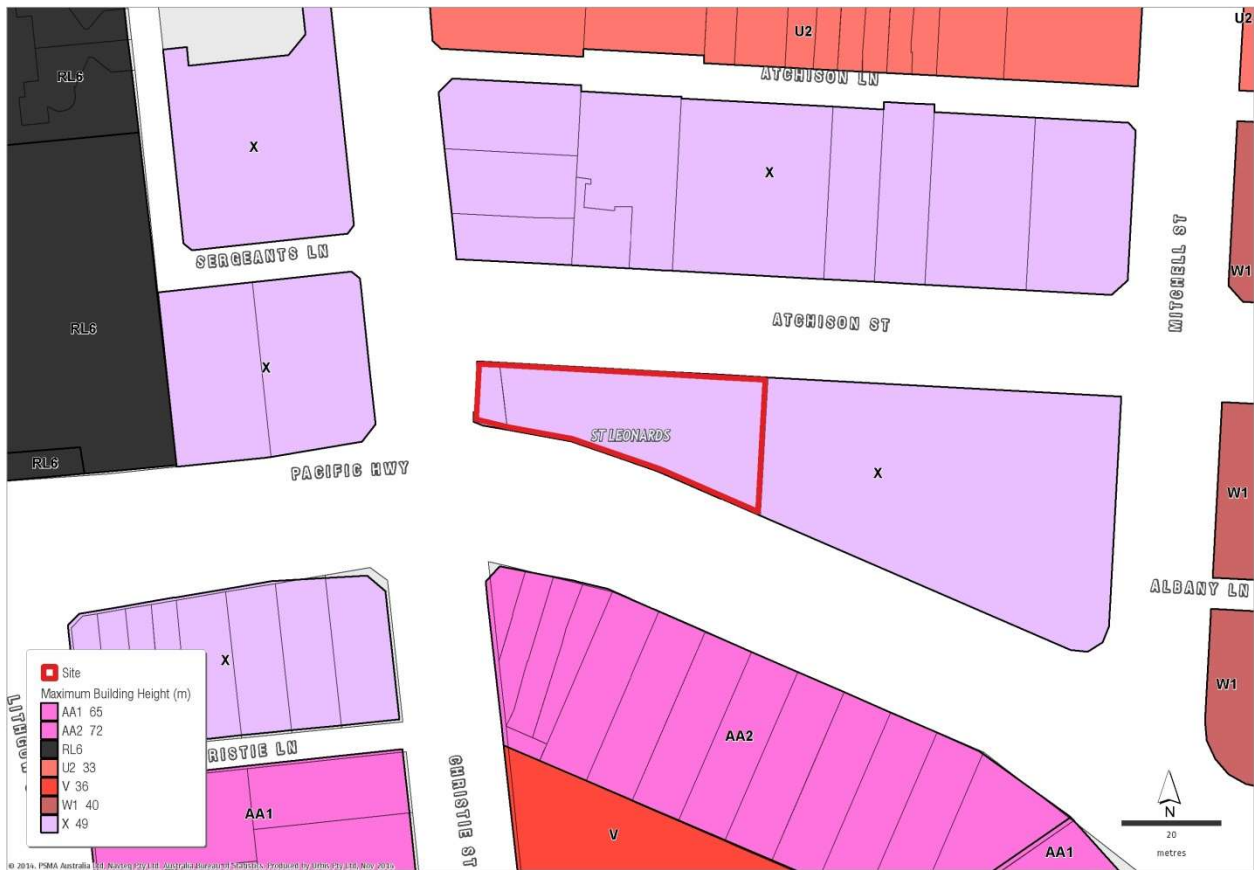


Figure 9 – Existing Floor Space Ratio and Non-Residential Floor Space Controls (NSLEP,2013)



5. THE DEVELOPMENT CONCEPT

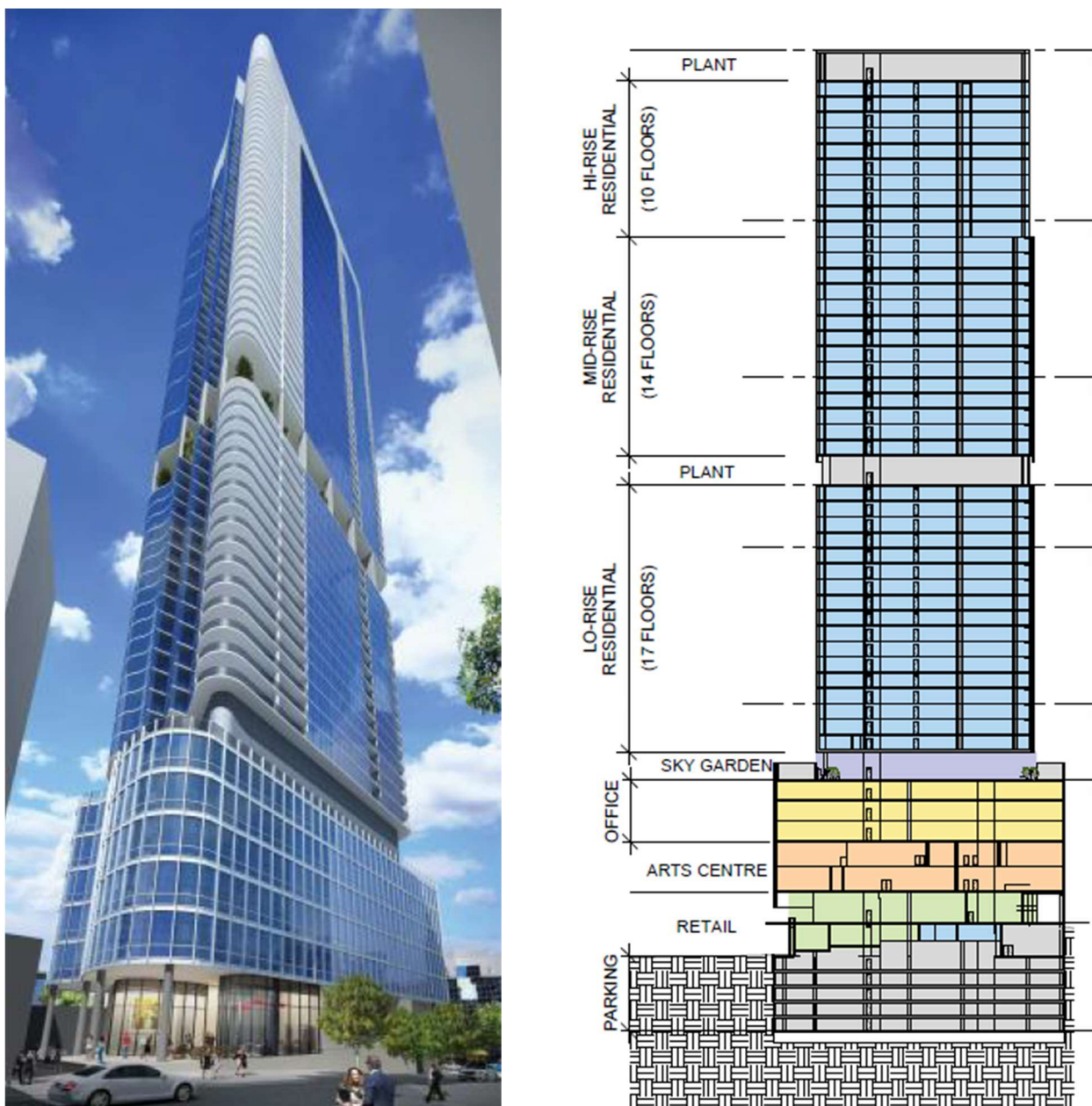
5.1. PROPOSED CONCEPT DESIGN

This Planning Proposal is informed by an urban design study and concept architectural schematic, prepared by Kann Finch Architects, which analyses the development opportunities for the site. This development concept will facilitate the redevelopment of the site whilst delivering on metropolitan planning objectives to foster a core mixed use precinct in close proximity to the St Leonards train station. It is intended that a future Development Application will be generally consistent with this draft concept schematic.

A copy of the Concept Design Report and architectural plans are submitted with the Planning Proposal at **Appendix A**.

Broadly, the future mixed use development concept will include retail tenancies at the lower levels, commercial offices and community facilities within the podium and residential apartments within a slender tower form above.

Figure 10 – Perspective view and section showing proposed development concept (Concept Design Report, Kann Finch)



The key features of the concept proposal include:

- A six storey podium comprised of:
 - Lower ground floor and ground floor retail tenancies.
 - Community facilities at Level 1 and Level 2.
 - Commercial (offices) tenancies on Level 3, Level 4 and Level 5.
 - A sky garden for residents on the top of the podium (Level 6).
- A 43 level tower form accommodating:
 - 41 levels of residential apartments (Levels 7-23 and 25-48)
 - Two levels of plant (Levels 24 & 49)
- The opportunity for activated street frontages on Atchison Street, Pacific Highway and Christie Street as a result of the retail/ commercial tenancies (Demonstrated in **Figure 11**).

Figure 11 – Perspectives demonstrating opportunities provided for activation on the ground and first floor levels as viewed from the north west (top image) and the southern side of the Pacific Highway (bottom image)



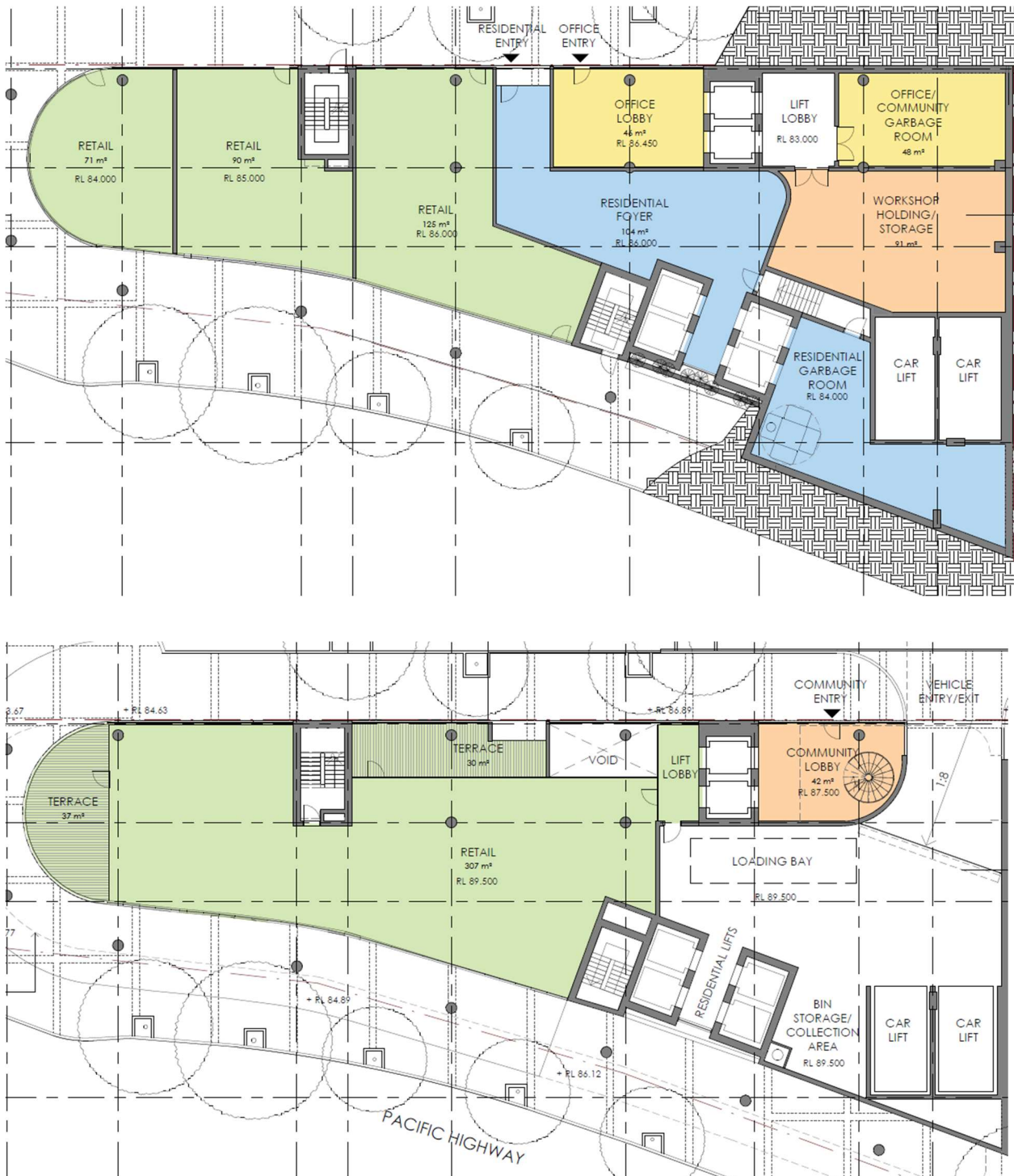
- STREET EDGE WITH ACTIVE USES
- BLANK FACADE (IF EXPOSED) TO BE TREATED WITH ARCHITECTURAL INTEREST
- FEATURE WALL



- Provision of separate residential and commercial lobbies and associated lift transport, accessed centrally from the Atchison Street frontage.

