



Lane Cove Council

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26 August 2015
Our ref: 46855/15
Your ref: 15/10443

Mr Simon Manoski
Chair – LEP Review Panel
NSW Department of Planning
& Environment
GPO Box 39
SYDNEY NSW 2000

Dear Mr Manoski

PLANNING PROPOSAL 20: LITHGOW/ CHRISTIE PRECINCT (WINTEN) – SUPPLEMENTARY INFORMATION

I refer to your letter of 21 July 2015 requesting additional information relating to the Local Environmental Plan Review Panel's consideration of this planning proposal.

In response, please see the following documentation and the JBA planning document of 6 August 2015, which is attached (at AT1) and has been summarised below. It was accompanied by the finalized Economic Impact Assessment (AT 2).

1. Quantum of commercial floor space (JBA)

The maximum amount of commercial and retail floor space under the base scheme and bonus schemes

The floor space data is provided in a schedule to the JBA letter: Attachment A - Bates Smart architects.

A summary is provided in the following table:-

Proposal	FSR	Retail m2	Commercial m2	Total m2
Base rezoning to Mixed Use	14:1	4,340	3,705	8,045
+ Supermarket/ car park	16:1	4,340	3,705	8,045
+ Amalgamation of Sites A & B:	17.6:1			
Site A		4,340	450	4,790
Site B		1,000	16,000	17,000
Total A & B		5,340	16,450	21,790

The data in JBA's schedule for a design excellence bonus is not included in the table above, as this was not supported by Council's resolution of 20 April 2015.

2. Proposed building form

The building form information is provided in the JBA letter: Attachment B - Bates Smart.

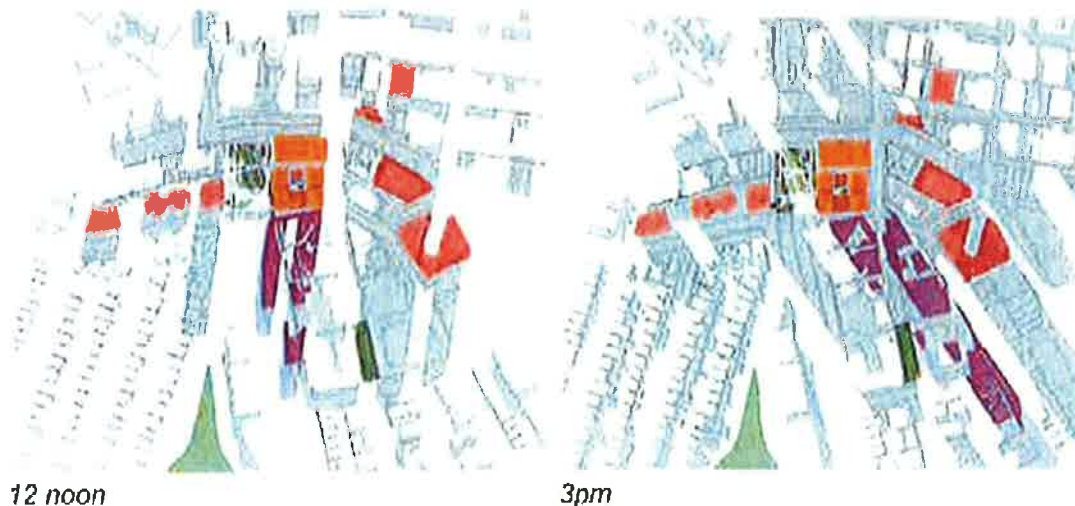
A summary is provided below:-

- *Built form and scale*

- Building height of the eastern tower (44 storeys) is consistent with the height approved for the Charter Hall building at 504 Pacific Hwy (RL 224), and provides a legible focus for the Plaza and rail station entry on the south side of the Highway.
- Building height of the western tower (27 storeys plus underground supermarket) transitions down towards the Plaza at 95 metres (RL 166). This is consistent, and visually compatible, with the tower proposed for 1-13A Marshall Avenue across the Plaza (Planning Proposal 22).
- These tower heights permit slenderer towers than are possible under the current building envelope controls.
- View-sharing for The Forum and others to the north is facilitated by this built form and by the separation distance between the towers (22 metres), in particular with the lower levels benefitting by contrast with the bulkier form under the Concept Plan approved by the Department in 2011.
- SEPP 65 is satisfied, in terms of cross-ventilation, solar access, privacy and other matters, other than that the above building separation that is greater than required for the lower levels is balanced by a minor reduction in the upper levels.

- *Overshadowing*

- As the shadowing diagrams indicate, the tower forms of both the Winten and Loftex proposals are designed to result in slim, fast-moving shadows moving quickly over the current low-density houses to the south-west of the rail line from 9am-11am. The St Leonards South Master Plan was approved for this precinct on 13 July 2015, however, took this into account in its indicative concepts.
- The majority of the shadow from 11am-12,30pm falls on the rail line, and after around 12,30pm the precinct is not shadowed by the Loftex tower, Charter Hall etc either, more than satisfying the 3 hours mid-winter sunlight requirement.



The other residential zone, in North Sydney's low-medium density zone to the south-east, receives negligible shadowing until 3pm from the combined proposals. These are examples from the full shadow diagrams in the JBA letter.

