



Planning Proposal

575-583 Pacific Highway, St Leonards

5 April 2017

PPD PTY LTD

407, 5 Warayama Place
Rozelle NSW 2039
M 0403 242 926
E tony@polvere.com.au

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1 Introduction

This planning proposal has been prepared by the CT Group on behalf of the applicants and landowners Rozene Pty Ltd and Rosemate Pty Ltd to seek amendments to the provisions of North Sydney Local Environmental Plan (NSLEP) 2013 as they relate to the land at 575 - 583 Pacific Highway, St Leonards.

The proposal explains the intent of and justification for the proposed amendments to NSLEP 2013. It has been prepared in accordance with the NSW Planning and Infrastructure guidelines *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals* dated October 2012.

The following additional information is provided in support of this proposal:

- Urban Design Report prepared by Allen Jack + Cottier Architects (Rev D 30 March 2017).
- Heritage Report prepared by Urbis Pty Ltd.

2 Background

The proponents of this proposal, Rozene Pty Ltd and Rosemate Pty Ltd have owned the subject site at 575-583 Pacific Highway, St Leonards for almost 15 years. At the time, the site was purchased as a long-term investment because of its prominent location on the corner of Pacific Highway and Albany Street.

Following on from the identification of the subject site in the *St Leonards/Crows Nest Planning Study – Precinct 1* Equifibuild Pty Ltd have become the development project manager for the site and they began developing a vision for the site that included the retention of the façade of the existing heritage listed Marco Building and erection of a new residential flat building with a commercial podium.

In accordance with the recommendations of Council's Planning Study attempts were made to consolidate the subject site with the adjoining property at 567-573 Pacific Highway, St Leonards. Unfortunately these negotiations became fruitless and the owners of 567-573 Pacific Highway have chosen to lodge a Development Application for their site in isolation. Council eventually granted approval for demolition of the existing building and construction of an 8-storey mixed-use development comprising 27 units and basement parking.

Notwithstanding the approval notice discussions continued on the possibility of amalgamating both sites as detailed in Council's Planning Study to no avail. We understand that a construction contract has now been entered into and works are expected to commence very shortly.

To assist in conceptualising the vision for the subject site that does not include the adjoining site Allen Jack + Cottier Architects were commissioned to undertake an urban design assessment of the subject site. This assessment includes:

- A detailed site analysis;
- Identification of design principles;
- Analysis of a number of design options; and
- Identification of a preferred design option.

The design development is assisted by identification of various opportunities and constraints based on the heritage significance of the site.

3 Context and Site Analysis

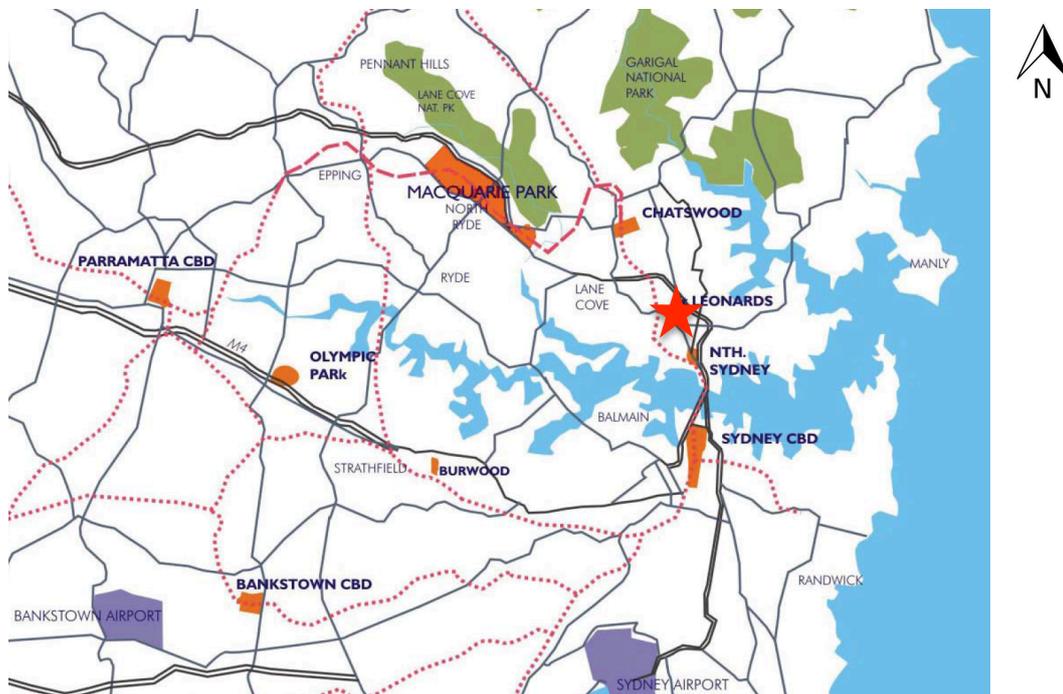
3.1 Context

The site is located in suburb of St Leonards, approximately 5km northwest of the Sydney CBD (see Figure 1).

St Leonards stretches across three Local Government Areas—North Sydney, Lane Cove and Willoughby. It is a major commercial hub and is very well connected to Sydney’s transport infrastructure. St Leonards Railway Station sits on the T1 (North Shore, Northern & Western) Line, and the major Pacific Highway runs through the suburb.

The current metropolitan strategy for Sydney identifies St Leonards as a “strategic centre” with a strong commercial core and capacity for additional mixed-use development.

Figure 1. Regional context



3.2 Site Analysis

The subject site, 583 Pacific Highway, St Leonards, consists of three lots—Lot A DP431687, Lot 10 DP660453 and Lot 1 DP772247. It is a corner site, is irregular in shape, has an area of 1,350sqm and has frontage of 23.3m to Albany St, 50.1m to Pacific Hwy and 40.8m to Clarke Ln.

The site contains a heritage item—the Old Marco Building, a good example of the “Interwar Functionalist Style”.

Surrounding development includes mostly medium and high-rise commercial and residential buildings. The Abode, a 16-21 storey residential building, sits just north of the site across Albany St. The neighbouring site to the south, 567-573 Pacific Hwy, holds development approval for a residential building of 8 storeys in height.

Figure 2. Aerial view of site



3.3 Opportunities and Challenges

The subject site offers up a number of opportunities and challenges, particularly in relation to the following:

- Proximity of the subject site to excellent public transport and jobs
- Area is undergoing regeneration and a transition in character;
- Pedestrian and cycle amenity;
- Access and movement;
- Marco building heritage item;

- Topography;
- Views and vistas;
- Land ownership;
- Isolated sites;
- Environmental conditions;
- Solar access and ventilation;
- Existing ground plane uses; and
- Separation from neighbours.

All these opportunities and challenges are examined in detail in the accompanying Urban Design Report prepared by Allen Jack + Cottier Architects.

4 Statutory Context

The following provisions of North Sydney Local Environmental Plan 2013 are relevant to the Planning Proposal.

