

Planning Proposal



St Leonards Plaza Precinct Amendment to Lane Cove LEP 2009

Submitted to Lane Cove Council
On Behalf of Winten Property Group

December 2014 ■ 14032

Reproduction of this document or any part thereof is not permitted without prior written permission of JBA Urban Planning Consultants Pty Ltd.

JBA Urban Planning Consultants Pty Ltd operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

This report has been prepared by:

A handwritten signature in blue ink, appearing to read 'K. Tudehope'.

Kate Tudehope

22/12/2014

This report has been reviewed by:

A handwritten signature in blue ink, appearing to read 'Michael Rowe'.

Michael Rowe

22/12/2014

Contents

1.0	Introduction	1
2.0	Background	2
3.0	Site Analysis	5
3.1	Site Location and Context	5
3.2	Site Description	7
3.3	Existing Transport and Access	9
3.4	Surrounding Development	11
4.0	The Planning Proposal	14
4.1	Development Concept	14
4.2	Objectives and Intended Outcomes	21
4.3	Explanation of Provisions	22
5.0	Strategic Justification	25
5.1	The Need for the Proposal	25
5.2	Relationship to Strategic Planning Framework	28
6.0	Environmental, Social and Economic Impacts	38
6.1	Environmental Impacts	38
6.2	Social Impacts	46
6.3	Economic Impacts	47
7.0	Assessment of Planning Proposal against NSW Department of Planning and Infrastructure Guidelines	48
7.1	Parts 1 and 2	48
7.2	Part 3 – Justification	48
7.3	Part 4 – Mapping	49
7.4	Part 5 – Community Consultation	49
8.0	Conclusion	50

Contents

Figures

1	Photomontage of the St Leonards Commerce Centre within the existing centre	2
2	The location of the future Plaza in relation to the site	3
3	Proposed tall building within the centre	4
4	Locational Context Plan	5
5	Aerial Photo	6
6	The site viewed from the Forum	6
7	84 Christie Street	8
8	86 – 90 Christie Street	8
9	79 and 77 Lithgow Street	8
10	75 Lithgow Street	9
11	Christie Street looking south	10
12	Lithgow Street looking south	10
13	Existing buildings on the Pacific Highway	11
14	Pharmaceutical Society of Australia fronting Christie Street	12
15	View of Australian Dental Association of NSW fronting Lithgow Street	12
16	View of Cabana Bar and Lounge from Christie Street	12
17	View of the Telstra exchange building	13
18	View of AVA House	13
19	View of Lithgow Street and the North Shore railway line	13
20	Site A, the subject of the Planning Proposal and Site B, the Pacific Highway sites which are the subject of the amalgamation incentive	16
21	Base massing for the plaza building	18
22	Tower massing and articulation	20
23	Implications of various incentives on the massing of the scheme	24
24	The existing St Leonards Skyline	38
25	Proposed future skyline of St Leonards	39
26	View from Canberra Avenue looking north east	39
27	View from Christie Street looking south	40
28	View from the Pacific Highway looking east	40
29	Approved commercial development from Level 16 of Forum East	42
30	Proposed development from Level 16 of Forum East	43
31	Approved commercial development from Level 23 of Forum East	43
32	Proposed development as viewed from Level 23 of Forum East	43

Tables

1	Legal description	7
2	Numerical overview	14
3	Existing and proposed LEP controls	22
4	Assessment against Section 117 Directions	29
5	Consistency with the aims of the Lane Cove LEP	35
6	Consistency with building height objectives	37

Contents

7	Consistency with non-residential FSR objectives	37
----------	---	----

Appendices

A	Concept Design Report <i>Bates Smart</i>	
B	Proposed Amendments to the LEP Maps <i>Bates Smart</i>	
C	Transport Report <i>CBH&K</i>	
D	Memorandum on Public Benefit Cost Estimate <i>WT Partnership</i>	

1.0 Introduction

This planning proposal has been prepared by JBA on behalf of Winten Property Group (Winten) as owners of the St Leonards Plaza Precinct (the site).

The site comprises a number of properties in the precinct bounded by Christie Lane to the north, Christie Street to the east, Lithgow Street to the west and commercial development to the south, and is currently occupied by a range of commercial buildings which are reaching the end of their economic lifespan. It is proposed to redevelop the site with a mixed use scheme incorporating a mixed use podium, and two residential towers ranging in height from 20 to 44 storeys.

The proposed scheme is described in more detail in Section 4.0 and is illustrated in the Concept Design Report prepared by Bates Smart, which is provided at **Appendix A**.

The site is subject to the *Lane Cove Local Environmental Plan 2009* (the Lane Cove LEP). To facilitate the proposed scheme, this planning proposal seeks to:

- rezone the site from B3 Commercial Core to B4 Mixed Use;
- rezone the part of Lithgow Street which lies adjacent to the site from B3 Commercial Core to B4 Mixed Use;
- increase the maximum building height from 65m to 144m (RL 224); and
- provide incentive clauses to increase the maximum floor space ratio where specific public benefits are provided.

As part of the planning proposal, Winten intends to enter into a Voluntary Planning Agreement (VPA) with Lane Cove Council (Council) to contribute to the delivery of the future St Leonards Plaza (the Plaza) and associated works. The Plaza also incorporates a new bus interchange and pedestrian link to St Leonards Station.

This Planning Proposal describes the site and the proposed changes to the Lane Cove LEP, and provides a justification for the proposal. The report should be read in conjunction with the Concept Design Report prepared by Bates Smart at **Appendix A** and specialist consultant inputs appended to this report (refer Table of Contents). The report has been written in accordance with the former Department of Planning and Infrastructure's publication *A Guide to Preparing a Planning Proposal* (October 2012) and *A Guide to Preparing Local Environmental Plans* (April 2013).

2.0 Background

St Leonards Commerce Centre

On 19 July 2011 the Planning Assessment Commission (PAC), as delegate of the Minister for Planning, approved Winten's St Leonards Commerce Centre Part 3A Concept Plan (MP09_0210) for the redevelopment of 88 Christie Street, St Leonards for:

- an 18-storey (plus plant room) building envelope to a maximum height of RL 149.05 metres (AHD);
- a four-level basement envelope; and
- commercial use of the building with ancillary retail (cafe) uses and through-site link from Lithgow Street to Christie Street at ground floor.

Following approval of the Concept Plan a Development Application for the building was subsequently submitted to Council. Consent was granted by the Joint Regional Planning Panel in August 2012 providing approximately 31,000m² of new commercial floor space (see **Figure 1**).

Since obtaining approval in 2012 Winten has attempted to attract a major tenant to pre-commit to lease the building. However, due to the lack of demand for A-Grade commercial floor space within St Leonards they have not been able to secure a tenant and therefore have not commenced the approved commercial development.



Figure 1 – Photomontage of the St Leonards Commerce Centre within the existing centre

Source: Bates Smart

The St Leonards Plaza

A Plaza connecting over the North Shore rail line was first conceived as part of the 2006 St Leonards Strategy to create an attractive destination and improve pedestrian connectivity within the centre.

Since 2011, Council has actively been looking to advance its plans for the Plaza as part of its vision to create an identifiable 'sense of place' in St Leonards and is well progressed in its high level discussions and negotiations with Transport for NSW to undertake the necessary investigations and prepare detailed designs for the project moving forward. **Figure 2** illustrates the site in relation to the future Plaza. It is noted that the approved DA for the St Leonards Commerce Centre was designed to respond to the existing levels of Lithgow Street. If development was to go ahead in accordance

with the approved DA, it would create a significant impediment to the design and functionality of the future Plaza.

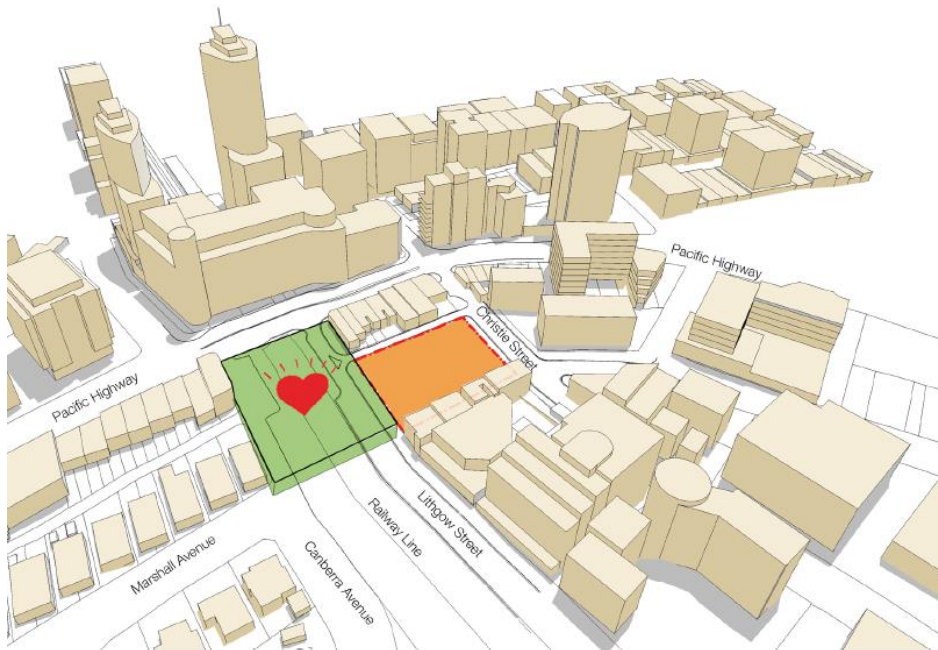


Figure 2 – The location of the future Plaza in relation to the site

Source: Bates Smart

The Planning Proposal

Having observed the difficulties with leasing large areas of commercial floor space in the St Leonards centre, and acknowledging the site's strategic location adjacent to Council's future Plaza, as well as the inability to deliver the Plaza should Winten develop the site in accordance with the existing consent, Council engaged in discussions with Winten regarding the potential to rezone the site in order to facilitate the delivery of the Plaza.

The subject Planning Proposal also comes in the context of some other significant strategic planning changes occurring in the St Leonards centre. Specifically, to the east of the site at 472-520 Pacific Highway and 95 Nicholson Street, a Planning Proposal (PP_2014_LANEC_001_00) (herein referred to as the Leighton / Charter Hall Planning Proposal) has been approved at Gateway and is with the Department for implementation (see **Figure 3**). The Leighton / Charter Hall Planning Proposal rezones five sites from B3 Commercial Core to B4 Mixed Uses and increases the heights from 65m to 115m (472-486 Pacific Highway) and from 72m to 138m (504-520 Pacific Highway). The parties of the Leighton / Charter Hall Planning Proposal will also enter into VPAs to provide monetary contributions towards the delivery of the future Plaza.

Council has also supported a VPA to enable a variation to its LEP under clause 4.6 for the development at 1-13A Marshall Avenue, St Leonards on the western side of the railway line to increase the height of the residential building by 9 additional floors to a total height of 94m.

Further, Council is currently finalising Stage 2 of the St Leonards South Strategy. The Strategy encompasses land to the west of Lithgow Street, bound by the Pacific Highway, River Road, Greenwich Road and the Sydney northern rail line, and explores a range of growth scenarios for this precinct. Currently, the area is largely zoned R2 Low Density Residential, with a predominant height limit of 9.5m. The Strategy seeks to increase height and density in the precinct, envisaging a range of typologies including residential towers up to 15 storeys, medium-scale residential flat buildings and townhouses.

These increased densities in the St Leonards precinct are consistent with the current strategic planning framework (see Section 5.2) and the increased accessibility offered by the recently announced Sydney Rapid Transit (SRT) project. The SRT project will see a new rapid transit station built in St Leonards / Crows Nest, providing automated, fast and frequent transport to the CBD (via a second Harbour crossing) and western Sydney.

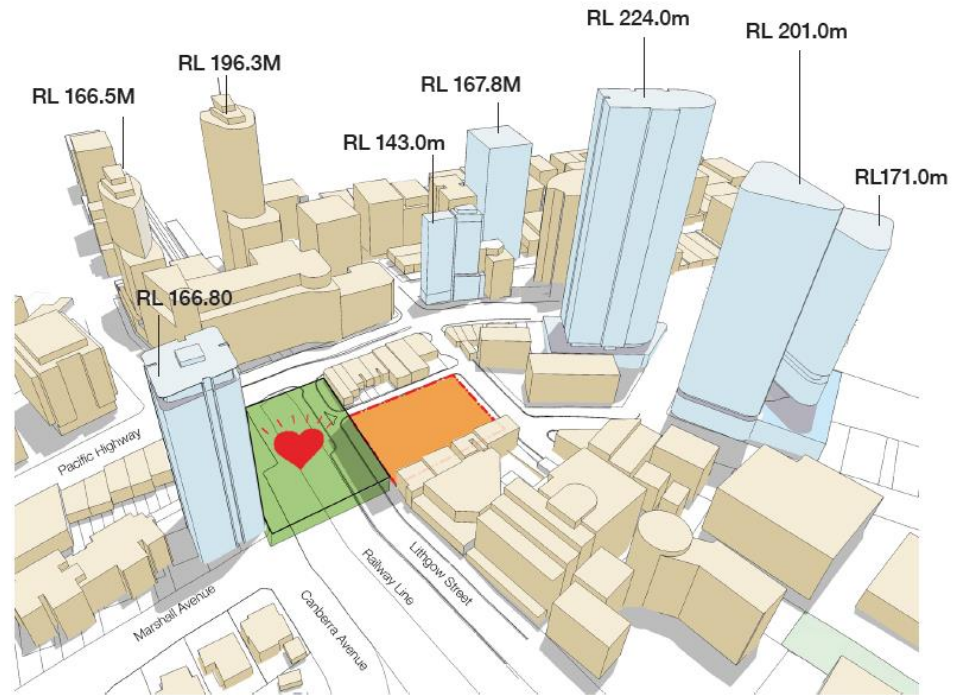


Figure 3 – Proposed tall building within the centre

Source: Bates Smart

3.0 Site Analysis

3.1 Site Location and Context

The St Leonards Plaza Precinct is located within the Lane Cove Local Government Area, on the southern side of the St Leonards Centre approximately 200m from the St Leonards railway station. The precinct is bounded by Christie Lane to the north, Christie Street to the east, Lithgow Street to the west and commercial development to the south.