- Provision of a separate access to the community facilities from Atchison Street, located at ground floor adjacent to the eastern site boundary.
- All back of house and ancillary space located at lower ground level, well separated from the main pedestrian areas on the surrounding streets to minimise blank, inactivated frontages adjacent in these locations.

Figure 12 – Lower Ground (top image) and Ground Floor (bottom image) Plans (Concept Design Report, Kann Finch)



- Provision of basement car parking to support future uses across the site, a maximum of 80 car spaces, within five basement levels.
- Provision of loading facilities to accommodate the service vehicle demand resulting from the proposal.

- A range of conceptual ancillary works to facilitate the new development, including stormwater, landscaping and pedestrian and vehicle access points.

It is noted that the concept detailed above is indicative and does not intend to lock-in design or yield. The future development concept facilitated by the Planning Proposal will:

- Provide a range of housing options.
- Deliver appropriately sized and supported retail and commercial space for the St Leonards market.
- Provide public domain that encourages improved walkability and vibrancy.
- Encourage uses which operate during evening and early morning hours in activity centres, such as cafes, restaurants and community facilities.

Table 3 – Summary of Proposed Development Concept

Element	Proposed
Land uses	Ground floor retail tenancies Podium level community facilities Podium level commercial office space Residential apartments in the tower
Indicative yield	195 residential apartments (21,860m ² residential GFA) 610m ² retail GFA (580m ² NLA) 2,870m ² commercial GFA (2,700m ² NLA) 1,830m ² community facility GFA (1,740m ² NLA)
Gross Floor Area (GFA)	27,140m ²
Floor Space Ratio (FSR)	25.4:1
Non-residential floor space (GFA/ FSR)	Approx. 5,280m ² / 4.9:1
Built form	Slender tower above a six (6) storey commercial podium
Building height	max RL 263 or 179.28m (<i>Ground at RLs between 86- 89.5</i>)

5.2. VOLUNTARY PLANNING AGREEMENT

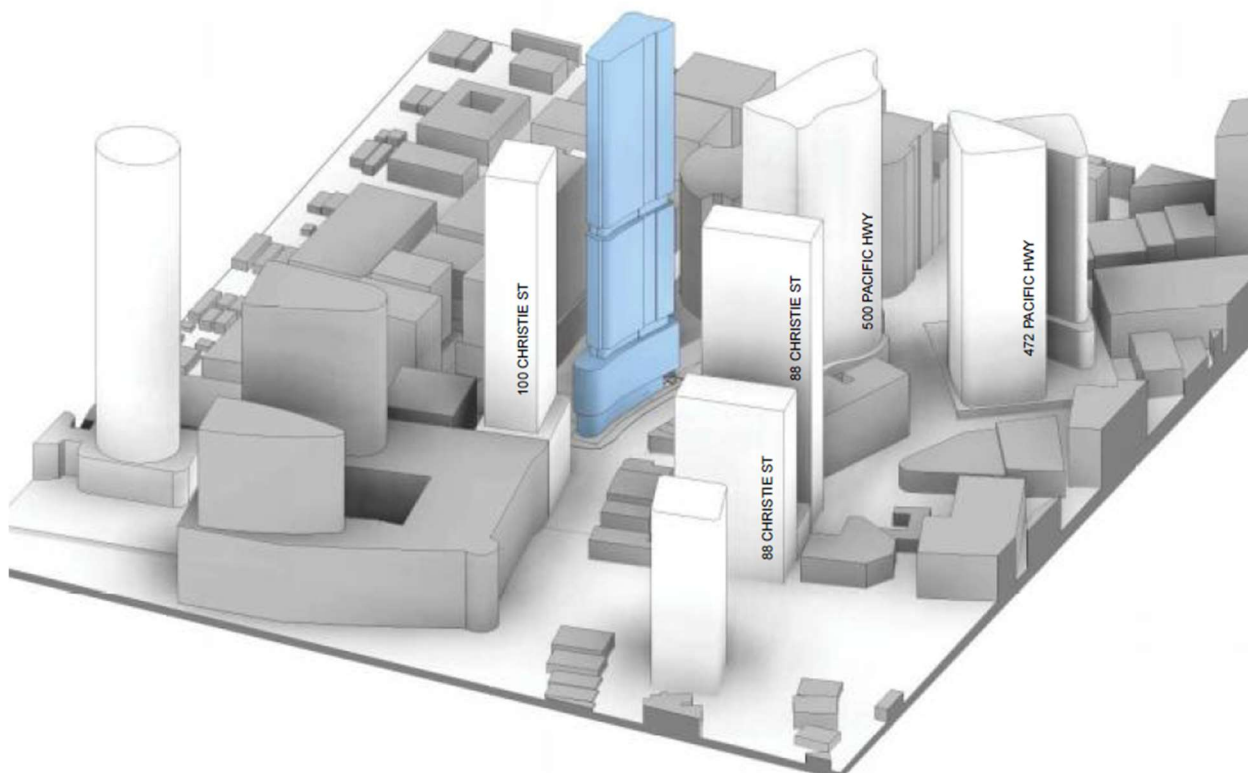
The applicant offers to enter into a Voluntary Planning Agreement (VPA) with Council to enable the delivery of a significant public benefits arising from the change of land use and density. The draft VPA will accompany the Planning Proposal during public exhibition.

The key items of the VPA are summarised below:

- **Proposed Public Works:** Provided that the Planning Proposal is successful and that development consent is granted with respect to the Proposed Development, the Proposed Development will provide a state of the art, two-level art gallery with a superior quality fit out in the podium levels of the development (Proposed Art Gallery). The gallery will be a community facility that will be dedicated to the Council.
- **Cost of Proposed Development and Proposed Public Works:** subject to valuation.
- **Timing for completion of Proposed Public Works:** before an occupation certificate is obtained in respect of any residential apartment in the Proposed Development.

- **Registration of VPA and novation:** Developer to have the VPA registered on the title of the land within 3 months of the entering into of the VPA in accordance with section 93H of the EP&A Act. VPA to include a novation clause that will apply if the ownership of the land changes.
- **Specifications for Arts Centre:** the Developer is to construct the Arts Centre strictly in accordance with the specifications in the "Arts Centre Design Brief" prepared by Kannfinch and dated 21 March 2017.

Figure 13 – Proposed building massing concept showing in light blue, in the context of surrounding planned developments, as viewed from the north east (Concept Design Report, Kann Finch)



5.3. DESIGN DEVELOPMENT

The following factors were influential in developing the proposed concept design for the site:

- St Leonards / Crows Nest Planning Study, including Design Principles for Tall Buildings (NSDCP, 2013)
- Aviation Advice
- Future development context
- Potential massing for 601-615 Pacific Highway (IBM site)
- Shadow Analysis
- Provision of residential amenity for future occupants

ST LEONARDS / CROWS NEST PLANNING STUDY

The proposal has regard to the design criteria for tall buildings outlined in the St Leonards / Crows Nest Planning Study as set out in **Table 4**.

Table 4 – Design Criteria for Site Specific Planning Proposals

Criteria	Planning Proposal Response
Relate to a parcel of land with a minimum street frontage of 20 metres	Street frontages to Atchison Street and Pacific Highway in excess of 50 metres.
Relate to a parcel of land that does not isolate, sterilise or unreasonably restrict the development potential of adjacent parcels of land	The proposal will not result in the isolation of any property. Potential massing for future development on the adjoining IBM site has been undertaken which demonstrates that the approach illustrated in the Concept Plan would not impede on the future development potential of the IBM site. Further, it does not rely on access from adjoining lands.
Non-residential floor space ratio control consistent with Map 5.1 – Area 14: Minimum 4:1	The concept plan indicates that non-residential floor space would be provided over six levels. Indicatively the GFA would be in the order of 5,280m ² (FSR 4.9:1)
Site specific Floor Space ratio control having regard to the podium height and setback controls in Maps 6A and 6B: • 6 storey podium • 3m: 2 storey ground level setback	• Six storey podium provided. • Two storey 3m ground level set back incorporated.
Height control consistent with Map 6C: Building Height	Site area in excess of 1,000sqm.
For tall buildings identified in Map 6C, to be designed in accordance with the Design Principles for Tall Buildings : • Maximum gross buildable area 750sqm • Maximum building length 40m with breaks and articulation encouraged on the elevations.	The proposed built form is a slender tower with residential floor plates of less than 670m². The small floorplate allows for efficient circulation, adequate natural ventilation and solar access for the apartment units within the residential tower as well as minimising the visual bulk. The maximum length of the tower is approximately 44m in an east- west direction from. This exceeds the maximum building length allowed. However, this is a result of site constraints. The site has a maximum depth of approximately 28m at the eastern end and it is further reduced to 12m in depth at the western end. To achieve an efficient layout the floorplate has been extended to the west, but the bulk has been carefully sculpted and articulated and will not cause negative visual impacts. The full length of the tower will only be seen when viewed directly from the north or south where view corridors are

Criteria	Planning Proposal Response
- Minimum separation distance 24m from other tall buildings (20m for minor portions of the building acceptable). - Overshadowing analysis. - Wind, sunlight and view impacts to be addressed. - Provide high quality residential amenity outcomes.	limited due to the presence of existing buildings. Further, the tower form will be strongly articulated by vertical slots/blades, projecting balconies and variations in the facade. The proposed tower complies with the required separation distances. Specifically: To the north - provides approximately 24m to existing buildings at 2 and 6-16 Atchison Street. To the east - provides approximately 39m to the IBM building, To the west - provides approximately 37m to the existing building at 655 Pacific Highway. To the south - has generous separation to the properties on the opposite side of Pacific Highway due to the width of the Highway (approximately 27m). Shadow and view studies have been prepared and attached at Appendix A. The shadow analysis demonstrates that the proposed tower will have a minor impact on the public realm and that these impacts are mitigated by the slenderness of the tower, the separation from other towers and the street level setbacks. Furthermore, the shadow generated by the proposal will not dwell on any significant open space, heritage item or public facilities. The building design will mitigate overshadowing impacts, wind impacts and protect sunlight and views of the sky through building separation, public domain interface and podium/ tower design. The indicative floor plans of the residential levels demonstrate that three out of five apartments per floor are corner apartments and the two single aspect apartments have depths shallower than 8m. The proposed design will provide high quality living and working conditions for residents, occupants and visitors. The design will optimise sunlight access, natural ventilation and privacy.
Include satisfactory arrangements to provide commensurate public benefits that support the proposed scheme	The applicant offers to enter into a Voluntary Planning Agreement (VPA) with Council to provide a range of contributions in addition to Section 94 contributions payable in respect of the proposed development. A Draft VPA accompanies this proposal. Specifically, the proposal includes the provision of a

Criteria	Planning Proposal Response
	Community Arts Centre across two podium levels within the proposal, accessible from the ground floor and easily identifiable from the street. This will encourage the patronage of the arts to strengthen the St Leonards' image as a highly desirable place to live, work and play.

5.4. AVIATION

The location of the Obstacle Limitation Surface (OLS) and Radar Terrain Clearance Chart (RTCC) that applies to St Leonards is shown in the ST Leonards/ Crows Nest Planning Study.

The overall building height, including ancillary features and temporary structures, must be below these heights. A specialist Aviation consultant, AV Law, has been engaged to provide advice on the project. This assessment advises as follows:

As explained in this AIA, AvLaw has determined that no aeronautical surfaces relative to Sydney Airport will be affected by the proposed development, nor will helicopter operations at the Royal North Shore Hospital (RNSH) helipad be adversely impacted.

AvLaw's assessment is that the current published Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) height across the site is 335.2m AHD (1100ft) and that the Radar Lowest Sector Altitude (RLSALT) or Radar Terrain Clearance Chart Height (RTCC) is 1100ft AHD (335m). The proposed development is below and clear of these surfaces. The Obstacle Limitation Surface (OLS) across the site is 156m AHD and will be penetrated by the development causing it to be a "controlled activity". Penetration of the OLS requires aeronautical assessment to show whether there is likely to be any adverse impact on the safety or regularity of aircraft operations. This AIA by AvLaw concludes that the proposed development is clear of all aircraft operational surfaces and the controlled activity will not adversely affect safety or significantly affect regularity of operations of aeroplanes for Sydney Airport or helicopter operations at RNSH.

The report prepared by Av Law is included in **Appendix E**.

5.5. POTENTIAL MASSING FOR 601-615 PACIFIC HIGHWAY (IBM SITE)

In developing the redevelopment concept for the subject site, it has been necessary to investigate potential massing options for the IBM site at 601-615 Pacific Highway, adjoining the subject site to the west.

Two massing options, Option A and Option B, are explored in the Concept Design Report (Pages 22 and 23) and shown in **Figure 14** and **Figure 15**.

Option A provides a six storey podium with a 40 storey tower form above. The tower has been positioned to maximise building separation from the subject site to ensure appropriate levels of residential amenity can be achieved on this development site. This option also provides opportunities for street front activation on the Pacific Highway and Atchison Street frontages.

Option B explores two separate five storey podiums with a shared ground floor below. Above each podium level is a tower form, 35 storeys on the eastern side of the site and 20 storeys in the western section of the site.

Option A is considered the most likely development scenario as it allows for large separation distances between neighbouring residential towers and can achieve the desired tall building urban design outcomes that are envisaged for the site.