4.1 Land use table

The site is zoned *B4 Mixed Use*. The relevant objectives and provisions of this zone state:

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.
- To maintain existing commercial space and allow for residential development in mixed use buildings, with non-residential uses on the lower levels and residential uses above those levels.

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Backpackers' accommodation; Boarding houses; Car parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; 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; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Signage; Vehicle repair stations; Veterinary hospitals

4 Prohibited

Any development not specified in item 2 or 3

4.2 Height of buildings

Clause 4.3 of NSLEP 2013 sets maximum heights for buildings. The subject site is subject to a height limit of 21m. The relevant objectives and provisions of this clause state:

- 1 The objectives of this clause are as follows:
 - (a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,
 - (b) to promote the retention and, if appropriate, sharing of existing views,
 - (c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,
 - (d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,
 - (e) to ensure compatibility between development, particularly at zone boundaries,
 - (f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.
- 2 The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.
 - (2A)** Despite subclause (2), the height of the street elevation of any building on land in Zone R2 Low Density Residential that is also within a heritage conservation area must not exceed 5.5 metres unless any adjoining buildings with the same street frontage are at least 2 storeys high.
 - (2B)** Despite subclauses (2) and (2A), the maximum height of a building on land in the following zones with a site area of less than 230 square metres (excluding the area of any access handle, access way or right of carriageway) must not exceed 5.5 metres:
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone R4 High Density Residential.
 - (2c) (Repealed)

4.3 Non-residential floor space ratios

Clause 4.4A of NSLEP 2013 sets a minimum 2.0:1 non-residential floor space ratio for the subject site.

5 Strategic Planning Context

The following provides a summary of the metropolitan and local strategies that relate to the Planning Proposal.

5.1 A Plan for Growing Sydney (2014)

Released in December 2014, A Plan for Growing Sydney (Metropolitan Plan) sets the planning framework for the growth of the Sydney metropolitan area over the next 25 years. The Metropolitan Plan sets targets for an additional 664,000 homes and 689,000 jobs by 2031.

Goals, Directions and Actions identified in the Metropolitan Plan that are relevant to the Planning Proposal are as follows:

Goal 1: A competitive economy with world-class services and transport

- Direction 1.7: Grow Strategic Centres—providing more jobs closer to home.
 - Action 1.7.1: Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles

- Direction 2.1: Accelerate housing supply across Sydney
 - Action 2.1.1: Accelerate housing supply and local housing choices
- Direction 2.2: Accelerate urban renewal across Sydney – providing jobs closer to home.
 - Action 2.2.2: Undertake urban renewal in transport corridors, which are being transformed by investment, and around strategic centres
- Direction 2.3: Improve housing choice to suit different needs and lifestyles
 - Action 2.3.3: Deliver more opportunities for affordable housing

Goal 3: A great place to live with communities that are strong, healthy and well connected

- Direction 3.1 Revitalise existing suburbs
- Direction 3.3: Create healthy built environments
- Direction 3.4: Promote Sydney's heritage, arts and culture
 - Action 3.4.4: Identify and re-use heritage sites, including private sector re-use through the Priority Precincts program

North Subregion

- Priorities for North Subregion:
 - A competitive economy

- Accelerate housing supply, choice and affordability and build great places to live
- Protect the natural environment and promote its sustainability and resilience
- Priorities for 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 a Sydney Rapid Transit train station at St Leonards/Crows Nest

The plan for the North Subregion (refer Figure 3) details how St Leonards is located in an urban renewal corridor and immediately adjacent the recently proposed Sydney Rapid Transit.

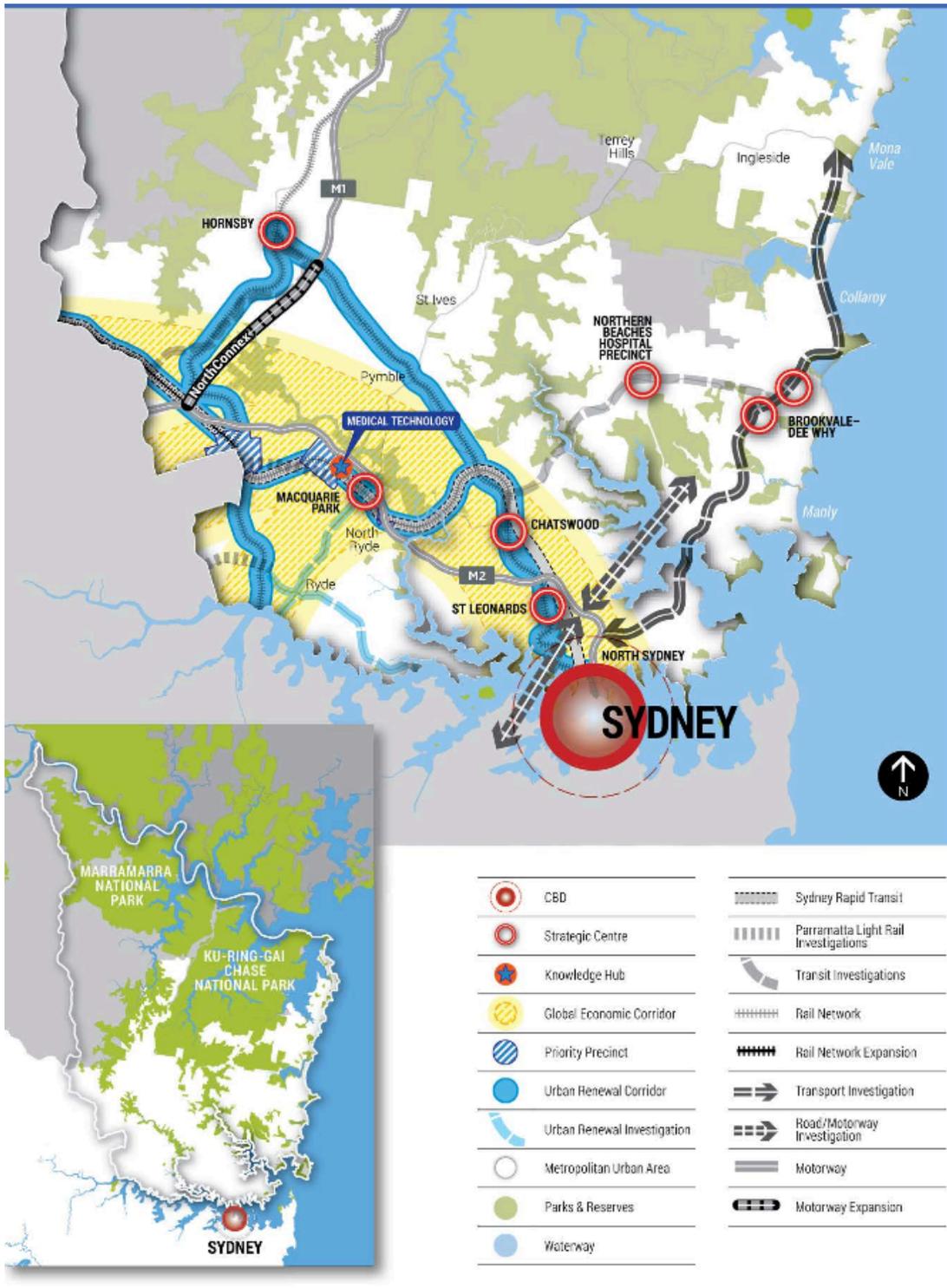
5.2 St Leonards Strategy 2006

The 2006 St Leonards Strategy is a strategy for the future of St Leonards. It was commissioned by North Sydney, Lane Cove and Willoughby Councils in conjunction with the Department of Planning.