St Leonards is approximately 5km north of Sydney CBD. The precinct has been undergoing a transition from smaller commercial buildings to multi-storey, mixed use development. Much of the land on the northern side of the Pacific Highway has already been redeveloped with larger mixed use buildings and several underdeveloped properties are subject to Council consent. The area immediately around the site is largely typified by redundant commercial buildings that are generally beyond their economic lifespan. Further to the north of the site is 'The Forum' (a Winten development) which forms the town centre of St Leonards and acts as a commercial, retailing and transport hub for the centre.

St Leonards is a hub for healthcare, medical research, and educational establishments, including the Royal North Shore Hospital and the North Sydney Medical College. Given the presence of these establishments, the Metropolitan Strategy, A Plan for Growing Sydney classifies St Leonards as a 'Specialised Centre' within Sydney's 'Global Economic Corridor'.

The site's locational context is shown at **Figure 4**. An aerial photo of the site is provided at **Figure 5**. A photo from the Forum illustrating the site in relation to the railway line and the future Plaza is shown at **Figure 6**.

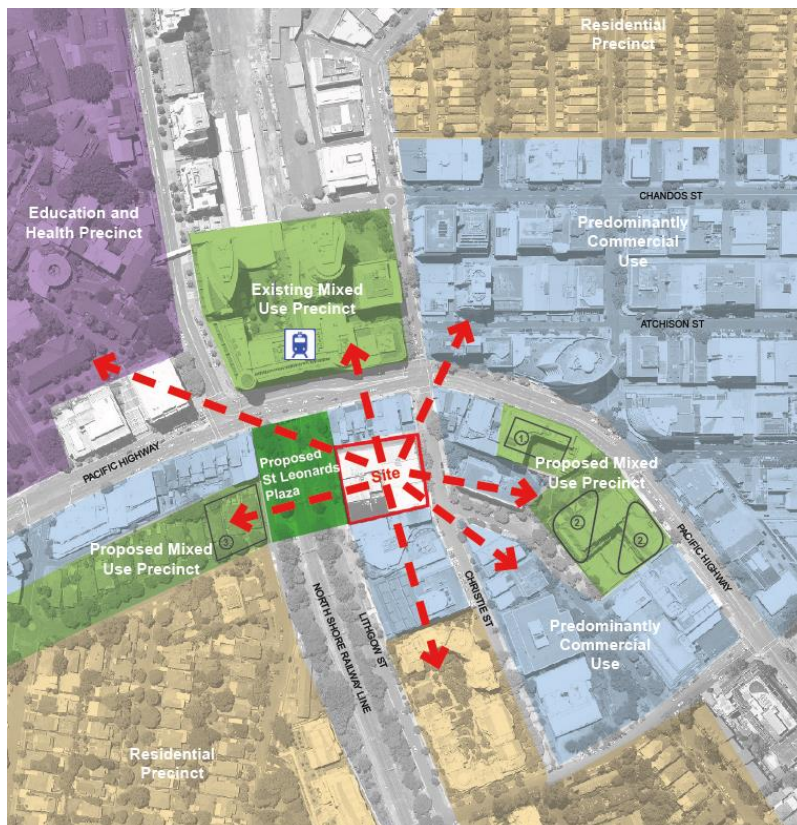


Figure 4 – Locational Context Plan

Source: Bates Smart



 The Site

Figure 5 – Aerial Photo

Source: Nearmap



Figure 6 – The site viewed from the Forum

Source: Bates Smart

3.2 Site Description

Land Ownership and Legal Description

The site is made up of a number of lots as shown in **Table 1**. The majority of the site is owned by Stuva Pty Limited, a wholly owned entity of the Winten Property Group. Winten has an option over 84 Christie Street.

Table 1 – Legal description

Address	Legal Description	Owner
84 Christie Street	Lot 1 and 2 / SP4116	The Pharmacy Guild of Australia
86 – 90 Christie Street	Lot 4 / DP 560889 Lot 50 / 18 / DP3175	Stuva Pty Limited
79 Lithgow Street	Lot 71 / DP 542079	Stuva Pty Limited
77 Lithgow Street	Lot 72 / DP 542079	Stuva Pty Limited
75 Lithgow Street	Lot 10 / 18 / DP 3175	Stuva Pty Limited

Existing Development

The site has an area of 3,197m², and is generally rectangular in shape. The site falls approximately 7m from north-east to south-west. The high point is located at the corner of Christie Street and Christie Lane.

The existing development on the site comprises:

- 84 Christie Street: a 2-storey rectangular building housing the Pharmacy Guild of Australia (see **Figure 7**).
- 86 - 90 Christie Street: a 2-storey square commercial building on the corner of Christie Street and Christie Lane (see **Figure 8**).
- 79 Lithgow Street: a 3-storey rectangular building on the corner of Lithgow Street and Christie Lane (**Figure 9**).
- 77 Lithgow Street: a 2-storey rectangular building fronting Lithgow Street (**Figure 9**).
- 75 Lithgow Street: a 2-storey rectangular building fronting Lithgow Street (**Figure 10**).

The buildings generally abut each other at the property boundaries with the exception of 77 Lithgow Street which contains a light well at the rear of the block. Whilst the buildings are predominantly 2 storeys, due to the sloping topography of the site, the buildings step down to the south. None of the buildings are listed as heritage items and the precinct is not located within a heritage conservation area.

Pedestrian access to each building is located off its respective frontage. Basement car parking is located below each building. In total there are 124 spaces and 7 separate vehicle access points across the five sites.



Figure 7 – 84 Christie Street



Figure 8 – 86 – 90 Christie Street



Figure 9 – 79 and 77 Lithgow Street



Figure 10 – 75 Lithgow Street

3.3 Existing Transport and Access

Surrounding Road Network

Christie Street (**Figure 11**) is a 2 lane road with a cul-de-sac at its southern end. The road provides one-way access from the Pacific Highway before becoming a two-way road after Christie Lane.

Lithgow Street (**Figure 12**) is a one-way street which runs from River Road to the Pacific Highway. No vehicle access is available from River Road into Lithgow Street. The road runs in both directions between the Pacific Highway and Christie Lane, where a seagull intersection diverts traffic leaving the Pacific Highway up the laneway (see **Figure 13**).

Christie Lane (**Figure 14**) is a one-way lane that runs from Lithgow Street to Christie Street. There is no on-street parking. The lane carries a large quantity of pedestrian movements from people moving between St Leonards Station and The Forum (via the underground tunnel) and the commercial and residential developments along Christie Street and Nicholson Street.

The Pacific Highway (**Figure 15**) is an arterial road that runs from the Warringah Freeway up through Sydney's northern suburbs. At the site, the Pacific Highway runs in 3 lanes in both directions.



Figure 11 – Christie Street looking south



Figure 12 – Lithgow Street looking south



Figure 13 – View of the seagull intersection on Lithgow Street looking west



Figure 14 – Christie Lane looking east



Figure 15 – The Pacific Highway at the corner of Christie Street looking west

Pedestrian

A pedestrian tunnel under the Pacific Highway provides pedestrian access to the site from the St Leonards train station via The Forum, although the amenity of the tunnel is poor. Access to St Leonards Station is also achievable at-grade via signalised pedestrian crossings over the Pacific Highway.

Bicycle

There are no existing cycle paths connecting to the St Leonards Centre, however several cycle paths are proposed for the St Leonards area including an off-road cycle lane along the Pacific Highway in a northerly direction and an on-road marked cycleway up Herbert Street.

Rail

The proposed development is located approximately 200m south of St Leonards Railway Station. St Leonards Station is located on the North Shore Line which provides local rail services and onward connections for regional services.

Bus

The site is in close proximity to a number of bus services which travel to the Sydney CBD, greater North Shore, Northern Beaches and Western Suburbs.

3.4 Surrounding Development

The immediate area around the site is largely typified by low-scale commercial buildings, many of which are reaching the end of their economic lifespan. There are no listed heritage items in the vicinity of the site.

The existing development to the north of the site comprises a series of 2-storey commercial, retail and residential premises which front the Pacific Highway (refer to **Figures 15 and 16**). Further to the north, on the opposite side of the Pacific Highway, lies The Forum (a Winten development) which forms the town centre of St Leonards and acts as a commercial, retailing and transport hub for the Centre.

The southern boundary of the site abuts existing development occupied by the Pharmaceutical Society of Australia (fronting Christie Street) and the Australian Dental Association (NSW Chapter) headquarters (fronting Lithgow Street) (see **Figures 17 and 18**). Further to the south lies the Norths Rugby Club and the affiliated Cabana Bar and Lounge, which fronts both Christie and Lithgow Streets (see **Figure 19**).

Christie Street forms the eastern boundary of the site. On the opposite side of Christie Street is a Telstra exchange building and AVA House, a 6 storey commercial building (see **Figures 20 and 21**). To the west of the site is Lithgow Street which runs adjacent to the North Shore railway line (see **Figure 22**). Opposite the railway line lies predominantly low-density residential uses with commercial and retail uses fronting the Pacific Highway.



Figure 16 – Existing buildings on the Pacific Highway



Figure 17 – Pharmaceutical Society of Australia fronting Christie Street



Figure 18 – View of Australian Dental Association of NSW fronting Lithgow Street



Figure 19 – View of Cabana Bar and Lounge from Christie Street



Figure 20 – View of the Telstra exchange building



Figure 21 – View of AVA House



Figure 22 – View of Lithgow Street and the North Shore railway line

4.0 The Planning Proposal

The Planning Proposal seeks to amend Lane Cove LEP 2009 to provide additional height and support mixed use development on the site.

The Planning Proposal does not seek to change the floor space ratio (FSR) standard of 14:1 which applies to the site. Rather, it seeks to include a site specific incentives clause that enables additional FSR of up to 4.6:1, if the development of the site provides specific public benefits that were identified by Council, as described in Section 4.1. The proposed incentives clause is detailed at Section 4.3.4 of this report.

The following section outlines the indicative development concept, the objectives and intended outcomes, and provides an explanation of provisions in order to achieve those outcomes. This report presents the base outcome for the site (without any of the incentives being adopted), as well as the maximum development potential if the development achieves all of the public benefit FSR incentives (herein referred to as the 'Public Benefit Incentives Scheme').

4.1 Development Concept

The base development concept reflects the scale of the Leighton's / Charter Hall Planning Proposal, and seeks to deliver a significant public benefit by making a monetary contribution to the delivery of the Plaza and associated works.

In addition to the above public benefit and following discussions with Council, a number of other public benefit opportunities were identified which could be provided in exchange for additional FSR, equivalent to the monetary value of those benefits. Each of these public benefits is described in detail in Section 4.1.1 below.

An overview of the proposal, including detail on both the base and public benefit incentives scheme, is provided in the Concept Design Report prepared by Bates Smart at **Appendix A**. In summary, the future mixed use development will comprise:

- two residential elements referred to as the 'plaza building' at the interface of the future Plaza and 'the tower' located further to the east, with heights ranging from 20 to 44 storeys;
- a mixed-use podium at the base of these buildings with the potential to incorporate a full line supermarket, centred around an internal courtyard and through-site link; and
- associated basement car parking, including the potential for a public car park for 200 vehicles.

The detailed design of these elements will form part of a future development application. An indicative photomontage of the scheme is provided at **Figure 23**. This photomontage represents one possible scenario for the development of the site, where the tower has been maximised utilising the public benefit incentives, and the plaza building has been averaged at a height of 24 storeys.

A numerical overview of the base and public benefit incentive schemes is provided at **Table 2**. The quantum of non-residential floor space proposed in the base scheme is 8,045m². However, under the Public Benefit Incentive Scheme, an FSR incentive is provided on the site if the development application also includes amalgamation of the sites to the north along the Pacific Highway between Lithgow and Christie Streets (the Pacific Highway sites, Site B). If this was to occur the commercial shown in the podium under the base scheme would be relocated to Site B. This would result in 4,195m² of non-residential floor space proposed on Site A, but a total of 21,195m² of non-residential floor space including Site B.

Table 2 – Numerical overview

Component	Mixed-use Component	East Residential Tower (the tower)	Western Residential Tower (plaza building)	Total
Base Scheme				
Height	4 storeys	113m (RL 193.66) 37 storeys	65m (RL 145.51) 20 storeys	-
FSR	2.52:1	11.48:1		14:1
Indicative Apartment Yield	-	450		450
GFA	8,045 m ²	26,039 m ²	10,674m ²	44,758m ²
Public Benefit Incentives Scheme				
Height	4 storeys	149m (RL 224) 44 storeys	95m (RL 166.8) 27 storeys	-
FSR	2.58	16.02:1		18.6:1
Indicative Apartment Yield	-	625		625
GFA	8,259 m ² *	34,438 m ²	16,773m ²	59,470 m ²

* This area reflects Site A only, and does not include the commercial accommodation that would be constructed on Site B under the Public Benefit Incentives Scheme



Figure 23 – Indicative photomontage, representing one possible development outcome

Source: Bates Smart

4.1.1 Public Benefit Incentives

As noted above, in addition to the public benefit delivered by the base scheme, following discussions with Council a number of other public benefit opportunities were

identified which could be provided in exchange for additional FSR, equivalent to the monetary value of those benefits. Each of these public benefits is described in detail in below.

Pacific Highway Sites (Site B) Amalgamation

There are eight properties fronting the Pacific Highway and bounded by Christie Street, Christie Lane and Lithgow Street. They are collectively referred in this Planning Proposal as Site B (see **Figure 24**).

The eight properties are generally antiquated in nature and are in desperate need for redevelopment, particularly in the context of their relationship to Council's Plaza.

Site B is zoned B3 Commercial, an appropriate zoning for its extensive highway frontage and mirroring the commercial buildings comprising the Forum, on the opposite side of the Pacific Highway.