This process has determined the most appropriate redevelopment concept for the subject site and demonstrates that the proposal can be accommodated on the subject site without resulting in adverse impacts on the future development potential of the neighbouring site to the west, the only site it directly abuts.

Figure 14 – Potential Massing Model for 601-615 Pacific Highway: Option A (Concept Design Report, Kann Finch)

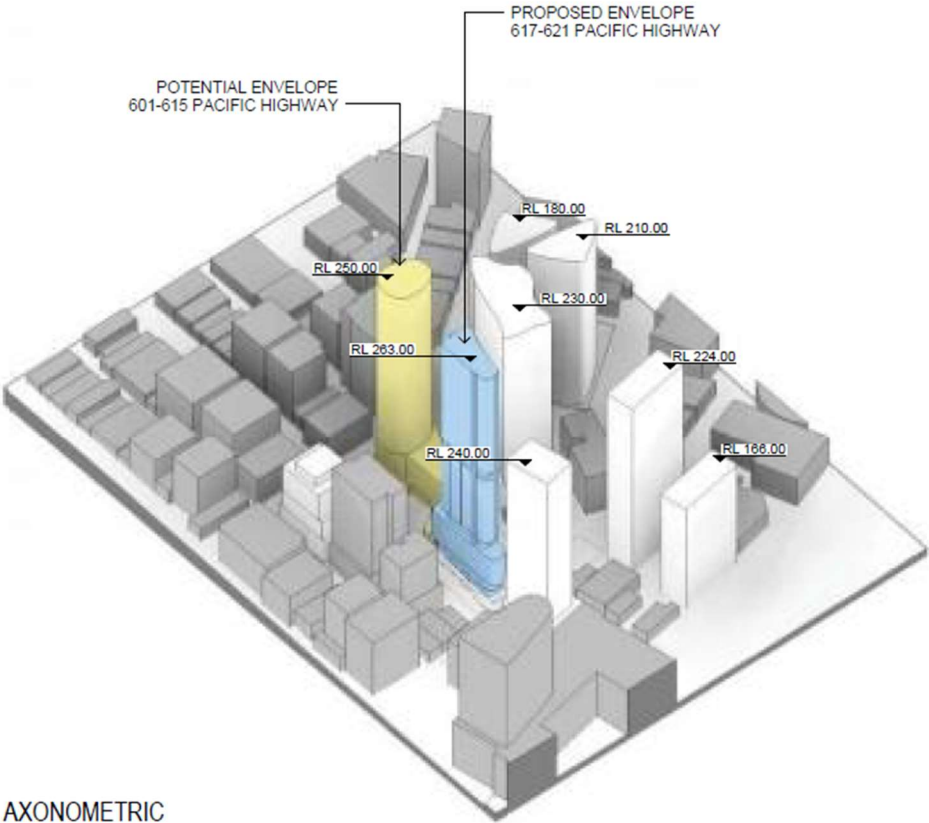
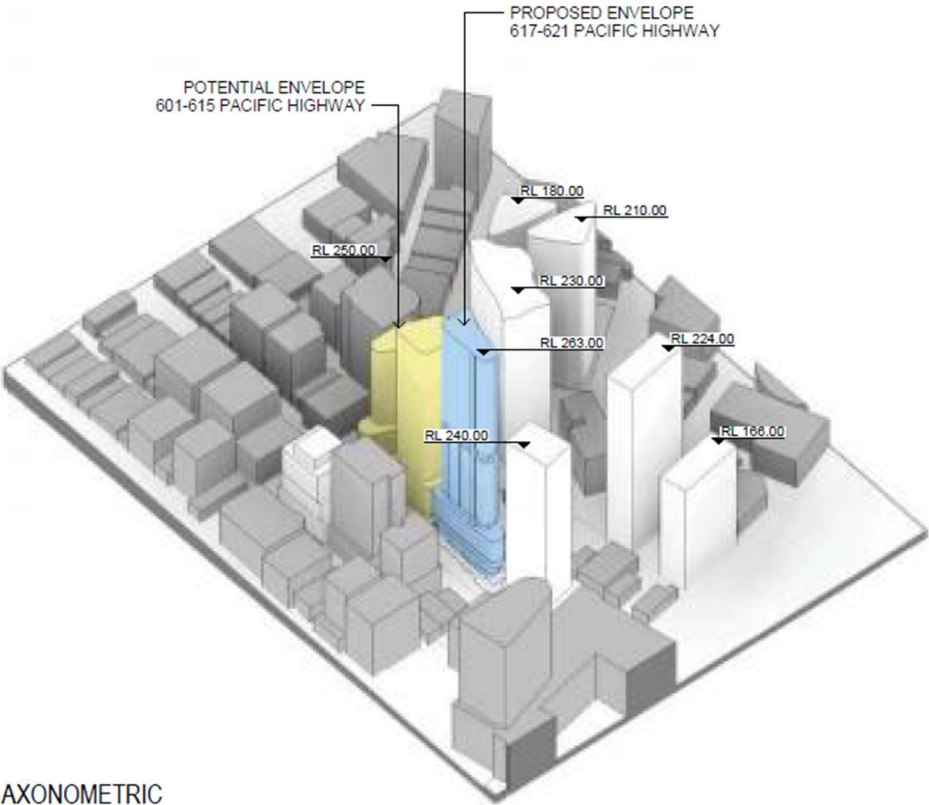


Figure 15 - Potential Massing Model for 601-615 Pacific Highway: Option B (Concept Design Report, Kann Finch)



6. THE PLANNING PROPOSAL

This Planning Proposal has been prepared in accordance with Sections 55 (1) and (2) of the Environmental Planning and Assessment Act 1979 with consideration of the relevant guidelines, namely “A guide to preparing planning proposals” issued by the NSW Department of Planning and Environment, August 2016.

Accordingly, the proposal is discussed in the following parts:

- **Part 1** – A statement of the objectives or intended outcomes.
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** – The justification for the planning proposal and the process for the implementation.
- **Part 4** – Mapping.
- **Part 5** – Details of community consultation that is to be undertaken for the planning proposal.
- **Part 6** – Project timeline.

Discussion for each of the above parts is outlined in the following chapters.

7. PART 1 – OBJECTIVES OR INTENDED OUTCOMES

7.1. OBJECTIVES

The primary objective of the proposed rezoning is to amend the North Sydney Local Environmental Plan, 2013 (NSLEP 2013) to provide for:

- Taller building forms on the subject site; and
- Shop top housing as a permitted use on the subject

The proposed concept proposal has been developed to realise a high quality mixed use redevelopment of the site that will make a meaningful contribution to the growth and enhanced physical quality of St Leonards. The proposed built form response seeks to promote taller building forms commiserate with the identified development trends in St Leonards whilst respecting the Sydney Airport height limitations to support the growth of the St Leonards Specialised Centre. The concept will also leverage off significant investment in the current and future transport infrastructure accessible to the site, providing increased residential and employment opportunities in well serviced locations.

The proposed amendments to the NSLEP controls have the objective of facilitating development which achieves the following:

- Providing compatible land uses that will contribute to the creation of a vibrant and active community including residential and commercial activity and community facilities.
- Integrating the site with the broader area through improvements to adjoining public domain spaces.
- Realising the current development density on the site through the introduction of residential accommodation without impacting on the potential achievement of overall employment targets for the site and wider precinct.
- Encouraging and supporting development activity in St Leonards, supporting the diverse mixed use nature of the precinct and contributing to a rejuvenation of St Leonards.
- Leverages the site's strategic location proximate to rail and bus networks and TOD principles by providing high levels of accessibility for residents and workers to the broader metropolitan area.
- Realises the redevelopment of the land in a manner consistent with the building height and FSR parameters envisaged by the St Leonards/ Crows Nest Planning Study (Precincts 2 and 3).

7.2. INTENDED OUTCOMES

The intended outcome of the Planning Proposal is to facilitate the timely delivery of the redevelopment of the site to accommodate a high quality mixed use building that successfully integrates with the emerging context of St Leonards. This is proposed through the following actions:

To facilitate the LEP amendment the following changes to the NSLEP 2013 are proposed:

- Amend *Schedule 1: Additional Permitted Uses* to allow “shop top housing” as a permissible use on the site at Clause 45;
- Amend the *NSLEP, 2013 Height of Buildings Map* to provide for a building height of 175m on the subject site at 617-621 Pacific Highway, St Leonards (as shown in **Figure 16**); and
- Amend the *NSLEP, 2013 Non-Residential Floor Space Ratio Map* to provide for a Minimum Non-Residential Floor Space Ratio of 4:1 on the subject site at 617-621 Pacific Highway, St Leonards (as shown in **Figure 17**).

A Concept Design for future development of the site has been prepared and discussed in **Section 6** and accompanies this Planning Proposal in **Appendix A**. However, the scheme will be refined as part of the DA process once the Planning Proposal has been endorsed by Council and the DPI ‘Gateway’ issue a determination that supports the preparation of an LEP amendment.

8. PART 2 – EXPLANATION OF THE PROVISIONS

8.1. OVERVIEW

The purpose of the Planning Proposal is to amend NSLEP 2013 to allow for a high quality mixed use redevelopment of the subject site. Accordingly the proposal seeks amendments to the following provisions as they relate to the subject site as specified in NSLEP 2013:

- Permissible land uses
- Height of buildings
- Non-residential Floor Space Ratio

The proposed Concept Plan and the requisite LEP amendments represent an invaluable opportunity to manage future development of the site in a logical and comprehensive manner, allowing for the introduction of development infrastructure of a suitable scale and nature. The proposed LEP amendments respond to the emerging pattern of development that surrounds the site (both within the North Sydney LGA and the immediately surrounding lands within Willoughby and Lane Cove LGAs). The proposed LEP amendments would facilitate the subsequent lodgement of a development application for the redevelopment of the subject site to North Sydney Council.

8.2. PURPOSE

The proposed amendments will assist in achieving the following on the subject site and surrounding area:

- An improved relationship with the public domain and street frontages.
- The provision of high quality publicly accessible spaces at the ground level, interfacing and connecting with Atchison Street and the Pacific Highway.
- A high quality built form in the centre of St Leonards.
- The provision of increased residential density in close proximity to rail and bus transport.
- High quality commercial space that caters for the evolving nature of St Leonards into a vibrant mixed use centre.

8.3. LAND TO WHICH THE PLAN WILL APPLY

The land that is proposed to be included in the site specific LEP amendment is located at 617 - 621 Pacific Highway, St Leonards. It is legally described as:

- Lot 1 in DP 577070
- Lot 1 in DP1022881
- Lot 1 in DP45593
- Lot 2 in DP455937

8.4. PROPOSED LEP AMENDMENTS

ZONING AND LAND USE

As per Council preferred approach, there are no proposed changes to the zoning of the site. The site will remain within the B3 Commercial Core Zone.

It is proposed to include the following in Schedule 1 Additional Permitted Uses of the NSLEP as follows:

45 Use of certain land at 617 - 621 Pacific Highway, St Leonards

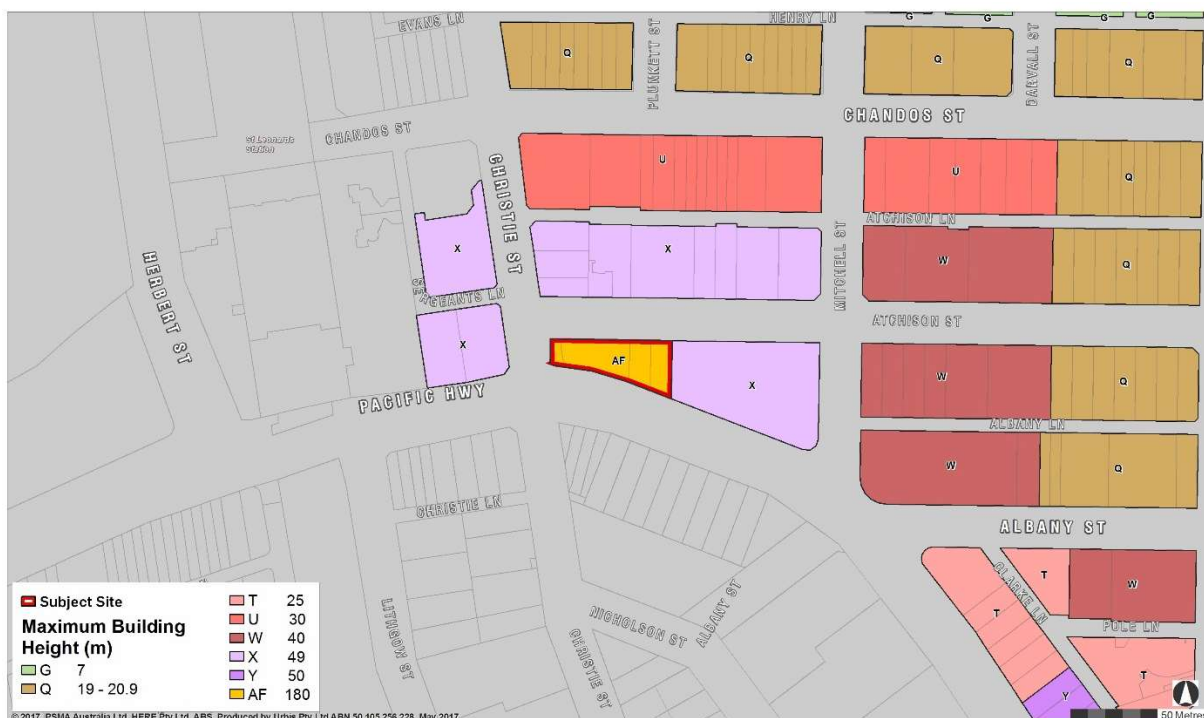
- (1) *This clause applies to land at 617 - 621 Pacific Highway, St Leonards being Lot 1 in DP1022881, Lot 1 in DP 577070 and Lots 1 and 2 in DP455937.*
- (2) *Development for the purposes of shop top housing is permitted with consent.*

BUILDING HEIGHT

It is proposed that a 180m maximum height control applies to the site, this provides some minor tolerance from the concept maximum height of 179.28m for changes to lift overrun or plant height allowances, avoiding the need for variations to the new control.