The Strategy places the subject site in the “Eastern Gateway” of St Leonards. The key recommendations for the Eastern Gateway are as follows:

- Rezone lands in North Sydney part of Highway Corridor from ‘Mixed Use’ to ‘General Business’ Zone, prohibit residential flat buildings and remove FSR control. Replace FSR control on Lane Cove part of corridor with height limits stepping down from northwest of precinct to southeast, and performance controls in relation to overshadowing.
- Promote hotels and serviced apartments.
- Promote medium-scaled household goods showrooms, convenience shops, small-scale specialty shops, retail services, bars, cafes and restaurants.
- Prohibit large-scale comparison retail outlets.
- Explore the potential for enhanced pedestrian phases at signalised intersections on the Highway.
- Encourage new development on the Highway to incorporate a colonnade.

Figure 3. North Subregion



5.3 St Leonards / Crows Nest Planning Study Precinct 1

The St Leonards / Crows Nest Planning Study for Precinct 1 was adopted by Council on 5 December 2011. It to develop new strategies and initiatives that will provide the following:

- 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;
- Improved urban design and street level amenity particularly in St Leonards and along the Pacific Highway; and
- Improve building design and residential amenity in St Leonards.

In order to achieve these goals, the Study proposes the following principles:

- Expand and improve the quality of the public domain where appropriate;
- Shift development capacity to provide for more open space;
- Strengthen pedestrian routes, particularly east-west connections between St Leonards and Willoughby Road;
- Activate ground levels;
- Consolidate vehicular servicing and access points;
- Manage views, in particular existing views;
- Encouraging a microclimate conducive to pedestrian comfort and amenity;
- Adopt a street wall and tower building typology;
- Retain the heritage-listed Old Marco Building in any redevelopment; and
- Create a network of small, high capacity open space areas.

The study identifies the subject site as located in the “Redevelopment Strip”, a narrow area bounded to the west by the Pacific Highway, to the north by Albany Street, to the south by Hume Street and to the east by Clarke Lane. The preferred development option for the strip includes the following key features:

- New ground level setbacks;
- Introduction of four high amenity towers above podium elements;
- Retainment of the Old Marco Building; and
- Introduction of FSR maximums to control the density of sites.

5.4 North Sydney Residential Development Strategy

The North Sydney Residential Development Strategy (RDS) identifies the potential for an additional 6,199 dwellings in the North Sydney LGA by 2031 under the provisions of NSLEP 2013.

The Strategy is guided by the following principles:

- Concentrate new dwellings in centres within walking distance of shops, jobs, public transport, facilities and services;
- Minimise the impact of new development on local character, amenity, environment and heritage;
- Preserve existing and potential commercial floor space in the commercial core of the North Sydney CBD;
- Maintain existing mixed use areas as village centres for the local community;
- Discourage intensification and inappropriate redevelopment in sensitive areas, the foreshores or adjoining bushland, or where traffic access is limited, by maintaining existing lower density zones;
- Maintain housing choice by retaining intact areas of detached and semi detached housing and allowing for further development of apartments and attached dwelling solely in appropriate locations;
- Discourage further intensification in the areas of Kirribilli, McMahons Point, Waverton, Wollstonecraft and Cremorne Point which are considered fully developed in terms of the impacts of existing development on parking, traffic, heritage and infrastructure.

5.5 North Sydney Council Delivery Program 2010/11-2013/14

The North Sydney Council Delivery Program 2010/11-2013/14 (Delivery Program) outlines Council's priorities and service delivery programs over four years, set out under five key Directions. The directions and goals of the Delivery Program relevant to the Planning Proposal are as follows:

Direction: 2 Our Built Environment

- Outcome 2.2: Improved mix of land use and quality development through design excellence
- Outcome 2.3: Vibrant, connected and well maintained streetscapes and villages that build a sense of community

Direction: 3 Our Economic Vitality

- Outcome 3.1: Diverse, strong, sustainable and vibrant, local economy
- Outcome 3.2 North Sydney CBD is one of Australia's largest commercial centres

Direction: 4 Our Social Vitality

- Outcome: 4.10: Improved affordable housing and accommodation

Direction 5: Our Civic Leadership

- Outcome 5.5: Ensure the long term financial sustainability of North Sydney

6 St Leonards in Transition

Due to its proximity to St Leonards Railway Station, convenient access to the Sydney CBD, its close proximity to the restaurant strip in Willoughby Road Crows Nest and potential harbour views St Leonards is currently experiencing development pressure in high rise, mixed use development. As a result, built form in the area is undergoing a transition with developments being approved that are non-compliant with height controls and land use.

Of particular relevance is the recent Gateway determination provided to Lane Cove Council supporting an amendment to their LEP for land at 472-520 Pacific Highway, St Leonards. These sites are directly opposite the subject site and the amendments include:

- Rezone 5 sites that comprise 472-520 Pacific Highway and 95 Nicholson Street, St Leonards from B3 Commercial Core to B4 Mixed Use for retail, commercial and residential purposes; and
- Increase the maximum building height for land at 472-486 Pacific Highway St Leonards from 65m to 115m (+77%) and 91m (+40%); and for land at 504-520 Pacific Highway St Leonards from 72m to 138m (+91%)

The land at 472-486 Pacific Highway St Leonards will have a Floor Space Ratio (FSR) of 10.1:1 and the land at 504 Pacific Highway will have a FSR of 17:1.

As a result, the future development of these sites will begin significantly transforming the way St Leonards 'looks and feels', particularly along Pacific Highway, by:

- Creating a precinct that has taller more slender towers to provide visual interest when approaching from all directions;
- Creating a 'gateway' to St Leonards; and
- Beginning to identify St Leonards as a key location and an activity centre.

7 Concept Plan

7.1 Background

This Planning Proposal seeks to amend North Sydney LEP 2013 to support a development application for mixed-use development of the subject site. In support of this proposal Allen, Jack + Cottier Architects have undertaken significant urban design analysis to establish appropriate site-specific building envelope controls.

A comparative option study was undertaken to understand the impact of development in relation to three main criteria and then three (3) options were tested and their relative merit was assessed against these criteria. The accompanying Urban Design Report provides detail of the methodology used in the option study to determine which was the preferred option

7.2 Preferred Option Concept Plan

The preferred option proposes a 56m maximum height for the tower over a 26m high podium that is encapsulated into the existing heritage listed 3-storey Marco Building as detailed in Figures 4 & 5. Refer to the Urban Design Report that accompanies this proposal for greater detail of the preferred concept plan for the site.