Council and Winten are of the view, that ideally Site B would be redeveloped in conjunction with Site A, the subject of this Planning Proposal. Redevelopment would release its commercial office potential of some 17,000 square metres and provide an appropriate gateway to the proposed St Leonards Plaza. Both outcomes are seen as delivering significant public benefit.

In efforts to amalgamate the subject properties over a number of years, Winten has made offers to each of the owners at prices significantly above both their in situ values and the implied value attributed to their commercial redevelopment values. Of the eight properties comprising Site B, Winten owns two and has an option over another.

It is proposed that a bonus FSR of 1.6:1 be provided as an incentive for the amalgamation of Site B.

This would provide an additional 5,115 square metres of residential FSR to Site A. Adopting Council's valuation for FSR at \$2,600 per square metre, the bonus FSR equates to an incentive 'pool' of some \$13.3 million.

The bonus would provide the ability for the developer to pay the land owners of Site B prices significantly in excess of both the in situ value and that of the B3 Commercial zoning.



Figure 24 – Site A, the subject of the Planning Proposal and Site B, the Pacific Highway sites which are the subject of the amalgamation incentive

International Architectural Standard

Whilst the architecture of the future development will be of a high standard, it became evident during presentations and workshops with Council that it wanted the interface with the Plaza from the adjoining buildings to be considered architecture of an international standard.

Outstanding architecture in high-rise structures manifests in a significant cost imposts. These additional costs can often be supported through the retail value available from iconic locations, major world cities etc. However, the economic justification for such expenditure cannot be supported in suburban locations where realisable sales values are more limited. An incentive to financially justify bold, engaging architecture is therefore required.

The cost of the architecture portrayed in the schematic has an estimated 'extra over' to normal construction costs of \$6.5 to \$7.5m. The correspondence from WT Partnership at Appendix D addresses the cost estimate for the western façade depicted in the indicative artist impression in this proposal.

Adopting Council's valuation for FSR at \$2,600 per square metre, the bonus FSR equates to an incentive equivalent to some \$8.3million that will accommodate, in part, additional costs such as interest and margin, not accommodated in the base construction cost.

Public Car Park

The proposed St Leonards Plaza (Plaza) is some 5,000 square metres of community space that will accommodate events and passive recreation in what will become the heart of St Leonards.

Accessibility is the key to the Plaza facility being fully utilized and it follows that a public car park adjacent to the Plaza will enhance the Plaza's attractiveness to users.

In addition to facilitating and maximising Plaza utilisation, a public car park would be the catalyst for the incorporation for a full line supermarket within the proposed development.

The economics of providing full line supermarkets in high-density areas are prohibitive. However many inner-ring full line supermarkets are viable when placed adjacent to council owned parking facilities. Many councils promote the development of good retail facilities through provision of council owned car parking.

It is proposed that a 200 space Council car park be incorporated into the development in return for a bonus FSR of 2:1. Title to the car park would pass to Council on practical completion. Operational costs of the public car park would be subsidised to reflect usage by supermarket patrons.

The cost of such a facility is has been estimated by WT Partnership at some \$16.9 million (see **Appendix D**). Adopting Council's valuation for FSR at \$2,600 per square metre, the bonus FSR equates to some \$16.6 million.

4.1.2 Urban Design and Built Form

The manifestation of the public benefit incentives described above results in different built form outcomes between the base scheme and the Public Benefit Incentive Scheme. The description below outlines the base position, as well as the maximum built form should all public benefit incentives be realised.

Plaza Building

The plaza building comprises a slender, mixed use form fronting the eastern side of the future Plaza. Under the base scheme, the building has a base massing height of 20 storeys, consisting of 17 residential floors above a 3 storey mixed use podium. This base height is consistent with the current 65m height limit on the site. The base scheme is shown in **Figure 25**.

From a base massing height of 20 storeys, there is potential to increase the building height to 27 storeys (approximately 95m), as part of a Public Benefit Incentives Scheme (refer to **Figure 26**). The maximum building height has been adopted to be consistent with the scale of the recently approved 29 storey building at 1 Marshall Avenue. The proposed envelope heights also ensure adequate solar access to the Plaza throughout the year as demonstrated by the shadow studies provided at **Appendix A**.

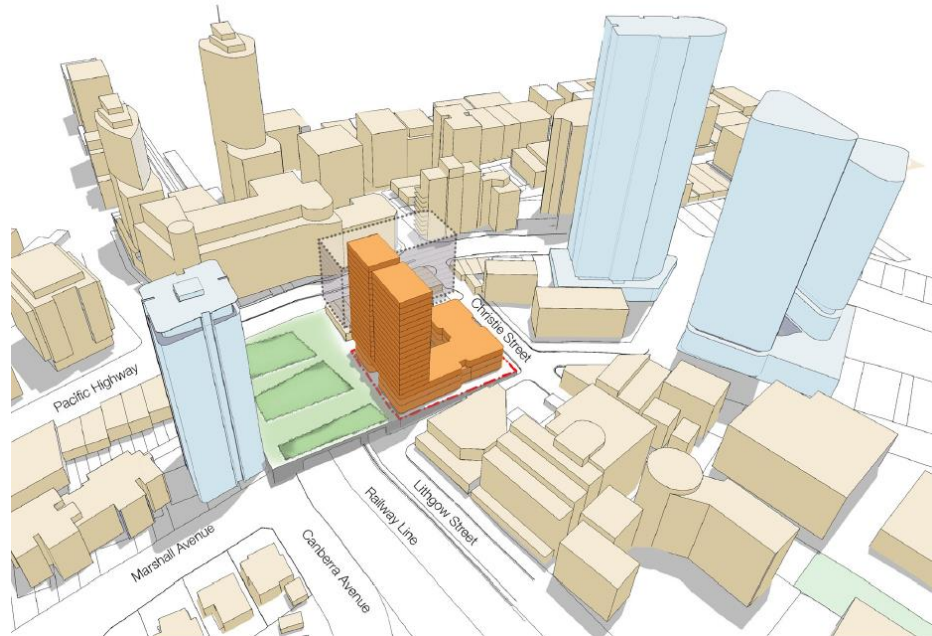


Figure 25 – Base massing for the plaza building

Source: Bates Smart

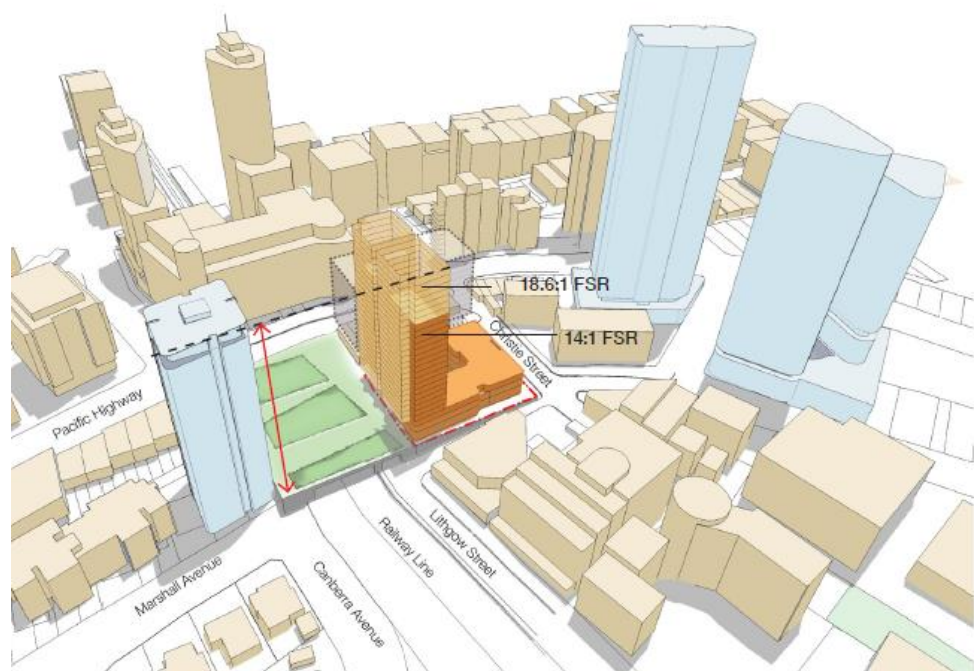


Figure 26 – Massing of the plaza building under the Public Benefit Incentive Scheme

Source: Bates Smart

The buildings have also been designed to respond to the new St Leonards Plaza with a generous canopy and a 4m wide 'façade articulation zone'. This façade articulation zone will be utilised if the public benefit incentives for the delivery of a façade of international architectural standard is delivered. This 4m wide zone extends over the site's western boundary to enable a high articulated façade, achieving maximum activation and visual interest to the new Plaza.

Tower

The tower component is setback over 37m from the Plaza interface, to the east of the proposed plaza building. The location of the tower has been selected to maintain a more human scale to the Plaza, and to integrate with the new tower precinct evolving to the east of the site through the new Charter Hall and Leighton's developments.

In this regard, the height of the tower volume under the public benefit incentives scheme is equal to the adjacent Charter Hall development, which has a height of 44 storeys above street level and a rooftop RL of 224m AHD.

The base scheme has a height of 37 storeys. Whilst this height still provides for a transition between the tower and plaza buildings, it does not serve to define the new town centre and future Plaza, consistent with good urban design practice.

Under either development scenario, the tower massing has been articulated through the introduction of a central vertical 'slot' of 3.75m to create two slender volumes, rounded corners and a 3 storey articulation zone at the top of the tower. A 4m setback to the site's eastern boundary further emphasises the slender tower form. These principles are shown at **Figure 27**.

The resulting tower form:

- uses building height appropriately to clearly identify and reinforce the location of the town centre, public Plaza and train station on the skyline; and
- reduces overshadowing to the south through the inclusion of a 4m setback to the site's eastern boundary, creating a more slender tower form.

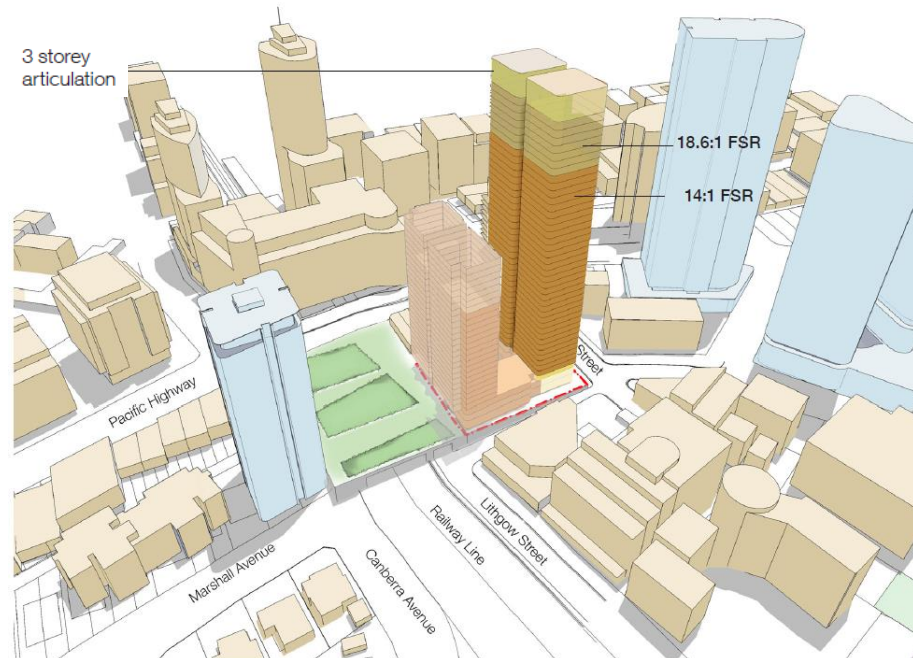


Figure 27 – Tower massing and articulation

Source: Bates Smart

4.1.3 Vehicular Access and Parking

Consistent with the vision expressed in Lane Cove DCP 2010 and more recent discussions with Council, the Concept Design's vehicular access reflects the new laneway for vehicular traffic through the sites at 71-73 Lithgow Street and 82 Christie Street. It is understood that Council will acquire the properties to accommodate the laneway which is necessary in order to allow for the closure of Lithgow Street for the construction of the future Plaza. As a result of the creation of the new laneway local traffic access to and from Lithgow Street will be routed via this new laneway into Christie Street.

The existing Christie Lane will be converted to a pedestrianised shared way for service vehicles only, terminating at the eastern edge of the Plaza. This will improve pedestrian amenity in the precinct while retaining vehicular loading access to the rear of the existing shops fronting the Pacific Highway until the time they are redeveloped.

Currently, the portion of Christie Street between Nicholson Street and the Pacific Highway is limited to one-way, southbound traffic. To enable local traffic from Christie Street to turn left onto the Pacific Highway and exit the precinct, this segment of roadway will need to be restored to two-way traffic.

The steep existing gradient of Lithgow Street from north to south, and the requirement to maintain sufficient head clearance for trains beneath the future Plaza, results in a level change of approximately 7m between the southern edge of the Plaza and Lithgow Street. This level change enables a discreet basement parking and loading access point to be created for the proposed development in the existing location and along the existing orientation of Lithgow Street.

4.1.4 Pedestrian Connectivity and Public Domain

The conversion of the existing Christie Lane to the north of the site into a new pedestrianised shared way will create a strong pedestrian link between the new Plaza and the proposed Charter Hall and Leighton's developments immediately to the east of the site. Retail is proposed along the northern site boundary fronting this link to create a fine grain, activated pedestrian link. A new through-site link is also proposed through a landscaped retail courtyard at the centre of the site, connecting the new Plaza and bus interchange with Christie Street and Nicholson Street to the east.

The scheme seeks to create a series of vibrant pedestrian laneways south of the Pacific Highway which are highly activated by retail and strongly connected to the Plaza with clear line-of-sight connections. New retail is proposed at the ground floor, interfacing directly with the proposed new Plaza. The proposed pedestrian network, which links the proposed Charter Hall and Leighton's developments with the Plaza and existing railway station, will significantly improve pedestrian walkability and amenity within the precinct while also reinforcing the Plaza as a vibrant and well-connected new public space.