The proposed outcome will be achieved by amending the existing *Height of Buildings Map Sheet HOB_001* of the North Sydney LEP, 2013 to reflect this maximum height, as shown in **Figure 16**.

Figure 16 – Proposed Height of Buildings Map Sheet HOB_001



Source: NSLEP, 2013 as amended by Urbis

FLOOR SPACE RATIO

There is no existing FSR control applicable to the site. It is proposed to introduce a site specific non-residential FSR control as follows:

- To set a minimum non-residential FSR of 4.7:1.
- To set a maximum total FSR of 25.4:1
- While the concept achieves a slightly higher non-residential FSR, this small variation allows for detailed design changes or future tenant requirements (such as a retailer desiring a double height corner shopfront), and thus limits the requirement for the future need to seek a variation to the control.

The proposed outcome will be achieved by amending the existing *Non-Residential Floor Space Ratio Map LCL_001* of the North Sydney LEP, 2013 to reflect this control, as shown in **Figure 17**.

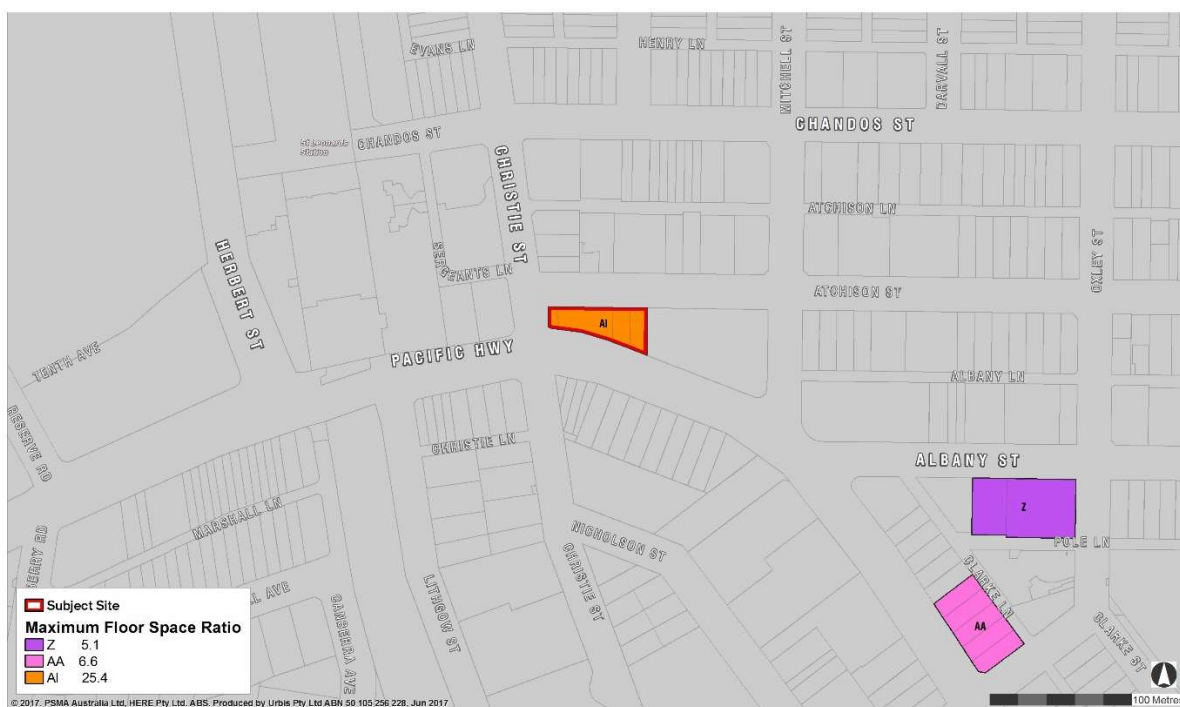
Figure 17 – Proposed Non-Residential Floor Space Ratio Map LCL_001



Source: NSLEP, 2013 as amended by Urbis

The proposed maximum FSR outcome will be achieved by amending the existing *Floor Space Ratio Map Sheet FSR_001* of the North Sydney LEP, 2013 to reflect this maximum height, as shown in **Figure 18** below.

Figure 18 – Proposed Maximum Floor Space Ratio Map FSR_001



Source: NSLEP, 2013 as amended by Urbis

8.5. RELATIONSHIP TO EXISTING LOCAL PLANNING INSTRUMENT

It is proposed that NSLEP 2013 will continue to apply to the site and will be amended by the site specific LEP.

8.6. SAVINGS PROVISIONS

It is not considered necessary to include a savings provision.

9. PART 3 – JUSTIFICATION

9.1. SECTION A – NEED FOR THE PLANNING PROPOSAL

Q1. IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

Yes. North Sydney Council has completed a strategic review of its planning framework for the St Leonards/ Crows Nest area and endorsed the St Leonards/ Crows Nest Planning Study – Precinct 2 and 3 (the 'Planning Study') in May 2015. The purpose of the Planning Study was to explore opportunities for the further intensification of development across the area. The Planning Study acknowledges that existing capacity is available to support more intensive development within St Leonards.

The subject site is included within the defined study area, and is situated within Precinct 2. This Precinct is identified by the Planning Study as a high density commercial and mixed use area. The Planning Study envisages that the subject site will be redeveloped to accommodate a tall building. The Planning Study does not set a height for tall buildings but instead invites the landowners of sites identified as suitable for tall buildings to submit site specific Planning Proposals to Council for individual consideration.

This Planning Proposal is the direct result of the recommendations of the Planning Study.

Furthermore, the proposal is consistent with the policy direction of the draft District Plan North with respect to St Leonards.

Q2. IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

We have considered a range of statutory measures to give effect to achieving the objectives of the proposal, including:

- Applying a Schedule 1 clause for an additional permitted use (as proposed);
- Including shop top housing as a permissible use in the B3 Commercial Core zone; or
- Rezoning the site to something that permits 'shop top housing', such as a B4 Mixed Use zone.

Including 'shoptop housing' as a permitted use in the B3 zone was not preferred as it would have wider implications through Council's entire B3 zoned lands which would have consequences beyond that considered for the subject site.

The other alternative to rezone to land to B4 mixed use was considered a reasonable manner to reflect the proposed land uses and it would also marry in with the surrounding land in the balance of the centre which is B4 zoned. If Council as the relevant planning authority for this planning proposal wished to proceed along this planning pathway, that would be acceptable to the proponent.

Ultimately the decision has been to apply a Schedule 1 amendment allowing additional permitted use to the B3 zone. This we understand is the preferred approach of Council in signifying the 'core' of the centre which will contain the greatest quantum of commercial uses compared with to the surrounding B4 land.

Without an amendment to the statutory planning controls, the proposed Design Concept for the site cannot be achieved and the associated public benefits would be lost. The site is a logical and appropriate place to concentrate future growth within the North Sydney LGA being within an area designated for future growth and development and conveniently located near to services and public transport infrastructure.

9.2. SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, for the reasons outlined below.

9.2.1. A Plan for Growing Sydney

The focus of *A Plan for Growing Sydney* (the Plan) is on boosting housing and jobs growth across all of Sydney. Various strategies and actions underpin this goal, the key being the establishment of revised

subregional dwelling and jobs targets. The Strategy sets out a strategic plan to guide the growth of Sydney for the next 20 years. The plan sets out a vision for Sydney, defined by the following four goals:

- Goal 1: A competitive economy with world class services and transport.
- Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.
- Goal 3: A great place to live with communities that are strong, healthy and well connected.
- Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

Planning Principles to guide the growth of Sydney are set out as the focus of the document:

- Principle 1: Increasing housing choice around all centres through urban renewal in established areas.
- Principle 2: Stronger economic development in strategic centres and transport gateways.
- Principle 3: Connecting centres with a networked transport system.

In terms of residential growth, the Plan prioritises the acceleration of housing supply in order to meet the specified housing target for Sydney Metropolitan Area of 664,000 dwellings by 2031 (Direction 2.1). A Plan for Growing Sydney focuses new housing in centres which have public transport that runs frequently and can carry large numbers of passengers. The area's most suitable for significant urban renewal are identified as those best connected to employment, including:

- Strategic Centres (host at least 10,000 jobs) - priority locations for increasing employment, retail, housing, services and mixed-use opportunities.
- Priority centres (specifically selected sites for urban renewal)
- In and around centres that are close to jobs and are serviced by public transport services that are frequent and capable of moving large numbers of people

St Leonards is designated as a **Strategic Centre** within the strategy, located within the **Global Economic Corridor** (attracting new economic activity) identified between Parramatta and Sydney; and located along the Sydney Metro Northwest. This connection is set to implement Sydney Rapid Transit and the surrounding land is identified as an Urban Renewal Corridor, which is charged with attracting investment and stimulating new economic activity (As shown in **Figure 3**).

It is clear from the Strategy that St Leonards is a centre where high levels of growth, both commercial and residential in nature, will be encouraged and supported. Urban renewal and additional housing growth will be enabled along the railway corridor to capitalise on the planned upgrades to public transport services. The Strategy sets the scene for St Leonards, as a Strategic Centre, to service a wider catchment and become a key connection point between the Sydney CBD and north western Sydney through the Sydney Rapid Transit infrastructure.

The Strategy sets out policy directions to achieve the identified goals and principles, with each direction underpinned by a number of actions. **Table 5** sets out the relevant directions and actions to the proposal and provides an overview of the planning response to these.

Table 5 – The proposal's response to *A Plan for Growing Sydney*

A Plan for Growing Sydney Strategic Directions and Policy	Concept Proposal Response
GOAL 1: A COMPETITIVE ECONOMY WITH WORLD-CLASS SERVICES AND TRANSPORT	
Direction 1.4 Transform the productivity of Western Sydney through growth and investment Growth targeted towards strategic centres New jobs close to centres; access to knowledge jobs	The proposal seeks to retain and strengthen the employment role of the site by maintaining the Commercial B3 zoning implement a minimum non-residential FSR control specific to the site. This will ensure that the site continues to make a contribution to jobs and economic growth of the St Leonards

A Plan for Growing Sydney Strategic Directions and Policy	Concept Proposal Response
in centres.	Strategic Centre. Specifically, the proposal will contribute 218 new retail and commercial jobs and as well as hundreds of construction jobs. The proposal will send a clear signal of investor confidence in the area which has the potential to stimulate further development activity. The concept proposal seeks to balance the direction and actions set out in the strategy with commercial imperatives for the site. The provision for residential living opportunities on the site will bring people closer to jobs and services to support the economic growth of St Leonards.
Direction 1.7 Grow strategic centres – providing more jobs closer to home Focus growth in strategic centres and transport corridors Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity.	The proposed amendments to the LEP as they apply to the subject site will provide an avenue for greater investment in housing and jobs within St Leonards, strengthening its role as a Strategic Centre and facilitating the creation of a vibrant hub of activity associated with the Global Economic Corridor and the urban renewal anticipated on sites adjacent to the Sydney Metro Northwest. The provision of residential dwellings on the subject site will allow people to live closer to jobs and reduce commute times, achieving sustainability outcomes. Housing a residential population in close proximity to areas designated for employment growth in turn stimulates this growth as it is more desirable for business and education activities have a readily accessible work force. Diversification of land uses to include residential development in the corridor will not diminish the potential employment capacity of the centre. The site benefits from an existing development consent for residential apartments.
Direction 1.10 Plan for education and health services to meet Sydney’s growing needs Support the growth of complementary health and tertiary education activities in strategic centres.	Given the proximity to the Royal North Shore Hospital, the concept proposal includes provision for specific flexible commercial spaces to be utilised by business and/ or health tenants. The residential component of the site is complementary to this Direction as it supports the nearby health facilities by providing places for people to live and work and potentially house the future workers.