The 26m-podium height complies with North Sydney LEP 2013 maximum height limit and the 56m-height limit for the tower complies with Council's Planning Study.

The indicative yields from this option are detailed in [Table 1](#).

Table 1. Proposed Development Yields

Land Use	Gross Floor Area (sm)	FSR	Apartments	Jobs
Residential	6,540	5.0:1	82	
Non-residential	2,616	2.0:1		50*
TOTAL	9,156	7.0:1	82	78

* Estimate of job numbers based on 1 retail job per 110sm of gross floor space and 3 commercial jobs per 100sm of gross floor space

7.3 Public Benefit

As part of this proposal a significant public benefit will be provided as follows:

- improved public amenity at street level along Pacific Highway frontage;
- improved pedestrian connectivity;
- development of a building envelope that addresses potential key environmental impacts such as overshadowing, views and vistas;
- returning the Old Marco Building to a more authentic state; and
- contribution to Improved public open space through a VPA.

Figure 4. Concept Plan - Site Plan

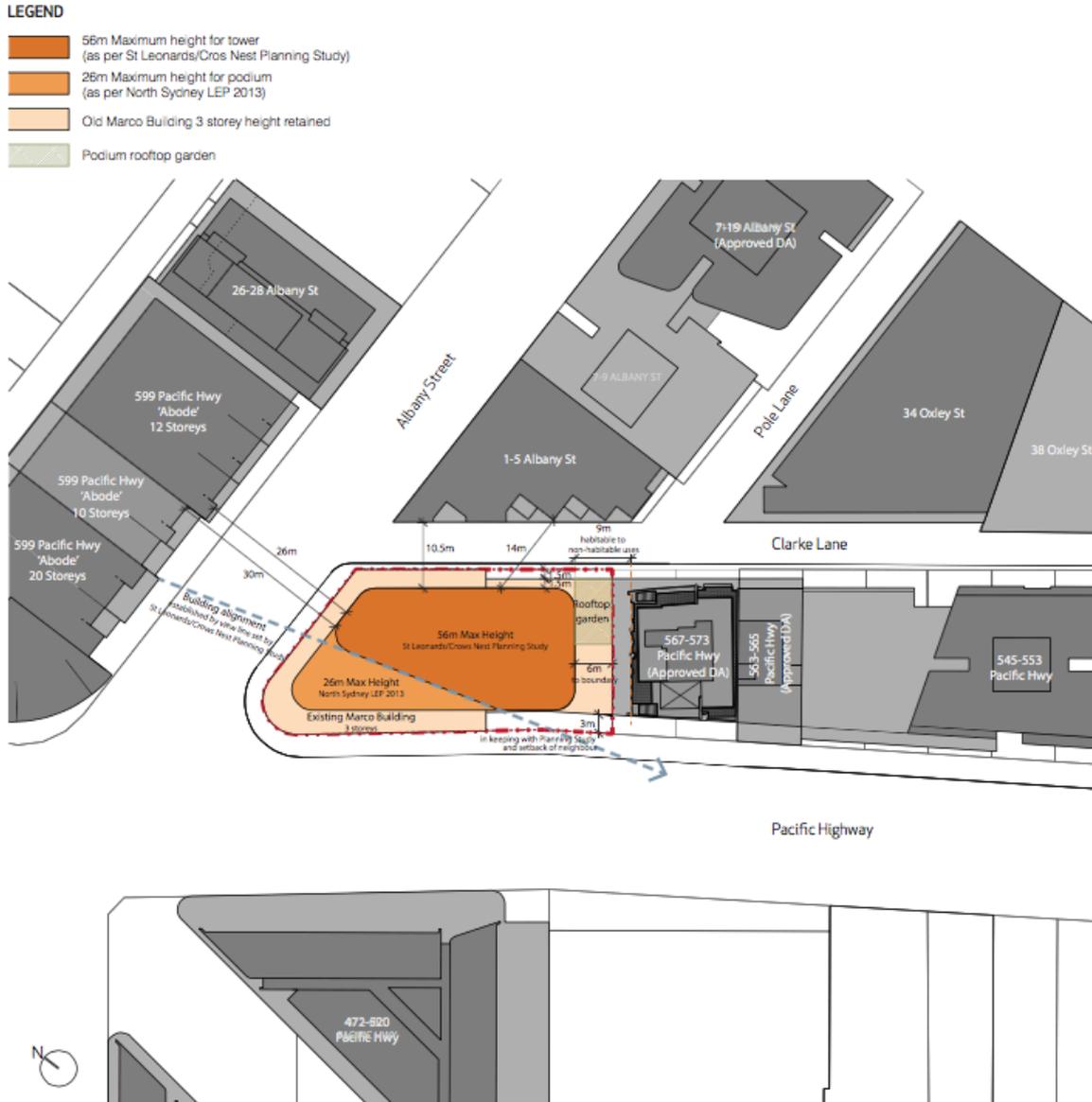


Figure 5. Concept Plan - Elevation



8 The Planning Proposal

This Planning Proposal is prepared subject to the requirements of Section 55 (2) of the EP&A Act and is comprised of the following six parts:

- Part 1** A statement of the objectives or Intended outcomes of the proposed instrument
- Part 2** An explanation of the provisions that are to be included in the proposed LEP
- Part 3** The justification for those objectives, outcomes and the process for their implementation
- Part 4** Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- Part 5** Details of the Community Consultation that is to be undertaken on the planning proposal
- Part 6** Project timeline

Part 1 Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the development control standards for the site to allow the development of a mixed-use tower that will deliver the following:

- Gateway presence with a development that is visually prominent, particularly to motorists travelling south along Pacific Highway;
- Built form that responds to the heritage building.
- A building footprint that will minimise obstruction of views for nearby residents of 599 Pacific Highway while balancing the desire to increase the amenity of other local residents.

Part 2 Explanation of Amended Provisions

To achieve the proposed objectives and intended outcomes, the Planning Proposal seeks to:

1. Amend the relevant North Sydney Local Environmental Plan 2013 Height of Building Map in accordance with the proposed Height of Building Map, shown at [Figure 7](#), that indicates land at 575-583 Pacific Highway has a maximum height limit of 56 metres.
2. Amend the relevant North Sydney Local Environmental Plan 2013 Floor Space Ratio Map in accordance with the proposed Floor Space Ratio Map, shown at [Figure 8](#), that indicates land at 575-583 Pacific Highway has a maximum Floor Space Ratio of 7.0:1.

Part 3 Justification

Section A – Need for a Planning Proposal

1. Is the Planning Proposal a result of any strategic Study or Report?

Yes. The Planning Proposal is a result of North Sydney Council's *St Leonards/Crows Nest Planning Study – Precinct 1* and a follow up addendum. Precinct 1 covers an area of St Leonards that includes the subject land.