4.1.5 Voluntary Planning Agreement

As detailed in Section 2.0, a new public Plaza is proposed by Lane Cove Council immediately to the west of the site and above the existing railway line and will transform the area into a new external public space. The transformation offers the opportunity to substantially improve the amenity and identity of the town centre and will create a new public heart for St Leonards.

Winten intends to enter into a VPA to make a monetary contribution to Council that will, in conjunction with the other developers in the area, fund the delivery of the future Plaza and associated works.

4.2 Objectives and Intended Outcomes

The objective of this Planning Proposal is to facilitate the redevelopment of the site for a mixed use development incorporating retail, commercial and residential uses as detailed in Section 4.1.

The following are the key intended outcomes from the proposal:

- **Provide a non-residential component:** The future development will incorporate a mixed use component including a potential basement supermarket and ground level retail surrounding an outdoor courtyard / Plaza. The proposed mix of uses will create maximum activation of the future Plaza and street frontages.
- **Provide a residential component:** The future development will incorporate two residential elements (known as 'the tower' and the 'plaza building') above the mixed-use component, with heights of up to 144m (44-storeys above Ground Level) and 95m (20 storeys above Ground Level) respectively. The buildings have been orientated north-south to maximise residential amenity, and are of a height which appropriately defines the future heart of the St Leonards town centre and railway station. The slender tower forms will minimise view loss from the neighbouring Forum, as well as reducing overshadowing impacts.
- **Contribute to the delivery of the Plaza:** Provide a monetary contribution as part of a VPA to facilitate the delivery of Council's future Plaza and associated works.
- **Provide a strong relationship with the Plaza:** The development will integrate with the Plaza at ground level and provide a 4m wide façade articulation zone over the site's western, Lithgow Street, boundary. This articulation zone will only be utilised if the public benefit incentive relating to the provision of a façade of international architectural quality is adopted. If included, the zone will enable the provision of an active, dynamic façade at the interface with the Plaza.

- **Provide incentives for the delivery of public benefits:** The development will be eligible to achieve a FSR bonus of up to 4.6:1, subject to the delivery of a range of additional public benefits, namely:
 - Amalgamation of the Pacific Highway sites (Site B) to accommodate a commercial building (noting that the additional floor space ratio is to be applied proportionally based on the area of Pacific Highway sites that forms part of the development); and / or
 - Provision of a 200 space public car park; and / or
 - Provision of a development that achieves an international standard of architecture at the eastern interface with the future Plaza.

Further detail regarding the public benefit incentives is provided in Section 4.1.1.

4.3 Explanation of Provisions

The Lane Cove LEP sets out the local planning controls across the Lane Cove LGA. This Planning Proposal seeks to amend the Lane Cove LEP to facilitate the proposed mixed use development outlined above, as well as to enable increased heights and the potential for additional FSR subject to the delivery of significant public benefits on the site.

The existing and proposed LEP controls, as well as the recommended amendments are outlined below.

4.3.1 Existing and Proposed LEP Controls

The existing and proposed LEP controls are outlined in **Table 3**. An explanation of the proposed changes is provided in the subsequent sections.

Table 3 – Existing and proposed LEP controls

Provision	Existing LEP Control	Proposed LEP Control
Zoning	B3 Commercial Core	B4 Mixed Use
Building Height	65m	95-149m
Floor Space Ratio	14:1	14:1*

*additional FSR achievable subject to delivering public benefits on the site.

4.3.2 Zoning

To facilitate the development, it is proposed to rezone the site from B3 Commercial Core to B4 Mixed Use (see proposed zoning map at **Appendix B**). A rezoning is required as residential accommodation is prohibited in the B3 Commercial Core Zone. The B4 Mixed Use Zone is the most appropriate zone given the mix of uses proposed.

The site specific clause (detailed below) also seeks to enable basement parking that is ancillary to residential development to be provided beneath Christie Lane and / or the Pacific Highway sites (Site B), which will retain their B3 Commercial Core zoning.

4.3.3 Building Height

It is proposed to increase the maximum building height from 65m to 149m (RL 224) by amending the Height of Buildings Map (see proposed Height of Buildings Map at **Appendix B**).

4.3.4 Floor Space Ratio

This Planning Proposal retains the maximum FSR of 14:1, however seeks to employ a site specific incentives clause under Part 6 of Lane Cove LEP to enable up to an additional FSR of 4.6:1 on the site, subject to realising a number of public benefits. A detailed explanation of each of the public benefits is provided in Section 4.1.1. The implications of the various incentives on the massing of the scheme are shown at **Figure 28**.

A Memo has been prepared by WT Partnership (refer to **Appendix D**) which demonstrates the monetary value associated with the public benefits for the provision of the car park and façade costs equates to the FSR uplift outlined in draft clause 6.6.

The following site specific clause is proposed to be inserted at clause 6.6 of Lane Cove LEP.

6.6 St Leonards Plaza Precinct

- (1) *This clause applies to the following land known as the “St Leonards Plaza Precinct”:*
 - (a) *Site A (Christie Street sites) – being Lot 71-72, DP 542079, Lot 10, DP 3175, Lot 50, DP 3175, Lot 4, DP 560889, and SP 4116.*
 - (b) *Site B (Pacific Highway sites) – being Lot 1, DP 1083362, Lots 1-2, DP 200301, Lot C, DP 339273, Lots A-B, DP415468, Lot 1, DP 656501 and Lot 1, DP 651204.*
- (2) *The objective of this clause is to provide for additional FSR on Site A if the development of the site provides specific public benefits.*
- (3) *Despite clause 4.4, the gross floor area of a development on Site A may exceed the maximum permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map by an amount no greater than the sum of any one or more of the following for which the development may be eligible under paragraphs (4), (5) or (6).*
- (4) *Development that includes amalgamation of Site B is eligible for an additional floor space ratio of 1.6:1. Should the development only include amalgamation and redevelopment of part of Site B, the additional floor space ratio is to be applied proportionally based on the area of Site B that forms part of the development. The consent authority may grant consent to development within Site B or Christie Lane for basement car parking that is ancillary to a residential use within Site A even though development for that purpose would otherwise not be allowed by this Plan.*
- (5) *Development that includes provision of a 200 space public car park is eligible for an additional floor space ratio of 2:1.*
- (6) *Development that demonstrates an international standard of architecture at the eastern interface with the Plaza is eligible for an additional floor space ratio of 1:1. In considering whether development to which this clause applies exhibits an international standard of architecture, the consent authority must have regard to the following matters:*
 - (a) *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved for the interface with the St Leonards Plaza, and*
 - (b) *whether the form and external appearance of the proposed development at the interface with the St Leonards Plaza will improve the quality and amenity of the public domain,*

An architectural design competition is not required in order for a development to demonstrate that it is of an international standard.

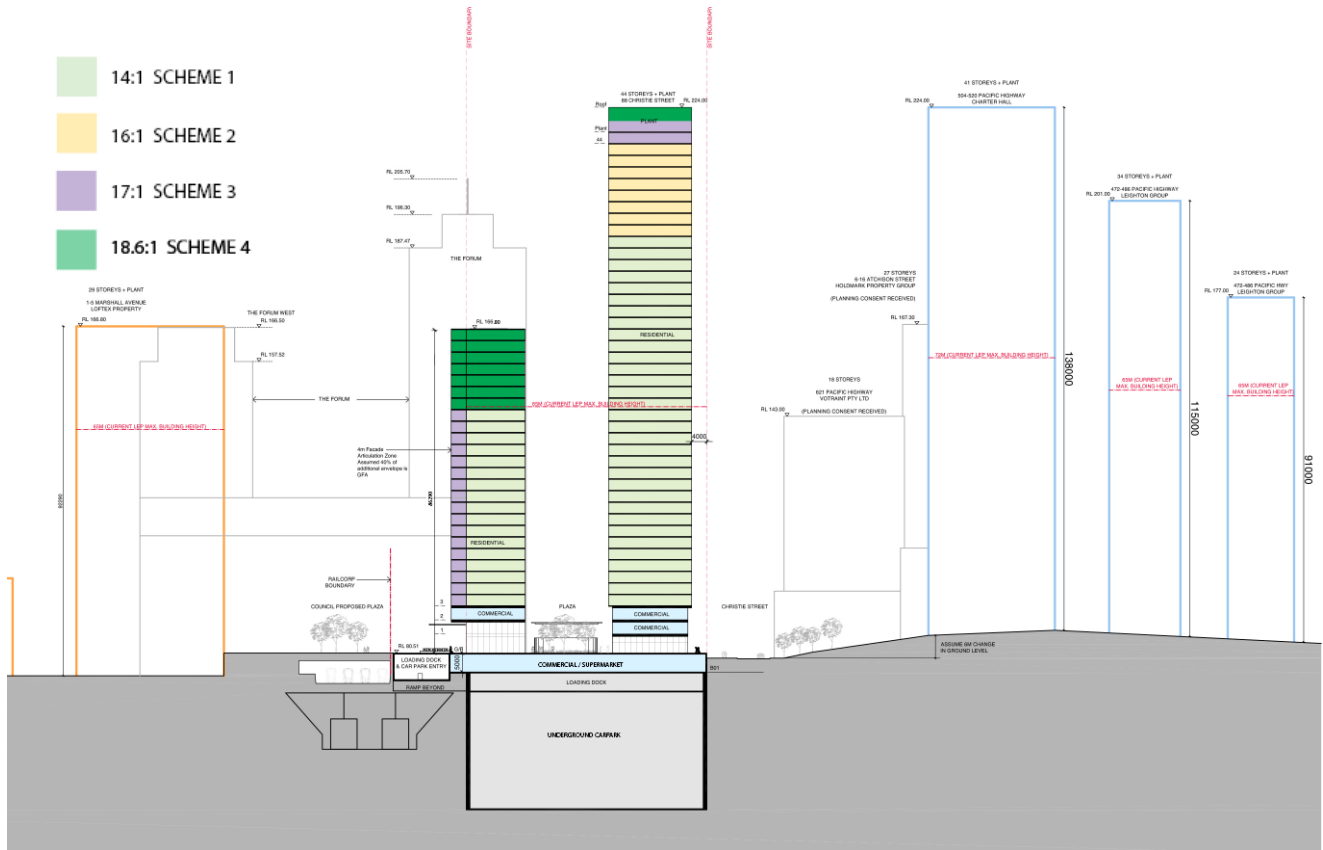


Figure 28 – Implications of various incentives on the massing of the scheme

Source: Bates Smart

5.0 Strategic Justification

This section demonstrates the need for the proposal and its relationship with the strategic planning framework. The environmental, social and economic impacts of the proposal are considered in Section 6.0.

5.1 The Need for the Proposal

The strategic vision for the St Leonards centre is currently under review, with Council noting that whilst Lane Cove has consistently worked to retain the commercial core within the St Leonards centre in accordance with the St Leonards Strategy (2006) and State policies, development has not occurred, despite the uplift in height and FSR provided in LEP 2009, even though two commercial projects (including the subject site) made some progress in the planning stages.

As outlined above, the base proposal seeks to provide a minimum of 8,045m² (2.52:1 FSR of 14:1) of non-residential floor space on the site. There is potential for over 17,000m² of commercial GFA to be provided on the Pacific Highway sites (Site B), should the amalgamation clause be adopted.

The strategic merits of the proposal to facilitate a wider mix of uses compared to that allowed under the current B3 Commercial Core zone have been considered. The key strategic driver for the Planning Proposal is the economic impacts, and the declining demand for commercial office space in St Leonards. In addition to this are the following associated strategic factors:

- the emerging role of St Leonards as a health precinct;
- satisfaction of metropolitan employment targets within the precinct notwithstanding the change of zoning; and
- public amenity benefits and site specific design opportunities.

It is noted that Winten has not engaged an independent Economic Impact Assessment (EIA), as extensive assessment has been undertaken as part of the Leighton / Charter Hall Planning Proposal. This included an assessment prepared by Urbis which was engaged by the proponent, and an independent peer review engaged by Council which was undertaken by HillPDA. The findings of these studies as they apply to the current Planning Proposal are summarised below.

5.1.1 Declining Demand for Commercial Office Space

The decline in demand for commercial office space in the St Leonards Centre has been acknowledged in both EIAs and Council in their assessment of the Leighton / Charter Hall Planning Proposal. The findings of the previous assessments are applicable to the whole of the St Leonards Centre, and can be transferred to the subject site.

In their assessment of the Leighton Charter Hall proposal, Council acknowledged that even with the uplift in FSR offered under LEP 2009, wholly commercial development has not proved attractive in the market. Council recognised that the St Leonards centre is a Tier 4 office location, which means that projects of the scale permissible under the LEP 2009 may not be viable. In this regard, Hill PDA acknowledged that the greater the quantum of commercial floor space insisted upon on a site, the less attractive the option becomes from a financial perspective, running the risk of redevelopment not being achieved. This is reflected by that fact that Winten has not been able to secure a pre-commitment for the existing commercial approval on the site.

Notwithstanding the above, Council and Hill PDA noted that a smaller component of new, high quality office space has the potential to be attractive to the market, particularly in conjunction with other developments and public domain improvements that would reinvigorate the Precinct. This approach would, in-turn, help to minimise the net loss of employment-generated floor space across the Precinct. The proposal is consistent with this concept, providing a viable quantity of high quality commercial floor

space as part of a mixed-use development which will support substantial public domain improvements.

It is noted that should the Pacific Highway sites (Site B) be amalgamated and developed for commercial purposes in accordance with the Public Benefit Incentives Scheme, there is the potential to provide an additional 17,000m² of commercial floor space in the centre that would not otherwise be likely to be delivered due to Pacific Highway sites' fragmented ownership.

An overview of the key findings of each EIA, as relevant to the subject Planning Proposal, is provided below.