A Plan for Growing Sydney Strategic Directions and Policy	Concept Proposal Response
GOAL 2: A CITY OF HOUSING CHOICE, WITH HOMES THAT MEET OUR NEEDS AND LIFESTYLES	
Direction 2.1: Accelerate housing supply across Sydney An additional 664,000 dwellings required across Sydney over the next 20 years Action 2.1.1 Accelerate housing supply and local housing choices Action 2.1.3 Deliver more housing by developing surplus or under-used government land.	The proposal seeks to provide for mixed use development which will permit the development of apartment style dwellings within the strategic centre of St Leonards to contribute to the dwelling supply to meet the dwelling targets. The residential targets identified for each area will be further detailed in the yet to be released District Plan (formerly sub-regional plans) for the North Subregion. The proposed concept plan demonstrates in the order of 195 new dwellings being achieved across the subject site. This figure will greatly contribute to achieving the housing targets for the greater region. The subject site is currently underutilised and the buildings at the end of their economic life. The proposal would see the highest and best use of the land come to fruition.
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs The government will support Council-led urban infill and local efforts to lift housing production around centres New housing for centres that have public transport able to carry large numbers New housing in strategic centres	The location of mixed use development in this strategic location provides housing within an employment area – achieving sustainability outcomes and leading to employment containment within the region, i.e. residents are employed within the centre within which they live. However, the site is also accessible to a wider catchment through public transport and road infrastructure. The site provides easy access to main arterial road connections, namely the Pacific Highway - a main arterial road. The St Leonards Station is within 100m to the west of the site and has considerable patronage, the 7th most patronised station outside the CBD. It is both a primary destination and interchange node. The site is also easily accessible via an extensive bus catchment that run along the Pacific Highway and Willoughby Road. Further, the proposed Sydney Rapid Transit – as set out in the Plan will further increase the connectivity to the site and key centres by allowing faster and more frequent train services. This policy seeks to capitalise on the improvements to the public

A Plan for Growing Sydney Strategic Directions and Policy	Concept Proposal Response
	transport networks to focus new housing in and around centres on the rail corridor. In this regard, the concept proposal is a prime site for mixed use development as it provides the ability to connect new homes to job-rich locations via good public transport with an approximate 30 minute rail or light rail (future) journey – Action 2.2.2.
Direction 2.3: Improve housing choice to suit different needs and lifestyles Research indicates a shortage of apartments in outer Sydney Deliver more opportunities for affordable housing	The proposal will unlock the potential for in the order of 195 new dwellings in a variety of configurations and residential form. The detail of the dwelling design and configuration has been conceptually explored which demonstrates the possibility for a mix of dwelling typologies and styles that could achieve this direction to meet the evolving housing needs specific to this region. Further, opportunities for the delivery of affordable housing can be realised through this proposal.
GOAL 3: A GREAT PLACE TO LIVE WITH COMMUNITIES THAT ARE STRONG, HEALTHY AND WELL CONNECTED	
Direction 3.3: Create healthy built environments	The concept proposal for the site has been developed to align with key design principles to promote healthy communities and social cohesion. This will be fully developed for DA stage to include key concepts such as: Central leisure and recreational areas for residents, visitors and workers. Provides compatible land uses that will create a vibrant and active community, including residential and ground floor commercial. New spaces will be developed to facilitate active ground level uses and integrate with the concept plan for the adjoining site Meaningful areas of open space that can be used by residents and workers. Key linkages across the site to provide functional and identifiable pedestrian flows between streets. Encouraging walking and cycling through the location of homes and jobs in close proximity to public transport, reducing the need for personal car transport.
NORTH SUBREGION	

A Plan for Growing Sydney Strategic Directions and Policy	Concept Proposal Response
<i>The North subregion will continue to be an attractive place to live, work and visit with a thriving economy. The subregion's Gross Regional Product is second only to the Central subregion's, with North Sydney, the second largest office market in Sydney. Increases in the supply of housing and jobs will be focuses on centres with good public transport. The subregion will offer a growing diversity of high amenity living and working environments.</i>	
Accelerate housing supply, choice and affordability and build great places to live. Work with councils to identify suitable locations for housing and employment growth coordinated with infrastructure delivery (urban renewal) and train services, including around Priority Precincts, established and new centres, and along key public transport corridors including the North West Rail Link, the Western Line, the Cumberland Line, the Carlingford Line, the Bankstown Line and Sydney Rapid Transit.	As discussed above, the proposal will facilitate increased residential housing supply in conjunction with the protection of an appropriate proportion of employment activity. The opportunity for an increased diversity and mix of housing typologies is realised through the proposal and will contribute to the housing supply, choices and affordability objectives. Further, the site is well connected in terms of access to transport and infrastructure.
Priorities for Strategic Centres: St Leonards Work with Council to retain a commercial core in St Leonards for long-term employment growth. Work with Council to provide capacity for additional mixed use development in St Leonards, including offices, health, retail, services and housing. Support health-related land uses and infrastructure around Royal North Shore Hospital. Work with Council to investigate potential future employment and housing opportunities associated with Sydney Rapid Transit station at St Leonards/ Crows Nest.	Redevelopment of the site for mixed use purposes in the manner intended will allow people to live closer to jobs and reduce commute times, achieving sustainability outcomes for the centre. The housing of a residential population in close proximity to areas designated for employment growth in turn stimulates this growth as it is more desirable for business and education activities have a readily accessible work force. The proposal presents a thorough investigation, undertaken in conjunction with the St Leonards/ Crows Nest Planning Study, of potential future employment and housing opportunities associated with the proposed Sydney Rapid Transit. The proposal capitalises on the existing and proposed infrastructure to provide mixed use development in well serviced and accessible locations.
SUBREGIONAL STRATEGY	
A Plan for Growing Sydney states that: <i>Subregional plans will build on the actions set out in A Plan for Growing Sydney. Councils, the community, the Greater Sydney Commission and the NSW Government will work together to finalise and implement these plans.</i>	

9.2.2. District Plan North

The Draft District Plans were released for public comment in November 2016. The site is located within District Plan North.

The draft District Plan has the following broad policy objectives:

- Increase housing capacity
- Improve housing choice
- Ensure new housing capacity leverages current and future infrastructure provision
- Ensure St Leonards achieves a balance of residential and commercial space.

The development of the site for mixed use including residential purposes is considered appropriate for the following reasons:

- Fundamentally, the proposal will create a significant amount of new jobs in addition to the other proposed land uses and for that the proposal upholds a key strategic key direction for the Centre. The creation of some 252 ongoing jobs on site represents a substantial increase to the approximately 40 jobs generated through the approved DA's on the site (serviced apartment and small retail components) and positively contributes to the employment growth targets. In addition the project will create close to 300 (direct and indirect) jobs during the construction of the project.
- A Plan for Growing Sydney is clear that significant employment and residential growth will be accommodated within Strategic Centres. The residential areas within the St Leonards Centre can reasonably be expected to significantly contribute to new residential development within the subregion, particularly given its excellent access to existing transport infrastructure.
- The proposed LEP amendment to allow high density residential development represents a valuable opportunity to provide increased housing within close proximity to both an existing centre and a range of transport options that would complement development activity planned within the immediate vicinity. The proposal would greatly assist with the attainment of dwelling and employment targets for the subregion. This can be achieved without compromising the economic focus of the Centre. The site has been consolidated into a viable site capable of accommodating higher density development and therefore represents a strategic opportunity to:
 - Contribute to the achievement of housing and employment targets.
 - Enliven St Leonards through the introduction of more diverse land uses.
 - Provide opportunities to create homes closer to jobs within St Leonards.
 - Increase the supply of transit oriented housing to shift transport movements from cars to public transport, walking or cycling, thereby reducing congestion and CO2 emissions.
- The proposal will deliver an opportunity for centre-supporting housing that allows people to live and work in the same locality. It also supports the vitality of the Centre, activating the area outside business hours.
- The proposal will facilitate the provision of complementary uses that will strengthen the mixed use character of St Leonards Centre to create a vibrant mixed use zone.
- The site represents a logical location to accommodate a range of uses in close proximity of high frequency public transport services. This is a clear direction of A Plan for Growing Sydney.

9.2.3. NSW Long Term Transport Master Plan

The NSW Long Term Transport Master Plan outlines a number of projects that will impact Sydney. The masterplan aims to build efficiently on existing transport connections, including those with the Sydney CBD through the Global Economic Corridor, to connect people with jobs and other opportunities which in turn will support productivity and economic growth.

The Master Plan recognises that businesses and precincts, have the opportunity to grow and expand with investment in transport. The Master Plan includes strategies to improve road capacity, reduce journey times and public transport solutions to promote accessibility across Sydney.

The proposed LEP amendments are consistent with the objectives of the NSW Long Term Transport Master Plan by providing high density residential development in close proximity to train and bus networks which provide excellent linkages to key employment centres.

These short term and long term objectives promote the connectivity of St Leonards to the CBD and surrounding centres as well as ease of travel within the north. The proposal to increase the residential densities and strengthen the employment population on the subject site is timely given the proposed infrastructure upgrades planned to improve travel times between northern Sydney and the CBD.

9.2.4. Strategic Planning Framework Summary

In summary, the proposal is directly consistent with the principles of a range of broader strategic planning considerations contained within A Plan for Growing Sydney, the North District Plan and the Long Term Transport Master Plan which support a transit-orientated and centres based approach to managing growth. As such, the site represents a logical location to accommodate new housing and employment opportunities in close proximity to existing services and infrastructure consistent with this approach. It allows opportunities for the growing number of people working in St Leonards to live and work in the same district, thereby reducing travel demand and associated car based pollution and congestion. The proposal has the potential to contribute a valuable and sustainable component of the future commercial and residential development of St Leonards.

Q4. IS THE PLANNING PROPOSAL CONSISTENT WITH A COUNCIL'S LOCAL STRATEGY OR OTHER LOCAL STRATEGIC PLAN?

Yes. The St Leonards/ Crows Nest Planning Study – Precinct 2 and 3 (the 'Planning Study') May 2015, which has been adopted by Council provides the framework to inform future proposals in the locality.

The subject site is included within the defined study area, and is situated within Precinct 2. This Precinct is identified by the Planning Study as a high density commercial and mixed use area.

The Planning Study envisages that the subject site will be redeveloped to accommodate a tall building. The Planning Study does not set a height for tall buildings but instead invites the landowners of sites identified as suitable for tall buildings to submit site specific Planning Proposals to Council for individual consideration. This Planning Proposal responds directly to the recommendations of the Planning Study and provides a robust design and planning analysis that has been undertaken for the site and its context to develop an appropriate building height to be applied to future development of the site (175m).

The Planning Study specifically identifies the subject site as a site where 'shop top housing' should be located and invites the landowners of sites identified as suitable for 'shop top housing' to submit site specific Planning Proposals to Council for individual consideration. Map 5A: *Non-Residential Floor Space Ratio* of the Planning Study (Page 77) identifies the site as being within Area 14 where a minimum non-residential floor space ratio of 4:1 applies to the site. This planning proposal has been developed to align with this requirement and proposes a minimum non-residential floor space ratio of 4:1 across the site.

Q5. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

Yes. The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified in **Table 6**.

Table 6 – Consistency of the Concept Design with SEPPs

Policy	Details
SEPP 14 – Coastal Wetlands	Not relevant
SEPP 19 – Bushland in urban areas	Not relevant
SEPP 21 – Caravan Parks	Not relevant
SEPP 26—Littoral Rainforests	Not relevant
SEPP 30 – Intensive Agriculture	Not relevant
SEPP 33 – Hazardous and offensive development	Not relevant
SEPP 36—Manufactured Home Estates	Not relevant
SEPP 44 Koala Habitat Protection	Not relevant
SEPP 47 – Moore Park Showground	Not relevant
SEPP 50 – Canal estate development	Not relevant
SEPP 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not relevant
SEPP 55 Remediation of Land	Douglas Partners have prepared a preliminary site investigation assessment involving site visit, review of site information and historical records. Council records have not identified that a site audit statement has been received with respect to the site, and thus is not declared to be significantly contaminated land, nor subject to management or ongoing maintenance orders nor subject of an approved voluntary management proposal. Given the past history of the site, the report states that there is some potential that past demolition works could have exposed potentially hazardous building materials to surface soil. Imported fill from past works could also be present on the site as could be leaking oil for nearby sites. The assessment concludes that the potential contamination is limited to

Policy	Details
	the sources identified and that the site can be made suitable for the proposed development following intrusive investigations at assess the potential contamination source-pathway-receptor linkages and if necessary the development of a remediation action plan.
SEPP 62 – Sustainable Aquiculture	Not relevant
SEPP 65 Design Quality of Residential Flat Buildings	SEPP 65 provides a statutory framework to guide the design quality of residential flat developments. The development concept has been designed to facilitate future detailed building design in accordance with SEPP 65 and the accompanying Apartment Design Guide (ADG). Based on the indicative apartment layout, the following is noted: The residential component consists of 195 apartments suited to a variety of lifestyles. An indicative dwelling mix is 1 bedroom (21%) 2 bedroom (74%) and 3 bedroom (5%). The residential floors have minimum ceiling heights to living/dining/bedrooms of 2.7 metres and 2.4 metres to non-habitable spaces. The floor to floor height is typically 3.1 metres. Each apartment has access to a secure private open space such as a balcony or winter garden with minimum areas of 8-12m² based on apartment size. Most apartments are able to achieve greater private open space than the minimum prescribed by the ADG. A communal open space area with indoor lounge/meeting rooms and outdoor recreation/pool area will also be provided for residents. Dual aspect apartments have a maximum depth of 11.0 metres and single aspect apartments have are a maximum of 6.0 metres to enhance daylight access and natural ventilation. A minimum of 2 hours direct sunlight between 9:00am & 3:00pm in mid-winter will be enjoyed by more than 75% of the apartments. Similarly, more than 75% of apartments will be naturally cross ventilated. These numbers exceed those prescribed by the ADG. Each apartment has access to a minimum of 6-10m³ of private storage space via a combination of space within the apartment or secure storage cage within the basement levels.
SEPP 70 - Affordable Housing (Revised Schemes)	Not relevant
SEPP 71 – Coastal Protection	Not relevant
SEPP (Affordable Rental Housing) 2009	Not relevant
SEPP - (Building Sustainability Index: BASIX)	Capable of complying. A relevant matter to consider at Development Application stage.