As described on Council's website the study and addendum

“establishes design principles for the future of the area”

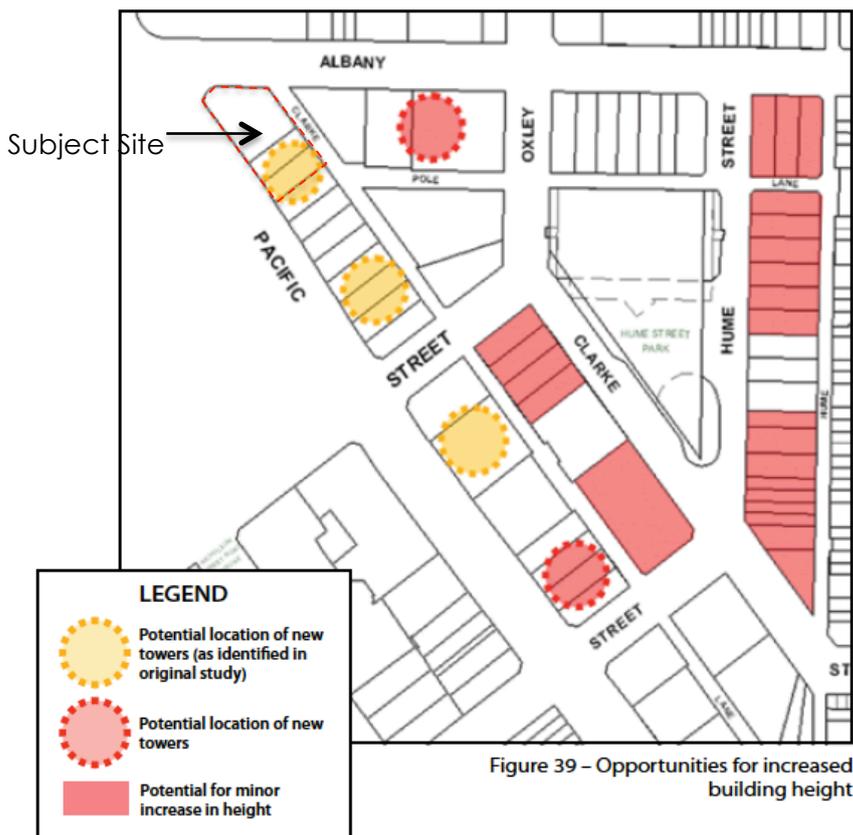
and

“presents an Open Space and Pedestrian Masterplan and a Built Form Masterplan which together provide a wholistic approach to planning and development in the precinct”

and

“An opportunity exists to increase the height of buildings throughout the subject area without unduly impacting upon the views and solar access of existing and future residential dwellings or existing and planned areas of open space”.

The Planning Study identifies the opportunity for tower elements along Pacific Highway. This is represented in Figure 39 from the Planning Study (see below). An indicative potential location for a new tower is identified over the southern portion of the subject site extending slightly to the south to include the adjoining property.



The Built Form Masterplan proposes slender high-amenity residential towers above podium elements along Pacific Highway. This is represented in Figure 59 from the Planning Study (see below).

The southern portion of the subject site is identified as potential to accommodate a 56m tower. The northern portion of the site is identified as retaining the old Marco Building and no maximum height limit is attributed to this part of the subject site.



Figure 59: Building heights and podiums

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal is seen as the best means of achieving the proposed changes to the height maximum for the site. This height maximum is contained in NSLEP 2013, and presently a planning proposal is the only means available to amend this instrument.

8.1.1 Section B – Relationship to Strategic Planning Framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. The Planning Proposal is considered to be consistent with the goals of the recently released Metropolitan Strategy *A Plan for Growing Sydney*. In particular, the Planning Proposal will

- Provide an opportunity to increase housing supply without negatively impacting upon employment provision;
- Help provide more homes close to jobs in the strategic centre of St Leonards; and
- Maintain the heritage significance of the existing Marco Building.

Table 2 provides an assessment of the consistency of the Planning Proposal against the relevant goals contained within the strategy.

Table 2. Consistency of proposal with applicable Metropolitan Strategy

Goal 1: A competitive economy with world-class services and transport		
Direction	Comment	✓/X
Direction 1.7: Grow Strategic Centres—providing more jobs closer to home.	The proposal is seen as an Invest in the strategic centre of St Leonards that will grow jobs and housing and help create a vibrant hub of activity.	✓
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles		
Direction	Comment	✓/X
Direction 2.1: Accelerate housing supply across Sydney	The proposal will provide additional housing supply and local housing choices.	✓
Direction 2.2: Accelerate urban renewal across Sydney – providing jobs closer to home.	The proposal will provide for urban renewal in a strategic centre that is located on a transport corridor and which is being transformed by investment.	✓
Direction 2.3: Improve housing choice to suit different needs and lifestyles	The proposal will deliver more opportunities for affordable housing.	✓

Goal 3: A great place to live with communities that are strong, healthy and well connected		
Direction	Comment	✓/X
Direction 3.1 Revitalise existing suburbs	The Planning Proposal will provide an injection of vitality in to a suburb that is in need of revitalisation.	✓
Direction 3.3: Create healthy built environments	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
Direction 3.4: Promote Sydney's heritage, arts and culture	Identify and re-use heritage sites, including private sector re-use through the Priority Precincts program	✓
North Subregion		
Priorities for North Subregion	Comment	✓/X
A competitive economy	The proposal provides for economic growth in the form of a new retail and business premises that are sustainable as well as an increased customer base for the area's businesses.	✓
Accelerate housing supply, choice and affordability and build great places to live	Proposal will deliver a mix of well-designed housing located near jobs and public transport.	✓
Protect the natural environment and promote its sustainability and resilience	The proposal will not detrimentally impact on the natural environment	✓
Priorities for St Leonards	Comment	✓/X
Support health-related land uses and infrastructure around Royal North Shore Hospital	The Planning Proposal will not hinder the attainment of this priority..	✓
Work with council to retain a commercial core in St Leonards for long-term employment growth	The subject site is not located within the commercial core of St Leonards but will continue to provide non-residential floor space that will provide for jobs.	✓
Work with council to provide capacity for additional mixed-use development in St Leonards including offices, health, retail, services and housing	The Planning Proposal provides for mixed use retail, commercial and residential land uses.	✓
Work with council to investigate potential future employment and housing opportunities associated with a Sydney Rapid Transit train station at St Leonards/Crows Nest	The Planning Proposal does not contain provisions that contradict or would hinder the attainment of this priority.	✓

4. Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Planning Proposal is largely consistent with all local strategic plans, including the St Leonards Strategy 2006, the St Leonards/Crows Nest Planning Study Precinct 1, North Sydney Residential Development Strategy and the North Sydney Council Delivery Program 2010/11-2013/14.

St Leonards Strategy 2006

The Planning Proposal aligns with the principles of the St Leonards Strategy 2006. Specifically, the Planning Proposal:

- Concentrates new dwellings in a location within walking distance of shops, jobs, public transport, facilities and services;
- Minimises the impact of new development on local character, amenity, environment and heritage; and
- Preserves existing and potential commercial floor space.