The EIA prepared by Urbis found that:

- Other competing CBDs and centres are better placed to attract traditional commercial / office based industry sectors and tenants. With 53% of the St Leonards office stock being classified as C-D Grade (significantly more than all other major commercial centres) it is evident from the age of office stock that the centre has not continued to attract investment in new office developments or major refurbishments. Conversely, HillPDA notes that this is more affordable and thereby attractive to smaller specialist medical uses and local professional firms when compared to the new commercial space surrounding the hospital. The existing C and D grade space therefore meets a specific market need, however it would not support the growing demand for high quality commercial space.
- The price point for asking rents is not competitive with other suburban centres, such as Macquarie Park and North Ryde. These centres combine affordable rental rates with higher grade stocks and larger floor plates. In comparison to these locations, St Leonards demands higher costs, while not offering the locational amenity of more central locations such as North Sydney and the Sydney CBD. This limits the ability of the St Leonards office market to attract key anchor tenants that underpin new commercial developments.
- An assessment of the jobs growth for the St Leonards Specialised Centre shows historically low absorption rates, which indicate low demand for new office space within the St Leonards CBD. Since January 2003 only 18,611m² of new office space has been taken up by the market, which equates to 1,861m² per annum over the last 10 years. Based on Urbis' employment to floor space benchmarks this is estimated to have accommodated between 93 and 124 jobs per annum, aggregating to between 930 and 1,240 new office jobs over the last 10 years. As discussed at Section 5.1.3, these figures are not consistent with the expected employment growth rates set out in the now superseded draft Metropolitan Strategy.

The peer review undertaken by HillPDA generally concurred with Urbis' findings. The key findings of HillPDA's EIA are outlined below:

- Commercial vacancy rates are generally declining as interest grows in North Sydney. This growing interest and associated rental increases are likely to have a positive flow on effect on other centres in the hierarchy such as St Leonards and Crows Nest. This trend is exemplified by declining vacancy rates in St Leonards and Crows Nest from 15% in 2010 to 12% in January 2013. Although the rate experienced a temporary fluctuation to 13.8% in July 2013, it is anticipated that vacancy rates will continue to decline to approximately 9.4%. It is noted that whilst vacancy rates may be declining, Urbis states that the vacancy rate of 12% in January 2013 represented the weakest vacancy rate compared to other CBDs benchmarked.
- Residential uses continue to represent the more financially attractive development option, with HillPDA noting that despite declining vacancy rates the office market has not been improved to such a point that a substantial increase in commercial office space could be supported. HillPDA summarised that the greater the

proportion of commercial floor space on the site, the less attractive the option becomes from a commercial perspective, running the risk of development not being achieved.

- Whilst HillPDA were accepting of mixed-use scheme in principle, some concern was raised that reducing the quantum of commercial floorspace could set a precedent which would erode the commercial core and result in a further net loss of jobs in the LGA.

There is a general consensus that St Leonards CBD is no longer perceived as an attractive office location, with the location, pricing and quality of commercial floor space unable to compete with other centres such as Macquarie Park and North Sydney. This is reflected by the fact that many tenants are choosing to locate their offices in other centres. Of particular note is Leighton Holdings Pty Ltd who have chosen to consolidate their 11 offices into a new office building in North Sydney, rather than occupying their own building in St Leonards. Conversely, there is high demand for residential development in this location and it is generally agreed that modern centres are changing in character, with more support for co-locating commercial and residential uses.

5.1.2 St Leonards as an Emerging Health Precinct

As noted above, the change in the strategic direction of the St Leonards centre has been broadly identified by Council. The emerging role of St Leonard as a health precinct is driven by the presence of the Royal North Shore Hospital (RNSH), which is the only tertiary hospital on the North Shore. Together with North Shore Private Hospital (NSPH) and The Mater at Crows Nest the centre has a significant health focus, and as a result, a significant proportion of commercial floor space is used for health related purposes.

Health is one of the fastest growing employment sectors in NSW, and it is considered that St Leonards will continue to support employment in this sector through the utilisation of space for health and allied purposes. It is anticipated that 8.6% of future demand for office floorspace will be health based, and better suited to co-locating in the RNSH development, rather than in office space like the subject site. The redevelopment of RNSH Precinct C is expected to have the potential to accommodate 9,500m² of potential office space.

The lack of demand for commercial floorspace has been highlighted above, and is reflected by the lack of tenant pre-commitments for approved commercial developments in the St Leonards centre, including the site. The historically low absorption rate over the past 10 years indicates that office development is unlikely to be the key driver of employment growth. It is considered that health based employment will be the largest driver of growth in the centre. This aligns with the RNSH redevelopment which, in addition to an expansion of health services, will increase potential commercial development capacity by approximately 9,500m².

The growth of St Leonards as a health precinct is also reflected in employment figures, with the health services industry comprising 25% of local jobs. This compares to Information Media and Telecommunications (5.8%), Manufacturing (3.5%), Retail Trade (4.0%) and Financial and Industrial Services (5.8%) which are the next most represented industries. Moving forward, it is anticipated that 36% of jobs between 2011 and 2031 will be in the health care and social assistance sector.

The smaller representation of these industries illustrates that while St Leonards is a viable commercial hub, it is not a major CBD in Sydney's north. It also reflects the fact that highly specialised industries including Arts and Recreational Services (1%), Electricity, Gas, Water and Waste Services (0.2%), Mining (0.1%) and Agriculture, Forestry and Fishing (0.1%) are not well represented.

5.1.3 Satisfaction of Metropolitan Employment Targets

The Metropolitan Strategy has set a target of 5,000 jobs for the Lane Cove portion of the St Leonards CBD (8,000 including the 3,000 to be provided within the RNSH site).

Whilst the Metropolitan Strategy has now been superseded, and A Plan for Growing Sydney highlights an acceptance of mixed-use development in St Leonards, the targets have been considered in the absence of any updated employment target figures.

There is some discrepancy in the economic assessments around how floorspace requirements should be calculated. Council's figures indicate that, at 20m² per person, the employment targets equate to a requirement 100,000m² of commercial floor space. This would require the entire floor space of St Leonards to be increased by 27%. The total area of all sites which have reasonable potential to be redeveloped in the short to long term in Lane Cove's section of St Leonards CBD is approximately 35,000m², requiring an FSR of 2.8:1 across the 35,000m² of sites.

It is noted that both Urbis and HillPDa have relied on 88 Christie Street being developed for commercial purposes in order to meet the Metropolitan Strategy's employment targets. Notwithstanding the reliance on the site's current commercial approval to meet these targets, the Planning Proposal provides for a minimum of 8,275m² (2.59:1) of non-residential floorspace on Site A as part of the base scheme, and so is close to meeting the 2.8:1 target across the St Leonards CBD. This deficiency equates to approximately 675m² of floor space, or 34 jobs. It is considered that this shortfall could readily be accommodated elsewhere in the precinct. If the Pacific Highway sites are consolidated and redeveloped in accordance with the Public Benefit Incentives Scheme, Site A in conjunction with Site B will provide approximately 21,200m² or and FSR of 4.2:1 of non-residential floor space, and so exceeds the 2.8:1 target across the St Leonards CBD.

It is important to note that these forecasts have assumed that the draft Metropolitan Strategy job targets for St Leonards will be achieved, and will not be changed under the future subregional plans prepared under the adopted Metropolitan Strategy - A Plan for Growing Sydney, which no longer includes specific numeric targets.

5.2 Relationship to Strategic Planning Framework

5.2.1 Relevant Legislation and Regulations

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the *Environmental Planning and Assessment Act 2000* (EPA Reg) set out, amongst other things, the:

- requirements for rezoning land;
- requirements regarding the preparation of a local environmental study as part of the rezoning process;
- matters for consideration when determining a development application; and
- approval permits and/or licences required from other authorities under other legislation.

This Planning Proposal has been prepared in accordance with the requirements set out in section 55 of the EP&A Act in that it explains the intended outcomes of the proposed instrument. It also provides justification and an environmental analysis of the proposal.

Section 117 Directions

Ministerial directions under Section 117 of the EP&A Act require Councils to address a range of matters when seeking to rezone land. A summary assessment of the Planning Proposal against the Directions issued by the Minister for Planning and Infrastructure under Section 117 of the EP&A Act is provided in **Table 4** below.

Table 4 – Assessment against Section 117 Directions

Ministerial Directions	Consistent		N/A	Comment
	YES	NO		
1. Employment and Resources				
1.1 Business and Industrial Zones	✓			While the Planning Proposal seeks a rezoning to facilitate a mixed use development, it is nevertheless consistent with this direction in that it retains a zoning that permits all types of commercial premises with consent.
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			✓	Not applicable
2.4 Recreation Vehicle Areas			✓	Not applicable
3. Housing, Infrastructure and Urban Development				
3.1 Residential Zones	✓			The proposed amendment would see the delivery of new dwellings that are located in close proximity to public transport, employment opportunities and day to day services. The proposal will therefore make more efficient use of this infrastructure and will reduce the consumption of land for housing and associated urban development 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	✓			The Planning Proposal, through unlocking the development potential of the site, will concentrate critical mass to support public transport, and improve access to housing and jobs and services by walking, cycling and public transport. In light of this it is expected that the proposal will reduce travel demand including the number of trips generated by the development and the distances travelled, especially by car.
3.5 Development Near Licensed Aerodromes			✓	Not applicable
3.6 Shooting Ranges			✓	Not applicable
4. Hazard and Risk				
4.1 Acid Sulphate Soils	✓			Lane Cove LEP contains acid sulphate soils provisions and this proposal does not seek to amend them. Acid sulphate soils investigations and analysis will accordingly be undertaken as part of any future development of the land in accordance with the requirements of the Lane Cove LEP.

Ministerial Directions	Consistent		N/A	Comment
	YES	NO		
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
6. Local Plan Making				
6.1 Approval and Referral Requirements	✓			No new concurrence provisions are proposed.
6.2 Reserving Land for Public Purposes	✓			No new road reservation is proposed.
6.3 Site Specific Provisions	✓			The Planning Proposal seeks to include a site specific clause that provides FSR incentives for the delivery of significant public benefits on the site. The site specific provisions also seek to enable car parking associated with the residential development to be provided beneath Christie Lane and the land zoned B3 Commercial Core, despite any other provisions of Lane Cover LEP 2009.
7. Metropolitan Planning				
7.1 Implementation of the Metropolitan Plan for Sydney 2036	✓			Refer to Section 5.2.2.

5.2.2 State and Regional Strategic Framework

NSW State Plan 2021

The New South Wales State Plan sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The Plan nominates one of the key challenges for the State as being the planning challenges that arise from continued population growth.

The redevelopment of the site is consistent with the State Plan as it will provide new housing in an area which is highly accessible to public transport infrastructure and social services.

NSW Long Term Transport Plan 2012

The NSW Long Term Transport Plan 2012 has the aim of better integrating land use and transport. The Draft Metropolitan Strategy has been prepared to integrate with the Long Term Transport Plan.

The Planning Proposal will serve the objectives of the Transport Plan by locating both residential and employment generating uses close to an existing railway station. This will promote the use of public transport and reduce reliance on private motor vehicles.

Metropolitan Strategy: A Plan for Growing Sydney

In December 2014 the Department of Planning and Environment released A Plan for Growing Sydney (the Plan). The Plan supersedes the current Metropolitan Plan for Sydney 2036 and Draft Metropolitan Strategy for Sydney to 2031, and presents a strategy for accommodating Sydney's future population growth for the next 20 years.

In order to achieve the vision for Sydney to become 'a strong global city and a great place to live', the Plan establishes four goals for Sydney. The goals of the Plan are that Sydney will be:

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

To support these goals, the Plan sets out planning principles that will guide Sydney's growth. These include:

- increasing housing choice around all centres through urban renewal in established areas;
- stronger economic development in strategic centres and transport gateways; and
- connecting centres with a networked transport system.

The Plan identifies St Leonards as one of Sydney's 28 Strategic Centres. Strategic Centres are locations that currently have, or are planned to have, at least 10,000 jobs. The Plan identifies these centres as priority locations for employment, retail, housing, services and mixed-uses. The Planning Proposal is consistent with the planning principles outlined in the Plan, and the aims for Strategic Centres as it provides for:

- future growth within a strategic centre;
- increased housing close to centres and stations;
- increased housing variety;
- housing in an existing centre, delivering economic, environmental and social benefits; and
- a range of services within a strategic centre, making it a focal point for the community and increasing prospects for economic growth and job creation.

Under the Plan, Sydney has been divided into six subregions, with St Leonards located in the North Subregion. Councils, the community, the Greater Sydney Commission and NSW Government will work together to finalise and implement subregional plans. Whilst the North Subregional Plan is yet to be prepared, A Plan for Growing Sydney identifies the priorities for the North Subregion. Further, it identifies the following priorities for the St Leonards centres:

- 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; and

- 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 is consistent with these priorities as it seeks to provide capacity of additional mixed-use development in St Leonards, which will accommodate a range of residential, retail and offices uses. The Planning Proposal is being prepared in close consultation with Council, and provides a quantum of commercial floorspace that is appropriate for the St Leonards precinct.

Draft Inner North Subregional Strategy

The Draft Inner North Subregional Strategy was prepared under the former Metropolitan Strategy 2005 and will be superseded in the near future by a new Subregional Plan to be prepared under A Plan for Growing Sydney. The priorities for the North subregion under the Plan are outlined above, in the interim, consideration has been given to the existing Draft Inner North Subregional Strategy.

The Draft Strategy identifies St Leonards as a Specialised Centre and aims to retain A-Grade office space and higher order economic activities already associated with the global economic corridor. An employment capacity target of an additional 8,200 jobs has been established for St Leonards, potentially bringing total employment in the centre to 33,300 by 2031.

Notwithstanding the focus on employment uses in St Leonards, the Draft Strategy acknowledges a recent surge in high rise, mixed use development near the station, which benefits from good public transport and the high amenity of the surrounding area, including the Willoughby Road restaurant strip/night economy at Crows Nest. The Housing chapter in the Draft Strategy also acknowledges that councils were preparing plans and centre strategies to increase residential densities and encourage more mixed-use development in strategic centres such as St Leonards. A housing target of 3,900 new dwellings by 2031 has been established for the Lane Cove LGA as a whole.