Policy	Details
2004	
SEPP (Exempt and Complying development codes) 2008	Not relevant
SEPP (Housing for seniors or people with a disability) 2004	Not relevant
SEPP (Infrastructure) 2007	The future development application will trigger the referral requirements for traffic generating development of the to the RMS.
SEPP (Major Development) 2005	Not relevant
SEPP (Mining, Petroleum production and extractive industries) 2007	Not relevant
SEPP (Miscellaneous consent provisions) 2007	Not relevant
SEPP (State and Regional Development) 2011	Not relevant
SREP (Sydney Harbour Catchment) 2005	Not relevant
SEPP (Buildings Sustainability Index: BASIX) 2004	The BASIX SEPP requires residential development to achieve mandated levels of energy and water efficiency. The proposed development concept has been designed with building massing and orientation to facilitate future BASIX compliance, which will be documented at the development application stage.
SEPP (Infrastructure) 2007	The Infrastructure SEPP aims to facilitate the efficient delivery of infrastructure across the State. The following matters are relevant to the proposal: The proposed development will require existing utility services to be upgraded and/or augmented to enable the future residential population to be accommodated. These works will need to be undertaken in accordance with the provisions of the SEPP.
SEPP - (Integration and Repeals) 2016	Not relevant
SEPP - (Kosciuszko National Park—Alpine Resorts) 2007	Not relevant
SEPP - (Kurnell Peninsula) 1989	Not relevant

Policy	Details
SEPP - (Mining, Petroleum Production and Extractive Industries) 2007	Not relevant
SEPP - (Miscellaneous Consent Provisions) 2007	Not relevant
SEPP - (Penrith Lakes Scheme) 1989	Not relevant
SEPP - (Rural Lands) 2008	Not relevant
SEPP - (State and Regional Development) 2011	Not relevant
SEPP - (State Significant Precincts) 2005	Not relevant
SEPP - (Sydney Drinking Water Catchment) 2011	Not relevant
SEPP - (Sydney Region Growth Centres) 2006	Not relevant
SEPP - (Three Ports) 2013	Not relevant
SEPP - (Urban Renewal) 2010	The site is located within the St Leonards/Crows Nest precinct that the state government has commenced an urban renewal investigation. Given this proposal has responded to a comprehensive earlier precinct study from council, processing of this application can and should proceed independently of the wider precinct investigation.
SEPP - (Western Sydney Employment Area) 2009	Not relevant
SEPP - (Western Sydney Parklands) 2009	Not relevant

In addition, while not a State Environmental Planning Policy, we have considered; *Development Near Rail Corridors and Busy Roads – Interim Guideline*. The provisions of the interim guideline will be considered in the assessment of the potential future acoustic impacts associated with the Pacific Highway. Suitable mitigation and management measures will be provided so that a satisfactory level of residential amenity can be achieved through the future detailed design phase associated with a development application involving residential use in proximity to the surrounding roads.

Q6. IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE MINISTERIAL DIRECTIONS (S.117 DIRECTIONS)?

Yes. The Planning Proposal has been assessed against the applicable s117 Ministerial Directions and is consistent with each of the relevant matters, as outlined in **Table 7**.

Table 7 – Consistency of the Planning Proposal with the applicable s117 Ministerial Directions

Direction	Comment
1.1 Business and Industrial Zones The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres.	The proposal is consistent with the Direction as follows: The proposed development will result in a small reduction in nett lettable area from the existing commercial buildings, however due to the proposed mix of uses, the proposal will result in a net increase in employment from current levels of 179 jobs. Urbis has prepared a comprehensive Employment Assessment included in Attachment J. In summary the report concludes the following: • The scale and provision of commercial floorspace is better-suited to the current and future market and the role of St Leonards as a specialised health based centre as it will attract small -medium businesses in health-related industry. • Total overall employment will be 512 jobs, comprising 292 construction generates jobs and 252 ongoing jobs. • This constitutes a significant growth of employment from the current DA approval (residential and serviced apartments) with an estimated 35 ongoing jobs onsite compared with the proposal incorporating retail, art centre and commercial office space that will generate 252 ongoing jobs. • In addition to the employment benefits, the retail space will have the potential to improve turnover performance of existing retail precincts near the site. In summary, the proposal will preserve the economic function of the site, consistent with the core purpose of the St Leonards Strategic Centre and facilitate higher future employment densities and office spaces that will attract health-related business which will strengthen the specialised status of the centre.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	The proposal satisfies the objectives of this Direction
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	The site has no identified or known items of European or Aboriginal significance, as such the proposal does not require to include provisions
2.4 Recreation Vehicle Areas	Not applicable

Direction	Comment
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable
3.1 Residential Zones (1) The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	The proposal will seek to broaden the range of housing provided in the LGA through accommodation of a mixed use development containing residential apartments. The subject site is well placed to accommodate high rise residential accommodation. The proposed mixed use development will make efficient use of existing services and infrastructure and will provide sufficient housing to help meet infill housing targets and reduce the need for land release on the metropolitan fringe. Residential accommodation in this location will have minimal impact on the natural environment or resource lands as the precinct and sites are already developed.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrating Land Use and Transport (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and	The proposal is consistent with the direction for the following reasons: The site supports the principle of integrating land use and transport. The site exhibits good access to public and private transportation use, being within walking distance of the St Leonards train station. The site's proximity to public transport will provide opportunities for residents and employees to access the site. The proposal will provide additional employment within the North Sydney LGA within close proximity to existing services and infrastructure. The subject site is located within the St Leonards Centre and is within walking distance of the St Leonards train station. The site is extremely well located to make use of existing services and employment opportunities in nearby centres and will complement and support these existing uses. Additional local service provision within walking distance of new dwellings would be incorporated into the future design of the site.

Direction	Comment
(e) providing for the efficient movement of freight.	
3.5 Development near licensed aerodromes	The site is not in close proximity to Sydney Airport however it is affected by obstacle limitation surface of 156 AHD, and the proposal seeks to exceed the OLS by approximately 107m. Accordingly, the provisions of clause (4) to the Direction applies. The proposal is accompanied by an aeronautical assessment addressing the proposal with respect to the OLS and deemed that the proposal is appropriate. Nevertheless, the proposal will require referral as a 'controlled activity' to the Commonwealth Department of Infrastructure and Regional Development and Sydney Airport seeking permission to amend the building height controls on the subject site, at the development application stage. The relevant authority application accompanies the supporting documentation of this planning proposal
3.6 Shooting ranges	Not applicable
4.1 Acid Sulfate Soils	There is no mapping of acid sulfate soils (ASS) by Council. Given the location of the site high on a ridge the likelihood of ASS is low. Evidence of recent construction close to the site demonstrate ASS is not a constraint to the future proposed development of the site. Further assessment can be carried out if necessary as part of the development application.
4.2 Mine subsidence and unstable land	Not applicable
4.3 Flood prone land	Not applicable
4.4 Planning for bushfire protection	Not applicable
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking water catchment	Not applicable
5.3 Farmland of state and regional significance on NSW far north coast	Not applicable
5.4 Commercial and retail development along the Pacific Highway, North Coast	Not applicable
5.5 -5.7	Revoked
5.8 Second Sydney Airport	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable

Direction	Comment
5.10 Implementation of Regional Plans	The proposal is consistent with this Direction. This proposal outlines an assessment demonstrating the achievement of the objective of this Direction.
6.1 Approval and Referral Requirements	This is an administrative requirement for Council.
6.2 Reserving Land for Public Purposes	This is an administrative requirement for Council.
6.3 Site Specific Provisions	The Planning Proposal seeks to provide an additional permitted use (via Schedule 1 to the LEP) to the existing zone. This is the preferred option to applying a B4 mixed use zone which allows a wide range of uses, some of which may not be appropriate for the site in its context. Furthermore adding shoptop housing as a permitted use to the B3 zone would have a whole of LGA application which would be undesirable and contradict council policies with respect to permitting residential in the North Sydney CBD core.
Direction 7.1 Implementation of A Plan for Growing Sydney (1) The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	The planning proposal is consistent with the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney. This is further discussed at Section 7 .
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable

Section C – Environmental, Social and Economic Impact

Q7. IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The site is fully developed and comprises little vegetation. There are no known critical habitats; threatened species or ecological communities located on the site and therefore the likelihood of any negative impacts are minimal.

Q8. ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

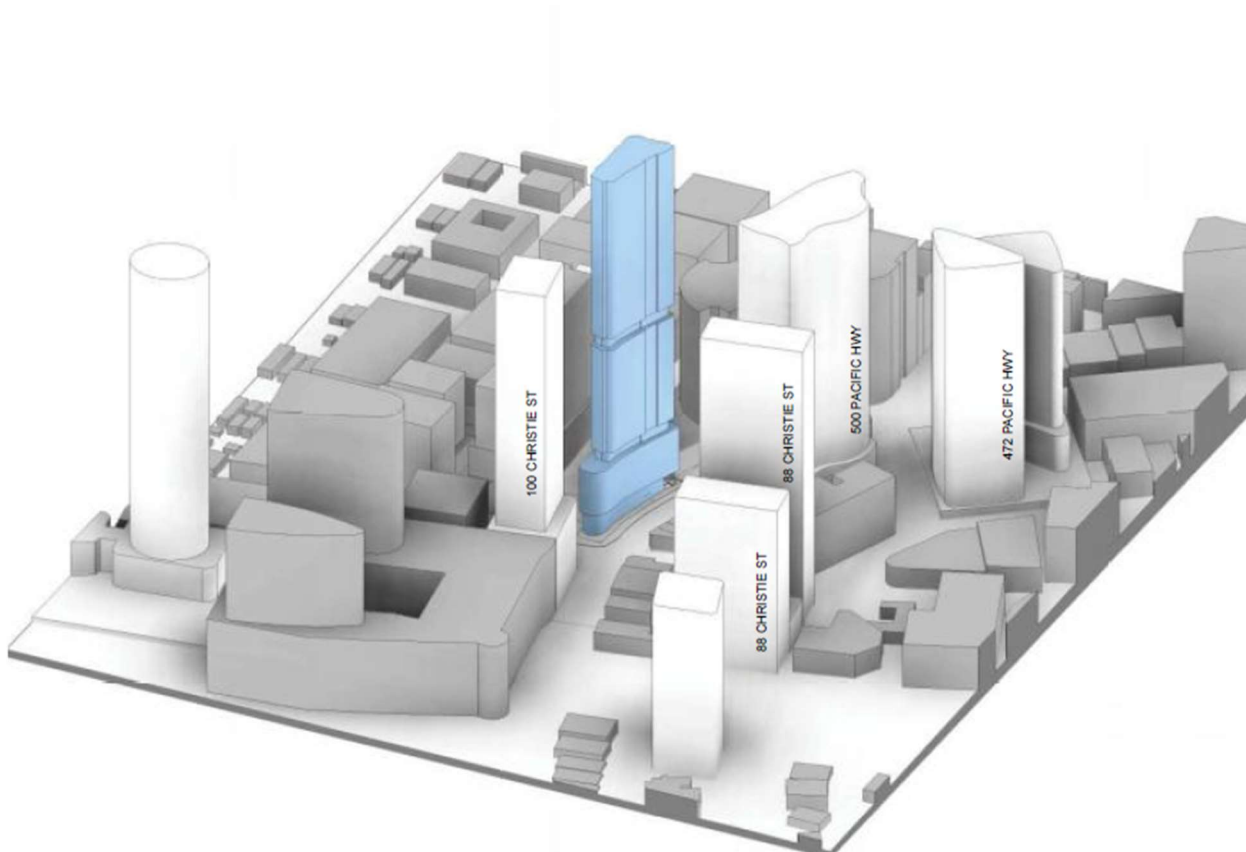
The site is free of major constraints. There are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through further design development. Preliminary investigations have been undertaken as outlined below.

9.2.5. Visual Impact

The height and bulk of the St Leonards area has already transformed the nature of the local area with a number of tall building forms recently approved or pending approval on surrounding sites, as shown in **Figure 20**. The surrounding lands will continue to undergo transformation over the coming years evidenced through the introduction of new development.

It is likely that there will be an impact on views as a consequence of the development of the Precinct. In this regard, the concept design has been prepared in accordance with the St Leonards/ Crows Nest Planning Study which recognises that taller built form is an appropriate response to the precinct's accessibility to St Leonards Station. Best practice transport oriented design places the tallest buildings closest to areas of the highest activity and transport accessibility and seeks to concentrate height at the centre. The proposed tower (approximately 175m) on the site would be visible from a number of vantage points, as demonstrated in the figure below, and act as a landmark building within the St Leonards Strategic Centre. Therefore, the close proximity to the train station and frontage onto the Pacific Highway mean the site is well positioned to support a tower of this scale.