St Leonards/Crows Nest Planning Study Precinct 1

The Planning Proposal responds to the recommendations of the *St Leonards/Crows Nest Planning Study – Precinct 1* as far as practicable. In particular, the proposal provides for a tower element along Pacific Highway that is in keeping with the indicative location identified in the Planning Study.

The location of the tower in the Planning Proposal is positioned slightly north of where it is indicated in the Planning Study because:

1. The adjoining property to the south at 567-573 Pacific Highway is in separate ownership and all attempts to amalgamate with this site have failed to reach any satisfactory arrangement;
2. The site at 567-573 Pacific Highway has Council approval for a stand alone 8-storey mixed use commercial and residential building; and
3. Separation requirements between buildings require any tower on our site to be located further north.

The Floor Space Ratio (FSR) from this proposal is as follows:

- 2:1** for non-residential floor space; and
- 5.0:1** for residential floor space.

The non-residential FSR is in keeping with the requirements of the Planning Study.

The overall FSR of 7.0:1 is beyond that achievable under existing planning controls. In accordance with the provisions of the Planning Study, this increase in achievable FSR will be justified according to commensurate public benefits predetermined in a Voluntary Planning Agreement.

In relation to views, the upper tower of the concept design is chamfered, i.e. cut at an angle, to retain the views from the Abode building. This solution is elegant and effective. Details and justification of this building envelope are provided in the Urban Design Report prepared by Allen Jack + Cottier.

In relation to heritage conservation, the tower added to the top of the heritage listed Marco Building need not detract from the building's heritage significance. This sort of stacked development—a modern building directly atop an older one—is not uncommon. It has been done in a very attractive manner at several locations in Sydney CBD. Furthermore, the concept design contains plans for

returning the Old Marco Building to a more authentic state by refurbishing the original section and removing the newer addition. More detail on how the proposed tower relates to the Marco Building is provided in the Urban Design Report.

Importantly, this Planning Proposal is considered the only option that will see delivery of the Planning Study's Built Form Masterplan for development along Pacific Highway.

North Sydney Council Delivery Program 2010/11-2013/14

The Planning Proposal allows the directions of the program to be pursued in a robust and strategic manner.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies

A preliminary assessment has been undertaken on the consistency of the proposal with the applicable SEPPs. This assessment is summarised in Table 3.

A more detailed assessment of the consistency of the proposal with the applicable SEPPs will be undertaken at the development assessment stage.

Table 3. Consistency of proposal with applicable SEPPs

SEPP	Comment	✓/X
SEPP No. 55 –Remediation of Land	There is no evidence/history to suggest the site is contaminated.	✓
SEPP No. 65 –Design Quality of Residential Flat Development	Any future residential flat development on the site will be designed to comply with the requirements of SEPP 65.	✓
SEPP (Building Sustainability Index: BASIX) 2004	Any future development on the site will be designed to comply with the requirements of BASIX.	✓
SEPP (Infrastructure) 2007	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP (Housing for Seniors or People with a Disability) 2004	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP 19—Bushland in Urban Areas	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP 32—Urban Consolidation	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP 33—Hazardous and offensive development	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP 50—Canal estate development	The Planning Proposal does not contain provisions that contradict or	✓

	would hinder application of this SEPP.	
SEPP 64—Advertising and signage	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP (Exempt and complying development codes) 2008	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP (Housing for Seniors or People with a Disability) 2004	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP (Major Development) 2005	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP (Miscellaneous Consent Provisions) 2007	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SEPP (State and Regional Development) 2011	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓
SREP (Sydney Harbour Catchment) 2005	The Planning Proposal does not contain provisions that contradict or would hinder application of this SEPP.	✓

6. Is the Planning Proposal consistent with applicable Ministerial Directions (s 117 directions)?

Yes. Table 4 provides an assessment of the Planning Proposal against the applicable Ministerial Directions. The Planning Proposal is assessed as being generally consistent with the identified applicable Ministerial Directions.

Table 4. Applicable Ministerial Directions

Ministerial Direction	Comment	✓/X
1. Employment and Resources		
1.1 Business and Industrial Zones	The Planning Proposal contains a non-residential FSR of 2:1. This results in a total non-residential floor area approximately equal to the total non-residential floor area that exists currently. In other words, the Planning Proposal does not reduce the total amount of potential floor space for employment. Also, with the Proposal's addition of retail spaces, it is likely that employment density on the site will increase.	✓

1.2 Rural Zones	Not applicable.	
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.	
1.4 Oyster Aquaculture	Not applicable.	
1.5 Rural Lands	Not applicable.	

2. Environment and Heritage

2.1 Environment Protection Zones	Not applicable.	
2.2 Coastal Protection	Not applicable.	
2.3 Heritage Conservation	<p>A preliminary assessment of the heritage issues associated with the development over the top of the Marco Building has been undertaken by Urbis. A copy of the assessment accompanies this proposal.</p> <p>Urbis considers</p> <ol style="list-style-type: none"> 1. That the proposed development concept seeks to retain the extant significant features of the Marco Building and restores original features which have previously been unsympathetically altered, achieving an improved heritage outcome. It is further noted that the proposal is generally in keeping with the heritage provisions set out in the North Sydney DCP. 2. The proposed design concept is therefore supported from a heritage perspective. 	✓
2.4 Recreation Vehicle Areas	Not applicable.	

3. Housing, Infrastructure and Urban Development

3.1 Residential Zones	Proposal will improve the choice, accessibility and distribution of housing stock. It will also help reduce the consumption of land on the urban fringe.	✓
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.	
3.3 Home Occupations	Not applicable.	
3.4 Integrating Land Use and Transport	<p>The proposed amendments to the LEP will provide for development of the site to achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available</p>	

	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.	✓
3.5 Development near licensed aerodromes	The subject site is not affected by an Obstacle Limitation Surface (OLS) of 156m AHD,	✓
3.6 Shooting Ranges	Not applicable.	
4. Hazard and Risk		
4.1 Acid Sulphate Soils	Not applicable.	
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. Regional Planning		
5.1 Implementation of Regional Strategies	Not applicable.	
5.2 Sydney Drinking Water Catchments	Not applicable.	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.	
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.	
5.8 Second Sydney Airport: Badgerys Creek)	Not applicable.	
5.9 North West Rail Link Corridor Strategy	Not applicable.	
6. Local Plan Making		
6.1 Approval and Referral Requirements	Not applicable.	
6.2 Reserving Land for Public Purposes	Not applicable.	
6.3 Site Specific Provisions	Not applicable.	

7. Metropolitan Planning

7.1 Implementation of Metropolitan Plan for Sydney 2036	The proposal is identified as being consistent with the key directions for the provision of housing.	✓
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8.1.2 Section C Environmental, Social and Economic Impact

7. 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?

No. There has been no critical habitat or threatened species, populations or ecological communities, or their habitats, identified on this site.