The Planning Proposal is generally consistent with this strategy, and is reflective of recent economic impact analyses which highlight the reduced viability of commercial development in the St Leonards Precinct. The Planning Proposal will provide for increased residential density and mixed use development within the St Leonards centre.

Notwithstanding this, the existing Draft Strategy is out-dated and is soon to be replaced by a new subregional plan for the North Subregion. Under the new North Subregional Plan, landowners will be encouraged to work with council to provide capacity for additional mixed-use development in St Leonards including offices, health, retail, services and housing. The Planning Proposal is consistent with these priorities for the St Leonards precinct.

5.2.3 Local Strategic Framework

St Leonards Strategy

The St Leonards Strategy was prepared in 2006 and had four main purposes:

- to inform the content of each of the councils new comprehensive LEP, as part of the NSW Planning Reform Program;
- to identify how the economic role of the centre can be strengthened;
- to identify how sustainability, amenity and a sense of place in the centre can be strengthened; and
- to establish a co-ordinated planning approach from the three Councils.

The St Leonards Strategy recommended a 'strategic growth' scenario to achieve the increase in workspace required to accommodate the 8,000 additional jobs in St Leonards targeted by the Draft Inner North Subregional Strategy. It identifies the site as presenting a key opportunity for commercial development, with the site located in the centre's Southern Business District. It is understood that the strategic vision for the St Leonards centre is currently under review, with Council noting that whilst Lane Cove has consistently worked to retain the commercial core within the St Leonards centre in accordance with the Strategy, development has not occurred, despite the uplift in height and FSR provided in LEP 2009.

The Strategy also recognises the need for additional housing within the centre. Whilst the site is not identified for residential purpose, it supports the Strategy by providing for housing close to transport, with a range of dwellings sizes and types to support the needs of the population. The proposal will also facilitate Council's future Plaza and bus interchange, which are features of the Strategy.

The Strategy identifies the provision of the Plaza across the railway line to create an attractive destination and improve pedestrian connectivity within the centre. The future VPA associated with the development will contribute to the delivery of the Plaza and realisation of this element of the St Leonards Strategy.

5.2.4 State and Regional Statutory Framework

An assessment of the Planning Proposal against applicable State Environmental Planning Policies (SEPPs) is provided in the **Table 3** below.

Table 5 – Consistency with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP No 1 Development Standards			✓	SEPP 1 does not apply to Lane Cove LEP.
SEPP No 4 Development Without Consent and Miscellaneous Exempt and Complying Development	✓			SEPP (Exempt and Complying Development Codes) 2008 applies to the site.
SEPP No 6 Number of Storeys			✓	Standard instrument definitions apply.
SEPP No 32 Urban Consolidation (Redevelopment of Urban Land)	✓			The Planning Proposal is consistent with SEPP 32 in providing for the opportunity for the development of additional housing in an area where there is existing public infrastructure, transport, and community facilities, and is close to employment, leisure and other opportunities.
SEPP No 55 Remediation of Land			✓	An Environmental Site Assessment has been prepared for the site by Hyder. The findings are discussed at Section 6.2.
SEPP No 64 Advertising and signage			✓	Not relevant to proposed amendment.
SEPP No 65 Design Quality of Residential Flat Development	✓			The Concept Design Report prepared by Bates Smart at Appendix A considers whether the residential component of the proposed building envelopes could achieve compliance with the relevant design principles contained within SEPP 65 and the RFDC. The north-south orientation of the site lends itself to a design that will maximise solar access. Although the ultimate built form on the site will only be determined at the DA stage, the built form facilitated by this Planning Proposal is expected to: – Provide adequate building separation distances from the nearby existing and approved residential flat buildings; – Be able to achieve compliance with the solar access rule of thumb i.e. at least 70% of apartments are likely to receive 2 or more hours of solar access on June 21; – Be able to achieve compliance with the natural ventilation rule of thumb as demonstrated in the attached indicative scheme where approximately 60% of the total apartments are capable of natural ventilation; and – Be consistent with the height, bulk, scale and density of the future character of development in the locality.
SEPP No.70 Affordable Housing (Revised Schemes)			✓	Not relevant to proposed amendment.
SEPP (Affordable Rental Housing) 2009			✓	Not relevant to proposed amendment.
SEPP (BASIX) 2004	✓			Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓			May apply to future development of the site.
SEPP (Infrastructure) 2007	✓			The proposed development will be referred to the RMS and Transport for NSW when the DA is lodged.

State Environmental Planning Policies (SEPPs)	Consistent		N/A	Comment
	YES	NO		
SEPP (State and Regional Development) 2011	✓			The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the JRPP acting as the determining authority.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	✓			The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Consistency with the REP will be considered and addressed appropriately at DA stage.

5.2.5 Local Statutory Framework

Lane Cove LEP 2009

This section assesses the consistency of this Planning Proposal with the aims and objectives of the Lane Cove LEP 2009 and relevant development standards.

Consistency with Overall Aims

The proposal's consistency with the overall aims of the Lane Cove LEP is demonstrated in **Table 6** below.

Table 6 – Consistency with the aims of the Lane Cove LEP

Aim	Proposal	Consistency
a) to establish, as the first land use priority, Lane Cove's sustainability in environmental, social and economic terms, based on ecologically sustainable development, inter-generational equity, the application of the precautionary principle and the relationship of each property in Lane Cove with its locality,	The Planning Proposal will facilitate the achievement of these objectives, by enabling the development of an economically feasible scheme, with significant social benefits including facilitation of a proposed Plaza and provision of significant housing stock. Future development applications for the site will demonstrate the environmental sustainability of each building. Preliminary SEPP 65 analysis demonstrates that the orientation of the towers will ensure adequate solar access and cross ventilation can be achieved, ensuring passive heating and cooling.	✓
(b) to preserve and, where appropriate, improve the existing character, amenity and environmental quality of the land to which this Plan applies in accordance with the indicated expectations of the community,	The Planning Proposal supports an outcome which will significantly improve the character and amenity of the site. The site is currently occupied by a range of commercial and retail buildings which are nearing the end of their economic life, and do not provide good amenity or a unified urban design outcome.	✓
(c) in relation to residential development, to provide a housing mix and density that: (i) accords with urban consolidation principles, and (ii) is compatible with the existing environmental character of the locality, and (iii) has a sympathetic and harmonious relationship with adjoining development,	The Planning Proposal supports the principles of urban consolidation, providing significant housing stock in close proximity to heavy rail infrastructure. The proposal is consistent with the scale and character of development in the St Leonards Precinct, including The Forum and other proposed and approved buildings in the area (refer to Section 6.1.1). In order to minimise impacts on surrounding development, the Planning Proposal incorporates slender towers forms which have been design to minimise view loss and overshadowing impacts (see Sections 6.1.3 and 6.1.4).	✓
(d) in relation to economic activities, to provide a hierarchy of retail, commercial and industrial activities that enables the employment capacity	The proposed mixed use zoning does not preclude retail or commercial uses on the site. The Planning Proposal accommodates	✓

Aim	Proposal	Consistency
targets of the Metropolitan Strategy to be met, provides employment diversity and is compatible with local amenity, including the protection of the existing village atmosphere of the Lane Cove Town Centre,	a minimum of 8,045m ² of non-residential floor space, with the potential to accommodate up to 21,200m ² of non-residential uses should the Pacific Highway sites be consolidated and redeveloped. A discussion of the ability to meet the employment capacity targets set by the Metropolitan Strategy is provided at Section 5.2.2.	
(e) in relation to the management of open space, public and privately-owned bushland, riparian and foreshore land: (i) to protect and, where possible, restore all bushland areas, including all rare and threatened species and communities, and (ii) to protect and, where possible, restore all riparian land along, and the inter-tidal zones and foreshores of, the Lane Cove River and Sydney Harbour and their tributary creeks, and (iii) to make more foreshore land available for public access, and (iv) to link existing open space areas for public enjoyment,	The Planning Proposal will facilitate Council's proposed Plaza, which represents a significant new open space in the St Leonards Precinct. The Plaza will link to the proposed landscaped podium, as well as the existing Forum (via a renewed underground link). The site does not contain, and is not located near, any areas of bushland, riparian or foreshore land.	✓
(f) in relation to conservation: (i) to protect, maintain and effectively manage public and privately-owned watercourses and areas of riparian land, foreshores and bushland and, where possible, restore them to as close a state to natural as possible, and (ii) to ensure that development does not adversely affect the water quality or ecological systems of riparian land or other areas of natural environment, and (iii) to control all new buildings to ensure their compatibility with surrounding existing built form and natural environmental character, and (iv) to conserve heritage items,	The site is not located near any watercourse or riparian land, similarly, there are no listed heritage items on or near the site. As detailed above, the Planning Proposal will facilitate buildings that are consistent with the surrounding existing, approved and proposed built form as well as the natural environmental character of the site and its surrounds.	✓
(g) in relation to community facilities, to provide for the range and types of accessible community facilities that meet the needs of the current and future residents and other users,	The Planning Proposal does not provide for dedicated community facilities. However, the proposal will facilitate a range of public benefits and facilities including the proposed Plaza, and the potential for a public car park.	✓
(h) in relation to the principle of integrating land use and transport, to relate development to sustainable traffic levels,	The Planning Proposal will facilitate Transport Orientated Development and the integration of residential and employment land uses with existing transport infrastructure.	✓
i) in relation to accessibility, to increase the number of accessible properties and facilities in Lane Cove,	Details of the accessibility arrangements will be provided as part of future development applications. Future detailed design will provide for equitable access in accordance with the relevant Australian Standards.	✓
(j) in relation to housing, to increase the number of affordable dwellings in Lane Cove and to promote housing choice.	The Planning Proposal will facilitate the provision of some 780 apartments, which will range in size from studio to 3 bedroom apartments. The development will result in a significant increase in housing stock in the St Leonards precinct and Lane Cove LGA more broadly, with the diverse mix of housing products proposed promoting housing choice and affordability.	✓

Consistency with Height Objectives

The proposal's consistency with the objectives for height under the Lane Cove LEP is demonstrated in **Table 7** below.

Table 7 – Consistency with building height objectives

Objective	Proposal	Consistency
(a) to minimise any overshadowing, loss of privacy and visual impacts of development on neighbouring properties, particularly where zones meet, and	The proposed buildings to be facilitated by this Planning Proposal have been (and will be, at DA stage) designed to minimise impacts associated with overshadowing, loss of privacy and visual impacts. An increase in building height has the potential to increase overshadowing impacts. The proposal seeks to minimise these impacts by introducing slender tower forms will reducing overshadowing impacts and result in fast-moving shadows where impacts do arise (see Section 6.1.4). An increased building height has the potential to block existing views from surrounding sites (see Section 6.1.3). However, this will be minimised through the slender tower forms, ensuring that existing apartments at The Forum will retain a portion of their existing views. This is not unreasonable considering the inner city location of the site and the predominant tower built form characteristic of St Leonards. It is noted that the two tower forms will improve views for some apartments when compared with the current approval for the site. The preliminary SEPP 65 analysis undertaken by Bates Smart demonstrates that a building separation of 22.5m will be achieved between the proposal and the nearest residential development ensuring adequate privacy is maintained.	✓
(b) to maximise sunlight for the public domain,	The slender tower forms proposed will maximise solar access to the public domain and surrounding uses. The most significant area of public domain in the area is the Christie Street South Park. The buildings to be facilitated by the Planning Proposal will not adversely reduce solar access to this space. Due to the orientation of the site, the proposed Plaza receives high levels of solar access. At mid-winter, the Plaza will received direct solar access from 11am onwards.	✓
(c) to relate development to topography	The Planning Proposal seeks to enable buildings of a height which are commensurate with the site's position at the crest of a hill, and at the heart of the St Leonards centre. The site falls to the south, with the proposed podium providing a height which is consistent with adjoining commercial buildings.	✓

Consistency with Non-Residential FSR Objectives

The proposal's consistency with the objective for FSR under Lane Cove LEP is demonstrated in **Table 8** below.

Table 8 – Consistency with non-residential FSR objectives

Objective	Proposal	Consistency
(a) to ensure that the bulk and scale of development is compatible with the character of the locality	The proposed development will have an appropriate scale and density which is consistent with the scale of proposed buildings and permissible envelopes within the St Leonards centre (see further discussion in Section 6.1.1).	✓

6.0 Environmental, Social and Economic Impacts

This chapter of the Planning Proposal draws on the work undertaken by Council and its specialist consultants, as well as the Proponent's consultants. An assessment of the key environmental issues associated with the Planning Proposal is provided below.

6.1 Environmental Impacts

6.1.1 Built Form and Scale

The proposed built form and massing was informed by a detailed urban design analysis undertaken by Bates Smart (see **Appendix A**).

Building height is a key aspect in the design of clear and legible cities. **Figure 29** illustrates the current St Leonards skyline which is defined by the Forum tower above the Station.

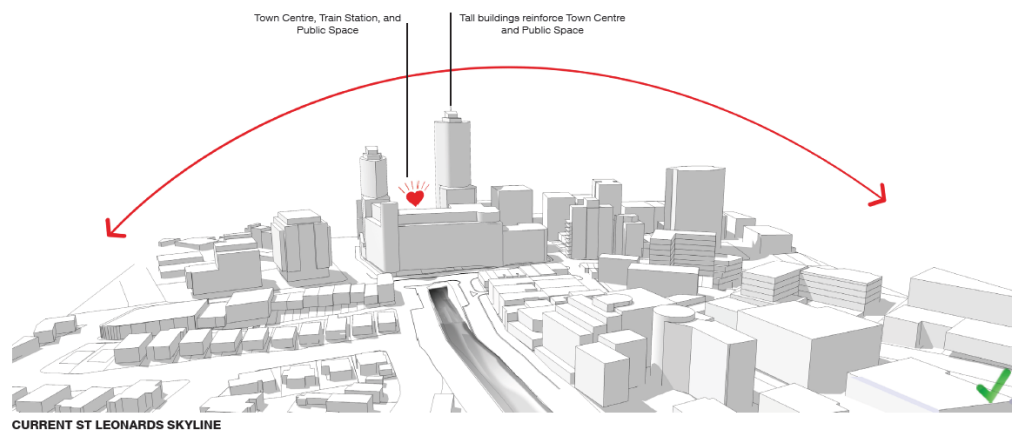


Figure 29 – The existing St Leonards Skyline

Source: Bates Smart

Council's decision to support the increase in heights in the Leighton / Charter Hall Planning Proposal redefined the tallest point in the centre. The increased height on those sites risks diluting the existing legibility of the centre and redefining its town centre to a location further to the east away from the Station and primary public open space areas (see **Figure 30**).