Figure 19 – Model view demonstrating recent taller building form context



Visual impact remains an important consideration and can be appropriately managed through design with particular consideration being given to well-scaled and proportioned street edge design. In this regard, the concept design proposes a two storey element to the street frontages to promote a human scale which contributes to the activity at street level. The strongly articulated base will support high quality retail tenancies that provide a seamless integration with the surrounding public domain.

The proposed façade design incorporates the following principles to further mitigate the visual impact of the proposed built form:

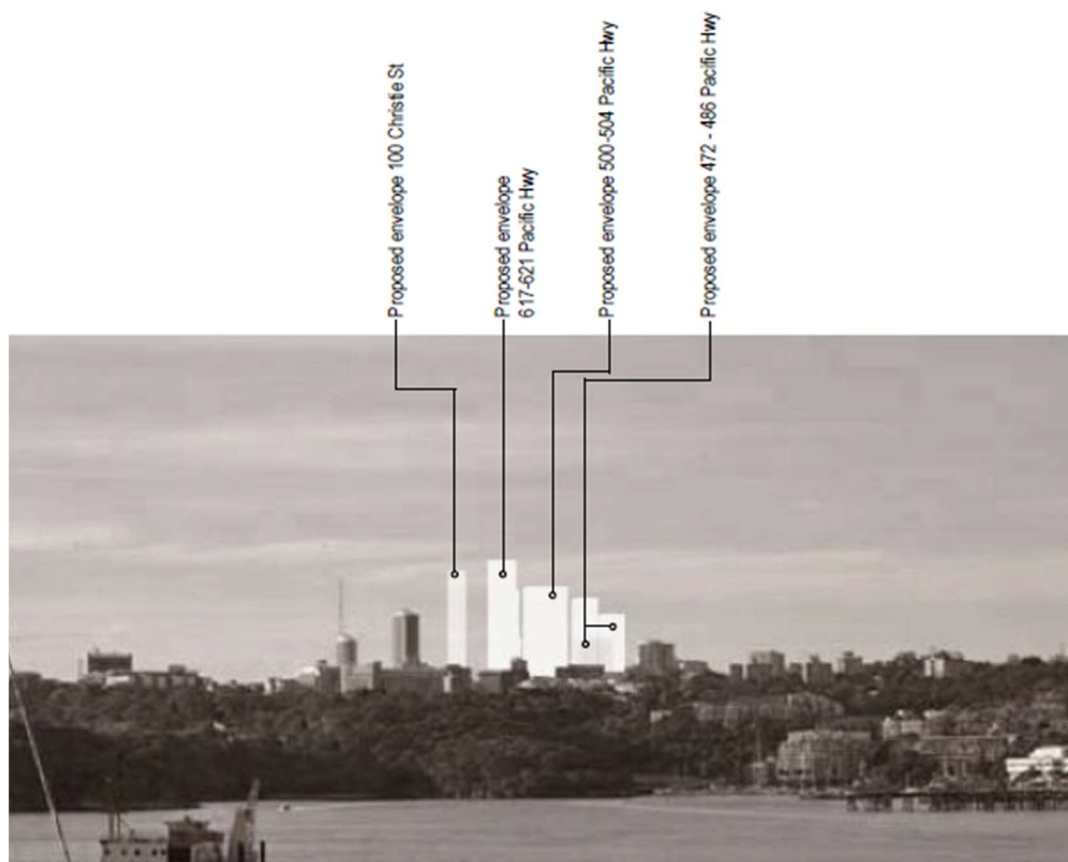
- Differentiate base, middle & top
- Balconies & shading respond to orientation

- Facade texture decreases from bottom to top
- Height module increases from bottom to top

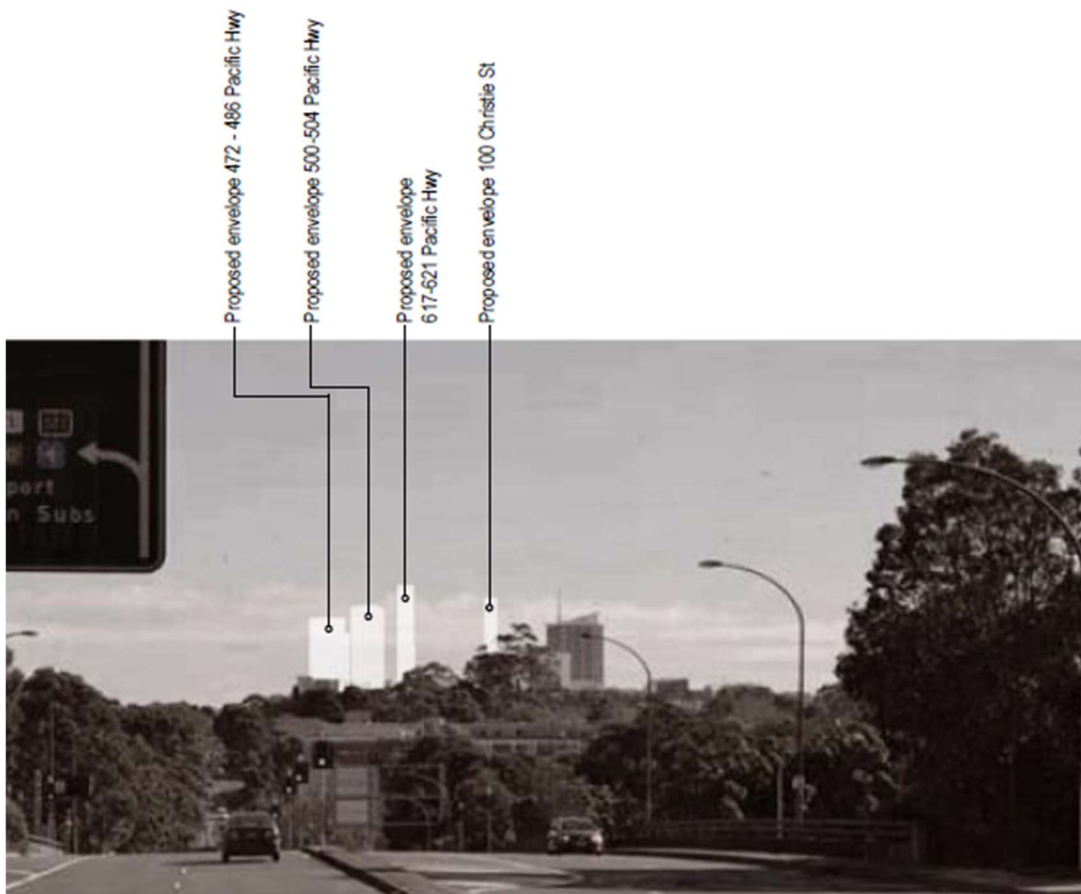
The proposed materials and finishes will be further developed to respond to those in the surrounding environment which include a combination of contemporary and tactile materials. The proposal responds to the contemporary setting and incorporates a finer grain of detail at the pedestrian level. Materials are proposed based on scale, life expectancy, durability, future desired character of the whole area and appropriateness to their particular location. The predominantly glazed facades of the tower will be distinctly different than existing predominantly rendered masonry and glazed buildings on the St Leonards skyline, which is a positive design solution to add diversity in architectural expression of towers.

In summary, the proposed built form presents a well-considered building form that responds to the key site characteristics and framework set by the St Leonards/ Crows Nest Planning Study to ensure the built form is appropriate for this location and compatible with the surrounding built form typologies.

Figure 20 – Photomontages of St Leonards Skyline (Concept Design Report, Kann Finch)



Near Birchgrove Looking North



Near Neutral Bay Looking West

9.2.6. Traffic Impacts

ARUP have prepared a Traffic Impact Assessment which accompanies the Planning Proposal submission at **Appendix D**. The assessment describes the existing local traffic context, including access and the potential traffic implications of the proposed concept. The report addresses the following matters:

- Generation of pedestrian and car trips
- Public transport accessibility
- Upgrade requirements for Oxley Street / Pacific Highway intersection
- Car parking arrangements
- Pedestrian and bicycle access
- Green initiatives

The key findings of ARUP are summarised as:

- A total of 80 off-street parking bays, inclusive of car share (with accessible parking provision) are proposed. The development is located within 100m of various modes of St Leonards Station and bus stops thus the development is expected to not generate a large parking demand;
- Based on the traffic distribution and generation assumptions, the analysis indicates that the increase in traffic is negligible and is not envisaged to affect the existing intersection performances adversely;
- The proposed car lifts are sufficient to service the arrival and departure rate of vehicles;
- The development would be responsible for a small increase in peak hour traffic flows along surrounding key roads. Due to the small increase in development traffic, it is expected that surrounding key roads will continue to operate in the same way;
- Secure bicycle parking is to be provided as a component of the proposed development; and

- Travel demand management measures have been suggested that can be implemented through the Development Application phase.

9.2.7. Residential Amenity

The Concept Design has been developed with regard to the requirements of State Environmental Planning Policy 65 and the accompanying Apartment Design Guide (ADG).

An analysis of the indicative apartment design has been undertaken by Kann Finch within the Concept Design Report (**Appendix A**). This analysis confirms that the development could achieve an acceptable level of internal amenity for future residents with regard to solar access, natural ventilation and privacy. Based on the indicative apartment layout, the following is noted:

- The residential component consists of 195 apartments suited to a variety of lifestyles. An indicative dwelling mix is 1 bedroom (21%) 2 bedroom (74%) and 3 bedroom (5%).
- The residential floors have minimum ceiling heights to living/dining/bedrooms of 2.7 metres and 2.4 metres to non-habitable spaces. The floor to floor height is typically 3.1 metres.
- Each apartment has access to a secure private open space such as a balcony or winter garden with minimum areas of 8-12m² based on apartment size. Most apartments are able to achieve greater private open space than the minimum prescribed by the ADG. A communal open space area with indoor lounge/meeting rooms and outdoor recreation/pool area will also be provided for residents.
- Dual aspect apartments have a maximum depth of 11.0 metres and single aspect apartments have a maximum of 6.0 metres to enhance daylight access and natural ventilation.
- A minimum of 2 hours direct sunlight between 9:00am & 3:00pm in mid-winter will be enjoyed by more than 75% of the apartments. Similarly, more than 75% of apartments will be naturally cross ventilated. These numbers exceed those prescribed by the ADG.
- Each apartment has access to a minimum of 6-10m³ of private storage space via a combination of space within the apartment or secure storage cage within the basement levels.

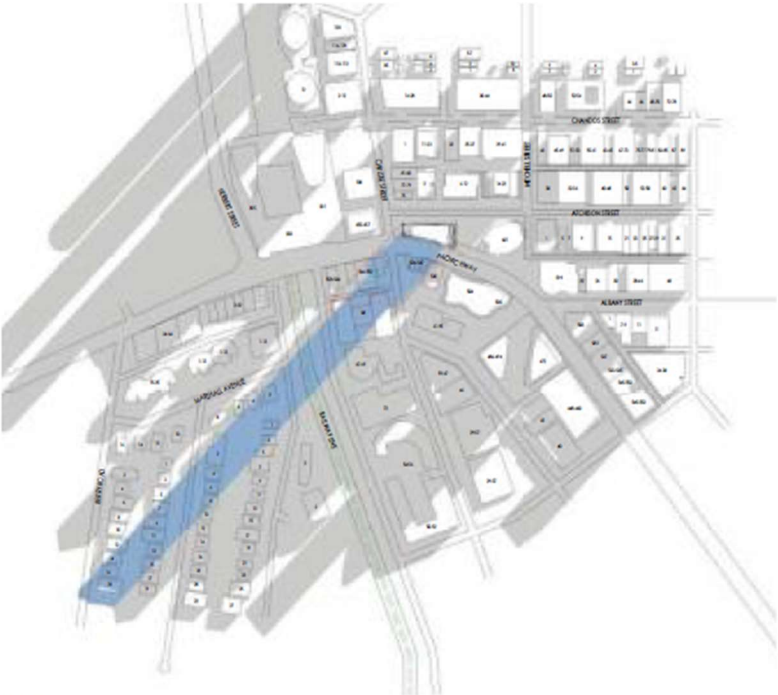
Further, the building separation distances envisaged in the proposal respond to the requirements of SEPP65 and the ADG as they relate to habitable rooms facing habitable rooms in anticipation that the site to the east (IBM site) would similarly be redeveloped for more intensive use including residential apartments.

9.2.8. Overshadowing

An assessment of the potential shadow impacts of the concept has been undertaken within the Concept Design Report at **Appendix A** (undertaken by Kann Finch and GMU). As shown at **Figure 22**, some overshadowing of future residential properties is expected, however these impacts are mitigated by the slenderness of the tower, the separation from other towers and the street level setbacks.

Furthermore, the shadow generated by the proposal will not dwell on any significant open space, heritage item or public facilities. While the amenity of future residential properties is recognised to be an important consideration this must be balanced with the need to enable St Leonards to grow and the recognition of the context of development – an established and densely populated urban area. Some overshadowing is to be accepted to ensure that the development potential of the St Leonards Centre is not unreasonably restricted.