8. Are there any other likely environmental impacts as a result of the Planning Proposal (and if so), how are they to be managed?

Yes. The likely environmental impacts as a result of this Planning Proposal and how they are managed is detailed in the Urban Design Report that accompanies this proposal. Following is a summary of how the key potential impacts identified are managed:

Overshadowing

Overshadowing analysis has been undertaken for various development envelope options on the subject site and detailed in the Urban Design Report.

The overshadowing analysis is undertaken for each development envelope option at 9am, 12noon and 3pm during the winter solstice.

The analysis concludes that this Planning Proposal provides an acceptable outcome in terms of overshadowing which is similar to the outcome from a development envelope on the site as outlined in the St Leonards/Crows Nest Planning Study – Precinct 2 & 3.

Views and Vistas

The Urban Design Report identifies potential view loss impacts in relation to adjoining residential properties at 599 Pacific Highway and 1-5 Albany Street St Leonards.

The preferred development envelope option for the subject site, as detailed in the Urban Design Report, maintains a tower and podium typology as per the preferred option of the St Leonards/Crows Nest Planning Study – Precinct 2 & 3.

The podium involves the retention of the heritage listed Marco Building and the restoration of its original features to a more accurate state.

The 56m residential tower element as proposed follows the recommendations of The Planning Study, but is shifted towards the north to allow it to sit wholly within the subject site. This is because The Planning Study assumed there would be an amalgamation of lots that has since proved to be unattainable, despite repeated efforts.

An analysis of the views and vistas to and from the subject site has been undertaken as part of the background investigations into preparing the Urban Design Report. In particular, the design of the proposed building on the subject site has taken into account the existing views from upper levels of the nearby

residential Abode building at 599 Pacific Highway St Leonards. The Planning Study recommended certain views from the upper level of the Abode be maintained. The Planning Proposal achieves this through the chamfered form of the proposed residential tower.

Increased building separation from the adjoining property to the south at 567-573 Pacific Highway, lowering of the podium and the inclusion of a podium garden will help increase the amenity of the neighbouring building at 1-5 Albany Street.

The proposed development envelope as detailed in the Urban Design Report is delivered through a Voluntary Planning Agreement (VPA) that forms part of this Planning Proposal. The VPA confirms the provision of setbacks, podium levels and the height and chamfered form of the residential tower.

9. Has the Planning Proposal adequately addressed any social and economic effects?

Yes. The Planning Proposal is responsive to the Planning Study prepared by Council for this precinct. In particular, the proposal will provide for:

- investment in St Leonards;
- Decreased commercial vacancy rates; and
- Rejuvenation of Pacific Highway between St Leonards train station and the intersection of Pacific Highway and Willoughby Road.

The provision of housing is in strong demand in St Leonards because of the areas strong connection and access to public transport and jobs in the Sydney CBD, North Sydney, Chatswood and Macquarie Park. In addition to this, there appears to be strong fundamentals supporting the housing market – strong population growth, price growth, a tight rental market and a demographic profile amenable to high density living.

The future development on the subject as a result of this proposal will result in a number of direct economic benefits, at the construction stage of the development and the ongoing employment uses associated with the retail and commercial components of the development proposal.

The proposal will also have social benefits that will constitute a substantial improvement on the amenity in the local area by providing

- Improved pedestrian amenity along Pacific Highway;
- Improved retail spaces at ground level along Pacific Highway;
- A rejuvenated heritage building; and
- Contribution to Improved public open space through a VPA

8.1.3 Section D State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

Yes. The locality of the Planning Proposal is very well served by existing public transport and road infrastructure.

The site is located within 400m of the St Leonards Railway Station that is served regularly by the T1-North Shore and Northern Line and Western Lines. These train services operate approx.. every 2 mins in each direction and link St Leonards directly with key locations including Sydney CBD, North Sydney, Chatswood, Hornsby and Parramatta.

Transport for NSW has recently released a plan for Sydney's Rail Future and as part of this plan a new rail line is proposed between Rouse Hill and the CBD. This new line includes a new station at St Leonards/Crows Nest.

The site is well served with a number of frequent bus services within a 5-minute walking distance that link St Leonards to Manly, Chatswood, North Sydney, North Ryde and Lane Cove.

The subject site is well serviced by the key public utility services including:

- Water;
- Sewer;
- Electricity; and,
- Telephone & Internet services.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with other public authorities has not occurred at this stage of the gateway process. It is expected that any consultation will be identified following the gateway determination.