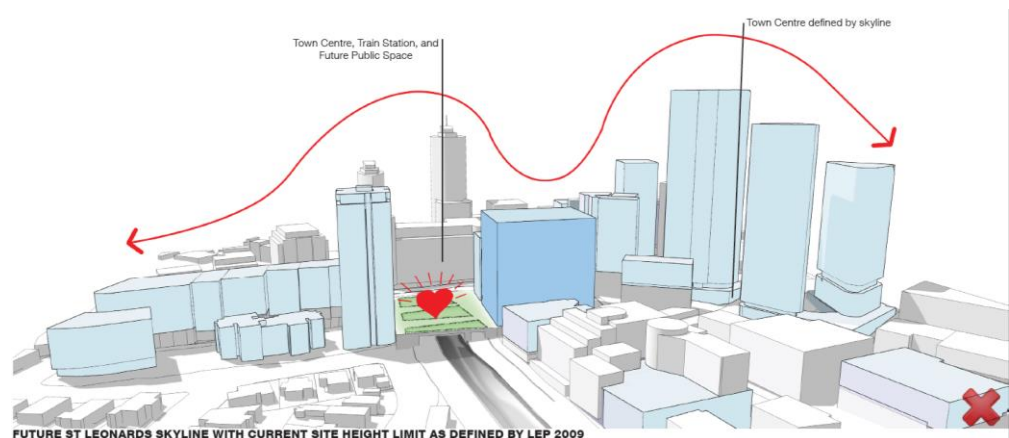


Figure 30 – St Leonards skyline with current LEP site height limit in the context of adjacent proposed and approved developments

Source: Bates Smart

The skyline studies determined a maximum height of the tower of **149m**, consistent with the approved Charter Hall height limit (based on matching RL 244) to the east, is appropriate and assists to clearly and legibly define the current and future St Leonards town centre and public Plaza (refer to **Figure 31**).

The plaza building has a maximum height of 86m. This reduced height for the plaza building will provide a gradual transition to the public Plaza, and is in keeping with the scale of the adjacent buildings fronting the Plaza whilst also providing a transition between the taller element and existing and proposed buildings. The stepping in height from the tower to the plaza building minimises the impacts of the bulk and scale on the future Plaza as well as the overshadowing on the Plaza and the residential areas to the south-west (see Section 6.1.4)

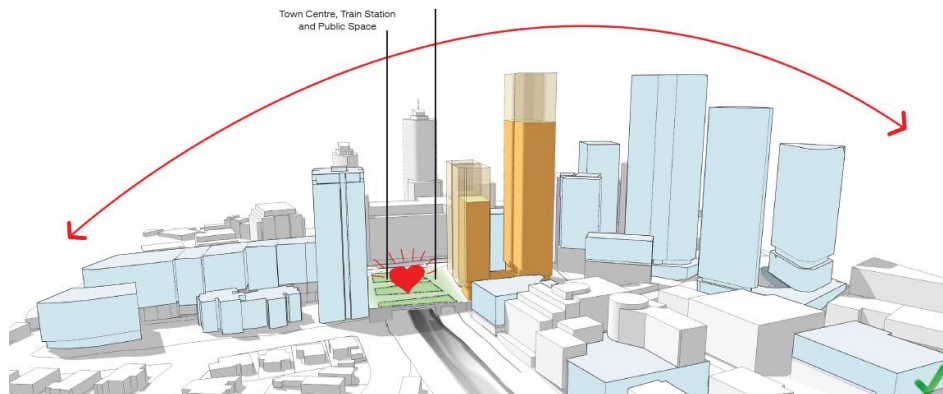


Figure 31 – Proposed future skyline of St Leonards

Source: *Bates Smart*

The Planning Proposal seeks to incorporate site specific incentive provisions which would enable additional FSR of up to 4.6:1 (a maximum 33% increase over the existing FSR of 14:1) but increases the height by up to 79m (122%). The substantial increase in height but relatively small increase in FSR results in a far more slender form than would otherwise be created by a complying envelope (see **Figures 30** and **31**).

The indicative design concept in the Concept Design Report prepared by Bates Smart illustrates that the height limit ensures that the GFA generated by the maximum FSR can be appropriately distributed across the site and will not have any adverse bulk or scale impacts. **Figures 32 - 34** provides a number of views taken from within different parts of the St Leonards centre that demonstrate that the maximum proposed height and maximum FSR achieves a high quality built form outcome.

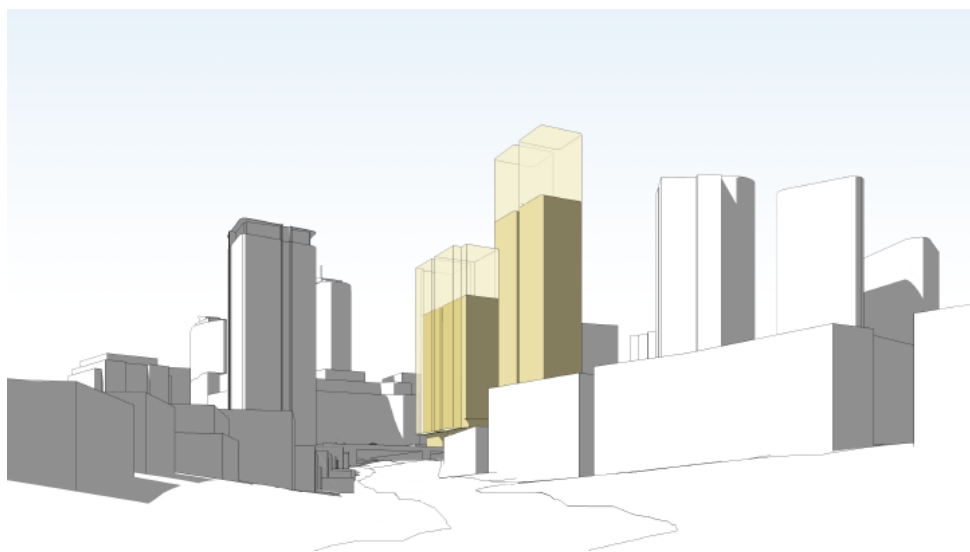


Figure 32 – View from Canberra Avenue looking north east

Source: *Bates Smart*

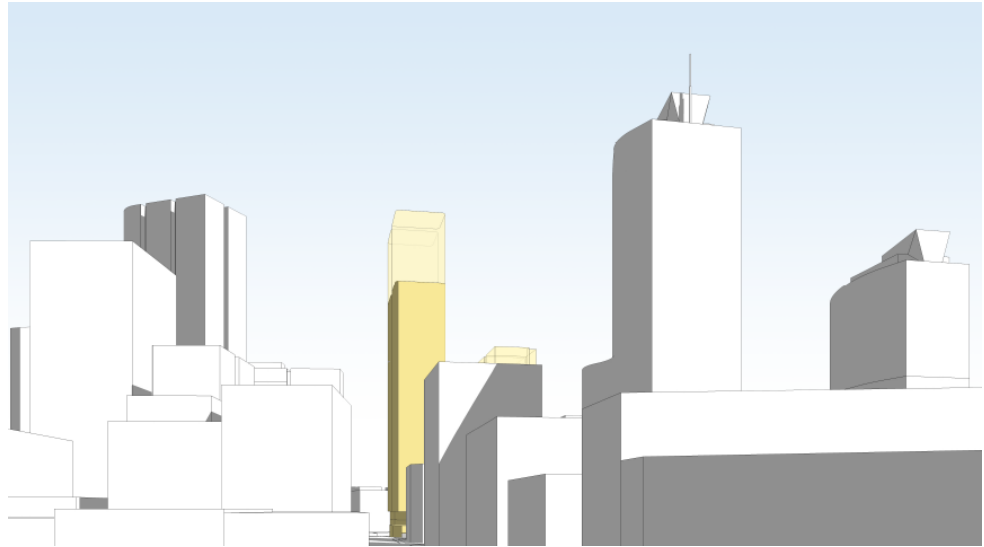


Figure 33 – View from Christie Street looking south

Source: *Bates Smart*



Figure 34 – View from the Pacific Highway looking east

Source: *Bates Smart*

As considered in detail below, the 'design concept' created by the proposed height and FSR provide for a built form that maximises the internal residential amenity of the future apartments whilst limiting environmental impacts. Further the future built form will also allow for:

- improved view sharing between buildings compared to the existing LEP; and
- relatively fast moving shadows to minimise any prolonged overshadowing impacts.

Contextually the maximum FSR permissible on the site is only 1.6:1 above the maximum FSR of 17:1 on the Charter Hall site to the north east. Whilst the FSR is calculated on the development site alone, it should be considered in the context of the adjacent the Plaza, which it is integrally linked to both physically and financially. If the

proposed maximum FSR, and therefore density, was considered in terms of the site area of half the Plaza (approximately 2,500m², noting that the Loftex development also relates to the Plaza) the resultant FSR would be only 10.45:1.

Further it is noted that because of the Plaza interface a large quantum of the future GFA (approximately 3,150m² / 1:1) is subterranean and therefore does not contribute to the bulk and scale of the development.

6.1.2 Internal Residential Amenity

Bates Smart has undertaken a preliminary analysis of the key provisions of *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development* (SEPP 65). The study indicates that the indicative residential towers are capable of achieving a high level of internal residential amenity, as discussed below.

Cross Ventilation

The floor plates of the proposed residential towers are able to be planned to ensure that a minimum of 60% of apartments are capable of achieving natural cross flow in accordance with the RFDC 'Rules of Thumb'.

Solar Access

The proposed tower configuration achieves adequate levels of solar access to both buildings.

Indicative solar access studies demonstrate that during mid-winter on the 22 June, more than 70% of apartments will receive a minimum of 2 hours of direct sunlight to living rooms and private open spaces between 9am and 3pm, and so will meet the SEPP 65 'Rule of Thumb'.

Natural Light and Ventilation to Circulation Areas

The narrow floorplates are able to be planned to provide natural light and ventilation to circulation areas, delivering high levels of residential amenity and energy efficiency.

Building Separation and Visual Privacy

A consistent separation distance of 22m is provided between the plaza building and tower component. The proposed separation represents a greater separation of than required under the RFDC at the lower levels and a minor variation of 1.5m at the upper levels (Levels 9-24).

The proposed minor reduction between levels 9 to 24 is made on the basis that floorplates have been carefully configured to achieve a high level of inherent privacy separation between buildings.

The plaza building has been designed with the cores located on the eastern face of the building, facing the central courtyard and tower opposite. Apartments in the plaza building are laid out in a single loaded configuration to ensure no living areas face the courtyard or residential tower opposite. As a result the eastern outlook from the plaza building is limited to approximately four bedrooms per floor only, two from dual aspect apartments located in the centre of the floorplate and one each from the northern and southernmost units which have primary living areas facing north and south respectively.

This condition creates a far higher inherent level of privacy and separation compared to the condition anticipated by the RFDC which prescribes minimum separation distances in instances where living areas and balconies face directly onto each other.

The proposed separation distance is also consistent with what has been supported between the towers on the Leighton / Charter Hall site.

The development also achieves adequate separation to the Telstra Site, with a minimum separation distance of 24m. This will ensure adequate separation should the Telstra site be redeveloped in the future.

The buildings will have distant views to the residential development in the surrounding area, such as the Forum, however the considerable separation will ensure there is no adverse privacy impacts on those dwellings.

Separation to the north and south of the development site will be provided by the existing Christie Lane to the north, and the future Christie Lane to the south. As the future development to the north of Christie Lane will be commercial, the separation provided will achieve the minimum separation under the RFDC.

6.1.3 View Sharing

View sharing and preservation of key view corridors is a fundamental aspect of achieving a good urban design outcome. The north-south orientation of the proposed residential towers, together with the 4m setback to the eastern boundary, ensures the most slender possible form is presented to existing apartments in The Forum to the north. The separation of 22m between the two residential elements seeks to maintain a key view corridor from The Forum buildings towards the Sydney CBD.

The view studies undertaken from The Forum East demonstrate the impact of the approved proposed mixed-use envelope compared with the approved commercial envelope.

From Level 16, the proposed development offers an improvement in views of the city skyline compared to the single, more bulky tower form already approved on the site. The analysis demonstrates that the slender and clearly separated residential forms will minimise bulk and scale, whilst preserving key view corridors across the site towards the CBD skyline. The proposal will not impact Harbour views to the south-west. Refer to **Figures 33 and 34**.



Figure 35 – Approved commercial development as viewed from Level 16 of Forum East

Source: Bates Smart



Figure 36 – Proposed development as viewed from Level 16 of Forum East

Source: Bates Smart

As shown at **Figures 35** and **36**, a small section of the city skyline becomes obscured above Level 23 of The Forum East when compared with the approved commercial scheme. Whilst some city skyline views will be obscured, a view corridor to the city is provided to all levels and therefore it is considered that the principles of view sharing are better achieved by the proposed mixed-use scheme when consideration is given to the provision of view to the city at all levels and improvement in city skyline views achieved below Level 23. Consistent with the lower levels, the proposal will not impact Harbour views to the south-west.



Figure 37 – Approved commercial development as viewed from Level 23 of Forum East

Source: Bates Smart



Figure 38 – Proposed development as viewed from Level 23 of Forum East

Source: Bates Smart

6.1.4 Overshadowing

Bates Smart has undertaken a Shadow Analysis which shows solar access to the indicative envelopes, and overshadowing of resulting from the proposal (refer to **Appendix A**).