Figure 21 – Shadow Analysis of the Concept Design at 21 June



09:00am



Midday



9.2.9. Wind

A Wind Tunnel Study has been undertaken by Windtech Consultants to provide an assessment of the impact of the mixed-use development on the amenity of the wind environment in and around the site, and is included at **Appendix G**.

The proposed development was modelled in the wind tunnel with the surrounding approved buildings and without any proposed plantings and without the effect of any forms of wind ameliorating devices such as screens, balustrades, awnings which are not already shown in the architectural drawings (as a worst case scenario) to assess the acceptability of the pedestrian level wind environment to inform the detailed design of these areas.

The findings from the study provided recommendations, subsequently incorporated into the proposed building design, to ensure the wind conditions at specific locations are suitable for the intended use of the spaces. The suggested treatments are summarised as follows:

Ground Level:

- Replacement of existing deciduous trees with densely foliating trees capable of growing to a height of 5m with a 5m canopy along the northern and southern aspects of the development.
- Inclusion of densely foliating evergreen shrubs capable of growing to a height of 1.5m on the south western corner of the development.
- Inclusion of full height screens with a 50% porosity on the northern and southern perimeter of the western terrace area.

Level 6 Skygarden:

- Inclusion of densely foliating trees within the proposed landscaping areas. These trees should range in size to fill the landscaping areas and should be capable of growing to a height of 3m with a 3m canopy.

Levels 7-23 Balcony Areas:

- Balconies to be fully enclosed on the south-eastern corner of the development.
- Balconies to be partially enclosed with full height impermeable sliding/folding screens on the north-western corner of the development.

Levels 25-38 Balcony Areas:

- Balconies to be fully enclosed on the south-eastern corner of the development.
- Balconies to be partially enclosed with full height impermeable sliding/folding screens on the north-western and north-eastern corners of the development.

Levels 39-48 Balcony Areas:

- Balconies to be fully enclosed on the south-eastern corner of the development.
- Balconies to be partially enclosed with full height impermeable sliding/folding screens on the north-western and north-eastern corners of the development.

Windtech Consultants conclude:

With the inclusion of these recommended treatments to the final design, the results of this study indicate that wind conditions for all outdoor trafficable areas within and around the subject development will be suitable for their intended uses. Note the densely foliating trees are of an evergreen species to ensure their effectiveness in wind mitigation throughout the year. The inclusion of additional densely foliating vegetation within and around the outdoor trafficable areas of the subject development is expected to further enhance the localised wind conditions.

Having regard to the wind study recommendations with respect to balconies, the proposal has now accounted for the potential that all balconies could through the detailed design stage in the DA, below enclosed to protect from high winds and maximise functionality. As Council has indicated an unwillingness to support future FSR variations due to creating enclosed balconies, the proposed FSR is reflective of the likely Da design scenario for all balcony designs having the capability of being enclosed.

9.2.10. Sustainability

The proposed development concept has been designed with building massing and orientation to facilitate future BASIX compliance, which will be documented at the development application stage.

9.2.11. Noise

The site is affected by road noise associated with the Pacific Highway. Mitigation measures will be required to address noise as residential uses are proposed. These will be addressed through the Development Application stage.

9.2.12. Servicing

An assessment of the servicing requirements of the site has been undertaken by Aurecon, submitted at **Appendix H**, to provide preliminary advice in relation to the following building services to inform the proposed development design:

- Mechanical Services (Heating, Ventilation and Air Conditioning).
- Electrical Services (Supply, reticulation, lighting, power, voice and data cabling, access control, and MATV).
- Vertical Transport (passenger, goods and machine room lifts, moving walks and escalators).
- Hydraulic Services (Stormwater / rainwater, sanitary plumbing, sewerage, trade waste, domestic hot and cold water, gas, fire hydrant and hose reels).
- Fire Protection (Sprinklers, Fire + Smoke Detection, OWS and portable fire extinguishers).

In summary, the proposed redevelopment of the site can be appropriately serviced to meet the servicing, safety and capacity requirements for the proposed operations on site.

9.2.13. Waste Management

An operational Waste Management Plan has been prepared by Elephants Foot and is submitted at **Appendix I**.

Waste audit and management strategies are recommended for new developments to provide support for the building design and promote strong sustainability outcomes for the building.

All recommended waste management plans will comply with council codes and any statutory requirements. The waste management plan has three key objectives:

Ensure waste is managed to reduce the amount of waste and recyclables to land fill by assisting residents to segregate appropriate materials that can be recycled; displaying signage to remind and encourage recycling practices; and through placement of recycling and waste bins in the retail precinct to reinforce these messages.

Recover, reuse and recycle generated waste wherever possible.

Compliance with all relevant codes and policies.

To assist in providing clean and well-segregated waste material, it is essential that this waste management plan is integral to the overall management of the building and clearly communicated to residents and tenants.

The report proposes individual waste management systems for the retail, residential and commercial components of the site redevelopment. It is proposed that private recycling and waste service providers will collect waste from the building.

9.2.14. Contamination

As outlined earlier in this report, Douglas Partners have undertaken a Preliminary Site Investigation for Contamination. A copy of the report is included in **Attachment K**.

The report concludes as follows:

Based on a review of site history information and a site walkover, it is considered that the potential for contamination is limited to the sources identified in Table 9 (of the report) and that the site can be made suitable for the proposed development following intrusive investigations to assess the potential contamination source-pathway-receptor linkages identified in the CSM (Section 6) and if necessary the development of a remediation action plan.

The investigation should include a preliminary waste classification to inform disposal options for any surplus soils generated by the redevelopment process which is assumed to include basement excavation under which circumstances any necessary remediation may be undertaken during the course of bulk excavations.

It is therefore recommended that intrusive soil sampling be undertaken at the development site, particularly in areas that have been filled.

Given the report concludes the site, if contaminated, can be made suitable for the proposed use, the next stage of investigation will be carried out at the Development Application phase.

9.2.15. Summary

Overall, it is considered that the site will not result in any significant environmental effects that would preclude the LEP amendment and the ultimate redevelopment of the site for high density mixed use, including residential development.

Q9. HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The key issues to be balanced in weighing the social and economic impacts of the proposal are considered to be:

The potential **economic impacts** associated with the rezoning of employment land to allow for residential uses are addressed as follows:

- The Planning Proposal will not result in potential adverse economic impacts.
- The Planning Proposal supports the State government's current direction of increasing density and broadening land uses in proximity to public transport infrastructure. Accordingly, the Planning Proposal achieves the right balance of maintaining a strong employment focus while also recognising the benefits of providing residential development to take advantage of the locational and amenity benefits that St Leonards offers. The proposal will not dilute the goal of employment growth in St Leonards.
- The existing buildings within the site are nearing the end of their economic life. Optimising the potential to redevelop the site will assist State Government and Council to deliver the targets set out in A Plan for Growing Sydney but also, importantly will ensure that new housing and employment opportunities can be delivered with greater certainty.
- It is also noted that market conditions within St Leonards are not supportive of large scale commercial products. The Planning Proposal does not propose to change the commercial zoning of the land, thereby maintaining the theoretical employment capacity of the land. The proposed changes to the NSLEP will allow for residential uses (Shop top housing through additions to Schedule 1) that would result in increased employment opportunities given the current market conditions.
- Further, the proposal includes a minimum control on non-residential land use, thereby preserving the integrity of the commercial zoning should market conditions change in the future.
- It is considered that the Planning Proposal presents a more flexible approach to enable the landowner to deliver more attractive commercial floorplates at the lower levels whilst creating additional residential capacity for the accessible and well serviced St Leonards centre.
- The proposed development will result in direct economic benefits including the generation of construction jobs and ongoing employment opportunities for staff. Specifically the proposal will result in the creation of some 218 new ongoing jobs on site from the retail and commercial land uses, plus hundreds of construction jobs. This represents a substantial increase to the some 40 jobs which would be generated through the approved DA's on the site (serviced apartment and small retail components) and positively contributes to the employment growth targets.

The impacts on demand for **social infrastructure** services as a result of increased population are addressed as follows:

- A comprehensive audit of existing facilities within the locality and the capacity of these facilities to accommodate increased demand associated with the development of the site will be undertaken to identify any gaps in the availability of social infrastructure.

9.2.16. Section D – State and Commonwealth Interests

Q10. IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

Yes. The site is served by existing utility services and is located to allow incoming residents and workers to capitalise on the wide range of infrastructure and services existing and planned within the area. It will reinforce existing investment in public transport infrastructure, through increased patronage of the existing station at St Leonards.

A range of established services are available within close proximity of the site, including health, education and emergency services networks.

Q11. WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal. It is acknowledged that North Sydney Council will consult with relevant public authorities following the Gateway determination.

10. PART 4 – MAPPING

The Planning Proposal seeks to amend the following NSLEP 2013 Maps:

- Height of Buildings Map Sheet HOB_001
- Non-Residential Floor Space Ratio Map LCL_001
- Floor Space Ratio Map FSR_001

The proposed changes are shown in **Figures 16,17 and 18** of this report and reproduced in full at **Appendix C** to this submission.

11. PART 5 – COMMUNITY CONSULTATION

11.1. PUBLIC CONSULTATION

Clause 57 of the Environmental Planning and Assessment Act 1979 requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the Department of Planning and Infrastructure guidelines “*A Guide to Preparing Local Environmental Plans.*”

It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on the North Sydney Council website.
- Written correspondence to adjoining and surrounding landowners.

In terms of consultation with Council, the proponent has had several meetings with Council staff prior to the lodgement of this Planning Proposal. The proposal has also been presented to the Design Excellence Panel for comment. The proponent has taken on board all of council's and the Design Excellence Panel's feedback and refined the scale and definition of the building envelope and the community space design to satisfy their requirements.

12. PART 6 – PROJECT TIMELINE

It is anticipated that the LEP amendment will be completed within 9-12 months. An indicative project timeframe is provided at **Table 8**.

Table 8 – Indicative Project timeline

Stage	Dates
Consideration by North Sydney Council	42 calendar days (March-May 2017)
Council resolution to forward planning Proposal to DPE	May 2017
Planning Proposal referred to Department of Planning and Environment for Gateway Determination	June 2017
Gateway Determination by Department of Planning and Environment	August – September 2017
Commencement and completion of public exhibition	October – November 2017
Consideration of submissions and consideration of the proposal post-exhibition	November – January 2018
Proposal reported back to Council for endorsement	February- March 2018
Date of submission to the Department of Planning and Environment to finalise the LEP	April-May 2018

13. CONCLUSION

This Planning Proposal seeks an amendment to the North Sydney Local Environmental Plan 2013 to allow for high density mixed use development at 617- 621 Pacific Highway, St Leonards. The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including “A Guide to Preparing Local Environmental Plans” and “A Guide to Preparing Planning Proposals.” It sets out the justification for the proposed LEP amendments applicable to the subject site to allow for a high density mixed use development.

The Concept Design accompanying the Planning Proposal has been informed by a detailed site analysis. As a result, it is considered that the proposed amendments to the NSLEP 2013 will achieve an appropriate development outcome for the following reasons:

- **From a local context perspective:** The Planning Proposal achieves an appropriate built form and scale outcome having regard to the vision for the St Leonards precinct expressed by local planning policy and the existing and emerging scale of development on adjacent and surrounding lands.
- **From a strategic policy perspective:** The proposal will positively contribute to the State planning strategic goals of increasing employment and housing densities in centres with access to public transport. The level of residential development proposed will in no way undermine the predominant commercial character of St Leonards.
- **From a net community benefit perspective:** The proposal will deliver a range of benefits for the community, including:
 - The proposal will generate the potential for some 252 ongoing jobs once operational. Additional 292 direct and indirect jobs would be created during construction period. This represents a significant growth of employment from the current DA approval (residential and serviced apartments) with an estimated 35 ongoing jobs onsite compared with the proposal incorporating retail, art centre and commercial office space that will generate 252 ongoing jobs.
 - The proposal will enable approximately 195 new dwellings to be accommodated which will increase housing choice and diversity within a designated centre and in close proximity of public transport infrastructure.
 - The proposal includes an offer to enter into a VPA to a new community arts centre within the development, designed and delivered to Council's requirements.
 - The proposed development incorporates a Community Arts Centre across two podium levels within the proposal, accessible from the ground floor and easily identifiable from the street. This will encourage the patronage of the arts to strengthen the St Leonards' image as a highly desirable place to live, work and play.
- **From an environmental perspective:** The provision of a mix of uses on the site with good accessibility to services and public transport will achieve environmental benefits by encouraging more trips within and outside of the centre without cars.

Overall, it is considered that the proposal will result in significant public benefits facilitating the development of a high quality mixed use development. This Planning Proposal supports the State government's current direction of increasing density in major centres with good access to public transport and facilities.

The Planning Proposal achieves the right balance of maintaining a strong employment focus while also recognising the benefits of providing residential development to take advantage of the locational and amenity benefits this part of the St Leonards Strategic Centre can provide. In considering the tangible community and economic benefits of the proposal, it is respectfully requested that the Council resolve to forward this planning proposal to the Department of Planning and Environment for LEP Gateway determination.

DISCLAIMER

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All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.



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**APPENDICES A-K TO THIS PLANNING PROPOSAL HAVE
NOT BEEN REPRODUCED FOR THE PURPOSES OF THE ST
LEONARDS ARTS CENTRE: PLANNING AGREEMENT**