Part 4 Mapping

Figure 6. Current Height of Buildings Map

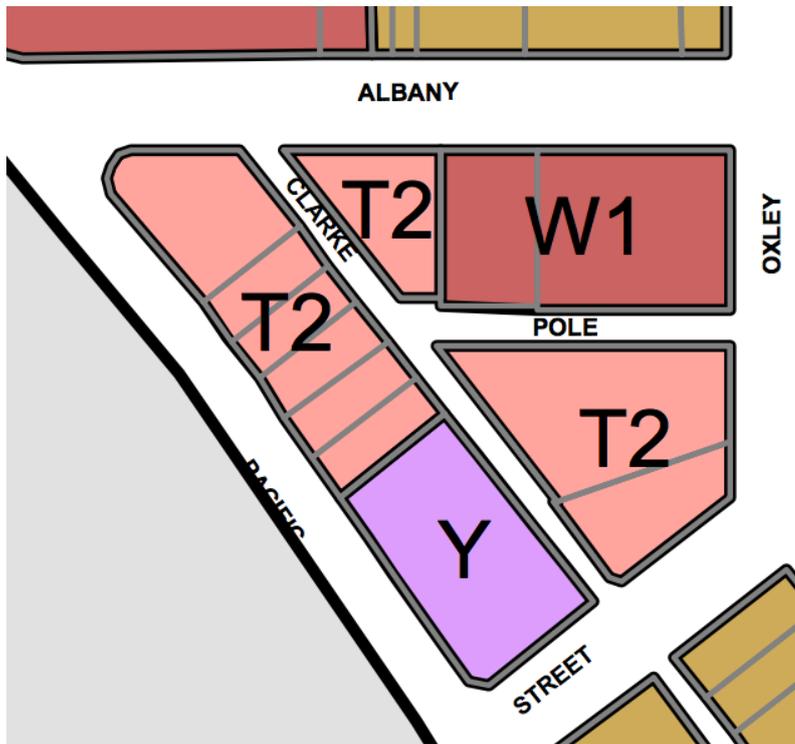


Figure 7. Proposed Height of Buildings Map

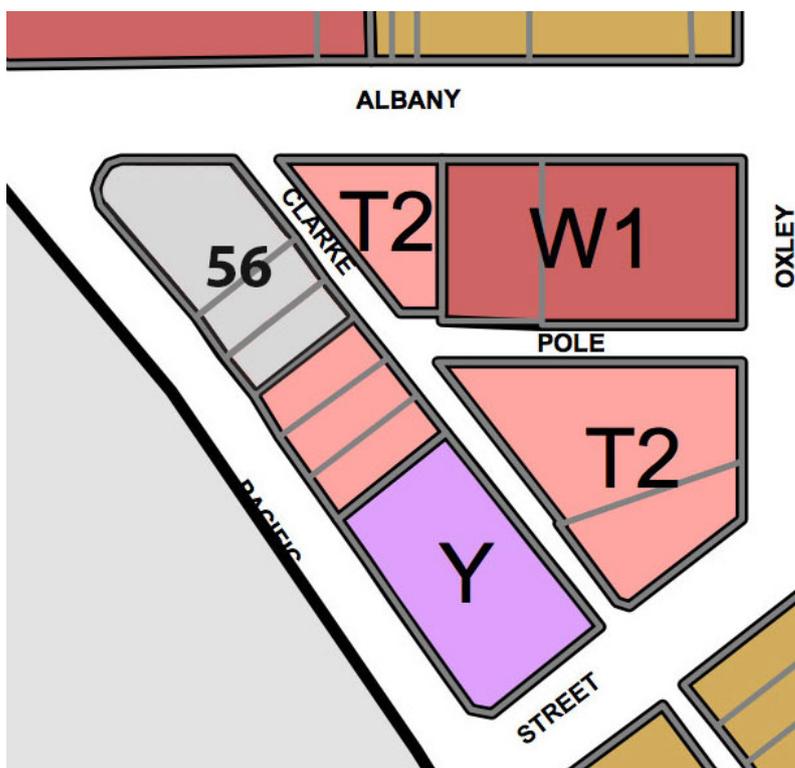


Figure 8. Current FSR Map

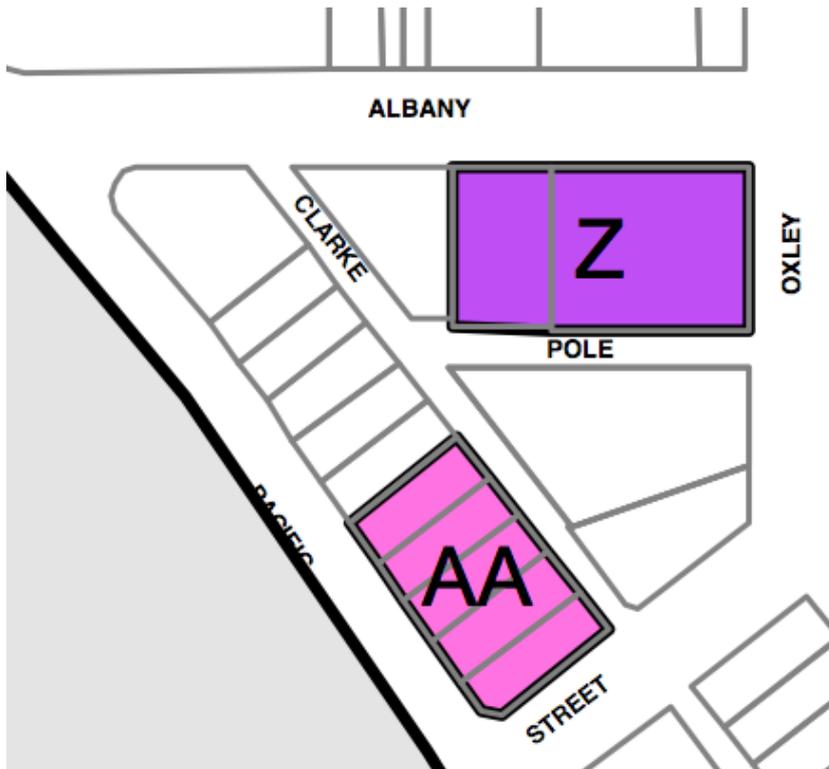
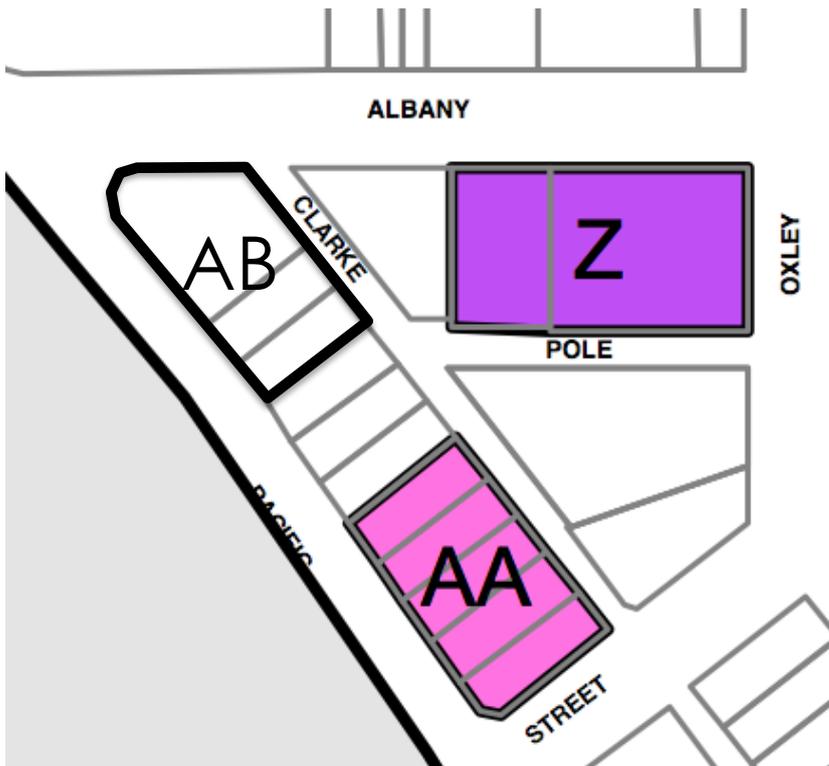


Figure 9. Proposed FSR Map



Part 5 Community Consultation

Community consultation will be undertaken in accordance with the requirements of the gateway determination.

It is anticipated that any public exhibition would include:

- Advertisement in a local newspaper
- Notification letters to relevant State Agencies and other authorities nominated by the Department.
- A supporting Information Brochure.
- Notification (via letter) to land holders of properties within the local area.
- Advertise and exhibit the Planning Proposal on Council's website.
- Exhibit the Planning Proposal at Council's Customer Services Centre.
- Undertake any other consultation methods Council may deem appropriate for the proposal.

Part 6 Project Timeline

Table 5 provides project timelines having regard to identified milestones and estimating approximately 12 months from submitting the proposal with NSW Planning and infrastructure to the amending LEP being made.

Table 5. Project Timeline

Milestone	April - 17	May - 17	June - 17	July - 17	Aug - 17	Sept - 17	Oct - 17	Nov - 17	Dec - 17	Jan - 18	Feb - 18
Gateway determination											
Public exhibition of planning proposal											
Report to Council outcomes of public exhibition											
Request from Council to DP&E to draft and finalise the LEP											
Proposal is drafted and made											