Winter Solstice

The solar access and shadow analysis studies undertaken on the winter solstice demonstrate that high levels of solar access are achieved by the proposed development irrespective of the proposed future developments located on adjacent sites.

With respect to overshadowing of adjoining uses, the studies show that between 9am and 11am, the proposed development casts some additional shadow on the existing low density residential precinct to the south-west of the site, however the slender nature of the tower results in this effect being fast moving, and passes by 11am. The shadows cast by the building will not impact the ability of these surrounding dwellings to achieve a minimum of 3 hours of direct solar access. Further, this precinct is the subject of the St Leonards South Strategy and Council is currently considering growth scenarios to increase height and density in the area.

Between 11am and 12:30pm, the majority of shadows cast will fall into the railway line. In the afternoon period the shadows predominantly fall on the commercial buildings in the precinct. It is noted that there will be some minor additional shadows cast on the Christie Street South Park for a short period between 1pm and 2pm. The additional shadow on the park was also generated by the approved DA on the site and was considered by the Department as part of its assessment of the Concept Plan and determined to be acceptable.

Further the provision of the future St Leonards Plaza will provide a significantly larger and higher quality public open space for workers and residents to use within the centre. The proposed envelope ensures that the future Plaza receives high levels of direct solar access in mid-winter from 10am onwards.

Equinox

During the equinox months (September and March) which are generally representative of the average annual solar condition, overshadowing of the residential precinct to the south-west is minimal, and affects only a small number of dwellings. The effect passes by 11am and does not impact the ability of these dwellings to achieve a minimum of 3 hours of direct solar access.

Solar access to the future Plaza is achieved at a high level from 10am onwards.

6.1.5 Traffic, Parking and Access

A Transport Report has been prepared by Colston Budd Hunt & Kafes Pty Ltd (CBH&K) to assess the traffic impacts of the indicative base scheme (refer to **Appendix C**). The findings are discussed below.

The assessment is focussed on the base scheme as the extent of additional FSR (if any) is not yet known. Further analysis will be undertaken if the bonus provisions are adopted as part of a future development application.

Traffic

CBH&K has determined the anticipated traffic generation rates for the base case proposed development, noting that due to the site's location, the surrounding customer base and accessibility to public transport, traffic generation would be at the lower end of the typical ranges. Based on the areas in the indicative base scheme, the total traffic generation will be as follows:

- 210 vehicles per hour two-way during weekday morning peak hours; and
- 350 vehicles per hour two-way during weekday afternoon peak hours.

This represents an increase of some 70 and 240 vehicles per hour two-way during the weekday morning and afternoon peak hours respectively, compared to the approved commercial scheme.

It is noted that Lane Cove Council is currently undertaking a traffic micro-simulation model for the area, as part of the St Leonards South Strategy which covers the precinct to the west of the site. This Paramics modelling will examine existing traffic conditions in the area and identify options to accommodate future development. CBH&K's report and the subject Planning Proposal will form an input into Council's traffic modelling.

Parking

Whilst parking provision is not a matter for consideration at the Planning Proposal stage, an overview of the proposed parking rates is outlined below. In determining appropriate parking rates for the site, CBH&K has considered the rates provided by both Lane Cove Council and RMS (for both sub-regional centres and CBDs).

It is proposed to adopt a rate that lies between Council's rates and the RMS's rates for sub-regional centres and CBDs. Lane Cove DCP requires 585 parking spaces, including 75 commercial spaces, eight (8) retail spaces, 389 resident spaces and 113 visitor spaces. By comparison, the RMS's rates would require a total of 570 spaces (based on rates for a sub-regional centre) or 454 spaces (based on rates for a CBD).

It is noted that Council's rates do not differentiate between sites in close proximity to public transport and amenities, unlike those provided by RMS. Given the mix of uses proposed (and hence the overlapping demands) and the site's accessibility to public transport, lower parking rates are considered appropriate.

Further, a reduction in parking rates in close proximity to public transport is consistent with the provisions of draft *State Environmental Planning Policy No 65—Design Quality of Residential Flat Development* which seek to reduce car dependency and encourage walking, cycling and use of public transport. Draft SEPP 65 provides that residential developments within 400m of a railway station or light rail stop, in nominated inner and middle ring metropolitan Sydney areas (such as Lane Cove), are not required to provide any parking. The draft SEPP also seeks to limit the number of visitor spaces provided, particularly in basements, to 1 space per every 10 apartments.

Access

As outlined at Section 4, the development will result in revised access arrangements in and around the site.

Vehicular access will be provided from the future closed part of Lithgow Street, beneath the Plaza. Separate access will be provided for the resident / tenant parking and the publicly accessible spaces. CBH&K has assessed the indicative parking and access arrangements and has confirmed that they are capable of being provided in accordance with the relevant Australian Standards at detailed design stage.

6.1.6 Contamination

As part of the earlier DA and Concept Plan for the site, a Phase 1 Environmental Site Assessment (ESA) was undertaken by Hyder to determine the potential risk for land contamination from past and current activities.

Despite the lack of known contamination issues on the site, the ESA concluded that there is a potential contamination risk on the site due to the dry cleaners, hazardous building material, and potential groundwater contamination issues associated with adjacent land uses, specifically the Royal North Shore Hospital, the Gore Hill Cemetery and the potential for imported fill.

The ESA recommends that in order to confirm levels of site contamination, a Phase 2 ESA be undertaken as part of the DA stage.

6.2 Social Impacts

6.2.1 Public Amenity Benefits

The proposal will deliver significant public benefit through the provision of a monetary contribution towards the delivery of the St Leonards Plaza as part of a VPA with Council.

The Plaza will provide a new public space that substantially improves the amenity and identity of St Leonards. Specifically the future Plaza provides the opportunity to:

- create a new focal point and pedestrianized heart at the centre of St Leonards, improving the identity and amenity of the district as a whole;
- reinforce the railway station, Forum, proposed site and Plaza as both the geographic and public centre of St Leonards;
- improve links across the Pacific Highway through new underground pedestrian routes to the railway station and improved pedestrian crossings at street level; and
- improve public transport connections through a new bus pick up and set down area fronting the Pacific Highway immediately opposite the train station.

In addition to the monetary benefits, the future development will also provide potential for:

- a wide range of important public domain improvements around the site, enhancing pedestrian connectivity and activation;
- a full-line supermarket, consistent with the community's request for a new supermarket in the area (based on survey undertaken by Lane Cove Council) and Council's desire to have a supermarket located on the site;
- a public car park (dedicated to Council) with the capacity for 200 vehicles;
- high-density residential accommodation of an international architectural standard, close to public transport, employment and public amenities;
- increased pedestrian activation of the future Plaza and centre more broadly to deliver a vibrant and lively town centre 24 hours a day, seven days a week;
- activation and revitalisation of the Pacific Highway sites (Site B), should some or all of the sites be consolidated and redeveloped for commercial purposes;
- high density residential accommodation immediately adjacent to heavy rail infrastructure, in support of current government initiatives and sound urban design principles to improve public transport use and reduce vehicle dependence;
- enhanced connectivity for the future new Leighton / Charter Hall development sites with the new public Plaza and railway station via a network of new public spaces and vibrant through site links at ground level, activated by new retail and food and beverage outlets; and
- offers the opportunity to regenerate the entire St Leonards town centre and transform it into a lively and vibrant mixed use precinct.

The proposed benefits are provided with minimal negative amenity impacts to surrounding occupants as considered in Section 6.1. Specifically the building massing analysis shows that the height and FSR contemplated for the land can achieve building forms that accommodate a significant number of residential dwellings without adversely impacting views from or solar access to surrounding residential units.

6.2.2 Housing Supply and Affordability

Australia faces a national housing affordability and supply crisis. There is predicted to be a shortfall of more than 200,000 homes in Australia by 2013 and more than 1 million

Australian families are in housing stress. This number is expected to grow in the short to medium term.

Recent pronouncements by all levels of Government agree that the contributing factors to the housing affordability crisis are inadequate housing supply in the market, complex planning systems and high infrastructure levies.

The NSW State Plan provides a commitment to partner with local councils to ensure that targets for housing and growth are reflected in relevant Planning Proposals and local planning instruments. It also commits to promote expanded supply of land for housing by continuing to set local targets for each LGA.

The draft Inner North Subregional Planning Strategy, which covers the LGAs of Hunters Hill, Lane Cove, Mosman, North Sydney, Ryde and Willoughby, sets the broad direction for additional dwelling and employment growth. The target for the Inner North is 30,000 additional dwellings by 2031. The draft subregional strategy provides for the Lane Cove LGA to accommodate an additional 3,900 dwellings in this timeframe.

Data provided by the Metropolitan Development Program demonstrates that between 2009 and October 2013, only 401 dwellings were completed in the Lane Cove LGA. The Planning Proposal presents the opportunity to provide over 780 residential dwellings within the timeframe of the Metropolitan Plan and draft Subregional Strategy.

Once fully realised, the site will contribute approximately 20% of the housing target that has been set for the Lane Cove LGA by the State government.

6.3 Economic Impacts

The economic impacts are considered in detail in Section 5. The assessment demonstrates that the proposed rezoning of the site will not result in any adverse economic impacts. In summary:

- There is limited demand for commercial office space in the St Leonards precinct, with low absorption rates and high vacancy rates.
- Commercial office space is better located in competing commercial centres that can provide either more affordable rents (such as Macquarie Park and North Ryde) or better located office stock (such as North Sydney and Sydney CBD).
- Whilst employment targets are currently under review, and the St Leonards precinct is identified as being appropriate for mixed-use development under A Plan for Growing Sydney, the site will accommodate non-residential floor space which will assist in achieving these targets.
- Specialised health-based office uses will form a key component of future employment generating uses in the St Leonards precinct. These uses are more logically collocated on the RNSH site where there is potential for additional commercial floorspace to be provided, beyond what is currently envisaged in employment forecasts.

7.0 Assessment of Planning Proposal against NSW Department of Planning and Infrastructure Guidelines

The following Section includes an assessment against the requirements in *A guide to preparing planning proposals* (the Guide) published by the former Department of Planning and Infrastructure in October 2012.

7.1 Parts 1 and 2

Parts 1 and 2 of the Guide have been covered in Section 4, which outlines the objectives and intended outcomes of the proposal, as well as how the intended outcomes can be achieved through amendments to the LEP.

7.2 Part 3 – Justification

Part 3 of the Guide has been covered in Sections 5 and 6, however where appropriate the specific questions in the Guide have been considered below.

7.2.1 Need for a Planning Proposal

Q1 – Is the Planning Proposal a result of any strategic study or report?

This Planning Proposal is not a result of any strategic study or report, but rather the commercial reality of developing the subject site. The existing buildings on the site are now reaching the end of their economic life span. Whilst Winten proceeded to obtain Concept Plan and Development Application approval for a 16 storey commercial building on the site, they have been unable to secure a pre-commitment for a tenant, and so the consent has not been acted upon.

The lack of pre-commitment is reflective of the general attitude towards commercial floor space in the St Leonards Centre and based on economic analysis undertaken to date, it is unlikely that there is sufficient demand in the existing office market to occupy the building. This is discussed further in Section 5.1 of this report.

Q2 – Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is the best means of achieving the objectives and intended outcome of the Planning Proposal. Residential accommodation is prohibited in the B3 Commercial Core zone, and the proposed height and site specific FSR incentives would not be supported under the existing development standards.

7.2.2 Relationship to Strategic Planning Framework

Q3 – Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. An assessment of the Planning Proposal against applicable regional strategies is provided in Section 5.2.2 of this report.

Q4 - Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

Yes. An assessment of the Planning Proposal against applicable local strategies is provided in Section 5.2.3 of this report.

Q5 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes. An assessment of the Planning Proposal against applicable State Environmental Planning Policies (SEPPs) is provided in Section 5.2.4 of this report.

Q6 – Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

Yes. An assessment of the Planning Proposal against applicable Section 117 Directions is provided in Section 5.2 of this report.

7.2.3 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 Planning Proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's urban location.

Q8 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

A detailed assessment of the environmental impacts of the Planning Proposal is provided in Section 6.0. No unacceptable impacts will result from the proposal.

Q9 – Has the Planning Proposal adequately addressed any social and economic effects?

A detailed assessment of the social and economic effects of the Planning Proposal is provided in Sections 6.2 and 6.3.

7.2.4 State and Commonwealth Interests

Q10 – Is there adequate public infrastructure for the Planning Proposal?

The site is located in an established urban area and has access to a range of existing services. Further investigations will be undertaken as part of the preparation of the DA to determine whether any upgrade of existing facilities is required.

Q11 – What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition. Any future DA will be referred to the relevant authorities as required.

7.3 Part 4 – Mapping

Maps of the proposed amendments to the LEP zoning and height controls applying to the site are provided in **Appendix B**.

7.4 Part 5 – Community Consultation

Confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination.

Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

8.0 Conclusion

This Planning Proposal seeks amendments to Lane Cove LEP zoning and maximum height standard for the St Leonards Plaza Precinct, as well as including site specific incentives which enable additional FSR in exchange for the delivery of significant public benefits.

The Report has demonstrated that the proposal would be in the public interest for the following reasons:

- the future development would be consistent with State, Subregional and local planning strategies for St Leonards;
- the resultant building envelope will not generate any unacceptable environmental impacts in relation to built form, view loss or overshadowing;
- the proposal will assist with the delivery of the St Leonards Plaza creating a new heart for St Leonards and substantial amenity for the centre;
- the development will provide significant public domain improvements, enhancing pedestrian connectivity around the Station and encouraging use of the public transport infrastructure;
- the proposal will not generate any adverse impacts on the operation of the surrounding road network; and
- the proposal will contribute towards the vibrancy and revitalisation of St Leonards.

With the above in mind we believe the proposed amendments to the LEP are appropriate and that the Planning Proposal should be supported by Council.