3. Consultation with Transport for NSW

(i) Transport for NSW position on Rail Plaza

Transport for NSW's support in principle for the proposed St Leonards Rail Plaza is indicated in a range of correspondence:-

- A letter of 6 February 2015 from NSW Transport Sydney Trains expressed support in relation to a development application for 1-13A Marshall Av, St Leonards fronting the Plaza (DA 143/14). The letter states that: "Sydney Trains has identified that the proposed development has been designed to provide a future connection to Council's proposed Plaza located predominantly over the rail corridor". The letter details the construction certificate, occupation certificate, levels and other technical requirements for the proposed development to relate to the Plaza.
- A submission from Transport for NSW of 16 April 2015 on Council's St Leonards South Master Plan stated that it supported the plan (finalised on 13 July 2015) having regard to the Metropolitan Strategy's projected dwelling growth, and recognising that St Leonards is identified as a Strategic Centre within the Global Corridor and is proposed as an area of intense mixed economic and social activity.

The TfNSW submission advised that the Master Plan "will increase housing density and activate St Leonards to fulfil its role as a Strategic Centre and provide a mixture of uses to support the Transport Network".

An integral part of the Master Plan, endorsed also by the Department's subregional planning team, is that the St Leonards South precinct's projected 4,000 new residents of the 2,000 new dwellings would have access to the proposed St Leonards Rail Plaza's amenities and rail-bus connectivity.

(Note: As of 1 July 2014, the property and DA concurrence functions of RailCorp were transferred to Sydney Trains.)

(ii) Cumulative Traffic Study

In regard to traffic modelling for St Leonards, Lane Cove's base Paramics model was reviewed and approved by RMS in 2014 (see attached RMS letter dated 11 April 2014 at AT 3). In accordance with RMS' request, a memorandum was issued to them on 23 April 2014 addressing their comments about validation of queue length.

A cumulative traffic report has now been prepared for Council by the consultancy Transport Modellers Alliance, in accordance with the standards of that RMS-endorsed traffic model, to assist the Department's understanding of the modelling.

This assesses the cumulative traffic impact of the Winten, Charter Hall and Mirvac (formerly Leighton) sites ("sites A, B & C" in the report) as a "future base model" (i.e. adding to the base model approved by RMS above, which included the Loftex site at 1-13A Marshall Avenue), and additionally the St Leonards South Master Plan's additional dwellings. This report shows that the network will be able to accommodate the increased demand associated with the new developments; however, any further increase in development will need to be examined. The modelling report is attached at **AT 4**).

As stated in the Department's *A guide to preparing planning proposals*: "The Gateway determination will confirm the consultation required." The key agencies would be consulted with in accordance with standard practice for the LEP planning proposal exhibition; that is, Council would consult further with the RMS and Transport for NSW upon receiving Gateway approval for exhibition.

4. Economic Impact Assessment

Finalisation of report

Please see the finalised JBA Economic Impact Assessment at AT 2.

5. Other matters

- (i) *Application of B3 Commercial Core and B4 Mixed Use zones to avoid site isolation and future ad hoc/ site-specific amendments*

Lane Cove Council's firm policy is to provide employment growth in the St Leonards Strategic Centre in support of "Our Plan for Growing Sydney's objectives and spot rezoning will not be supported. Council's employment strategy is based on three principles:-

Principle 1: Employment floor space growth is important and will continue to be Lane Cove Council's predominant role in the Strategic Centre.

- Employment floor space in St Leonards has been predominantly provided by the Lane Cove LGA and this important role is intended to continue.
- LEP 2009 provides significantly high floor space ratios, comparable with Sydney City Council. This results in an employment capacity estimate of up to an additional 7,615 jobs net (114,330m²), as shown in Attachment 3: St Leonards Commercial Floor Space Capacity (East and West).
- The most recent jobs target specified for St Leonards had been 8,000, in the Inner North Subregional Strategy 2007. Of these, 3,000 are to be within the Royal North Shore Hospital site (Willoughby LGA). The Metropolitan Strategy 2014 now defines Strategic Centres as having at least 10,000 jobs. The balance of 7,000 jobs would continue to be predominantly provided by Lane Cove.
- Lane Cove's planning controls are proactively providing for employment growth in conjunction with its residential growth proposed for the LGA (St Leonards East, St Leonards South and elsewhere).

The current residential target of 3,900 new dwellings is indicated by the Department to rise to around 6,000 dwellings under subregional planning; that is, since LEP 2009 there would be a rise in Lane Cove LGA from 12,000 to 18,000 dwellings - a 50% residential increase.

Employment, however, would increase under our plans from around 6,940 existing jobs prior to LEP 2009 to up to around 14,000 jobs - a 100% employment increase in Lane Cove's section of St Leonards.

Principle 2: Commercial zoning and FSRs in the LEP will produce commercial redevelopment only if high quality public domain and workforce amenity are also provided.

- The three sites targeted for mixed use ((i) 472-504 Pacific Hwy, (ii) 75-79 Lithgow/ 59-67 Christie Sts/ 546-564 Pacific Hwy and (iii) 1-13A Marshall Av) are distinguished by being a limited suite of sites proposed to provide important and quantified public domain benefits.
- The aim of LEP 2009's substantial uplift in commercial zoning scale had been to stimulate redevelopment of the commercial centre. However, even with the Part 3A approval by the Department for 88 Christie St in 2011 at FSR of over 12:1, this has not led to commercial redevelopment proceeding. Hence Council's policy that public domain improvements are a pre-requisite to commercial occurring.
- The targeting of three sites for mixed use is, in fact, a trade-off designed to redress this issue of commercial under-development, by providing the workforce amenity required to support commercial sites elsewhere throughout the B3 Commercial Core, as the underlying purpose of Council's policy is to stimulate the Strategic Centre's long-term employment growth.
- A key part of this strategy is Winten's planning proposal to amalgamate a wholly-commercial building site on 546-564 Pacific Hwy, by permitting a bonus with the mixed use development.
- This component in the suite of plans is necessary to the goals of avoiding long-term stagnation of this precinct and creating a visible commercial presence to attract the market's interest in the St Leonards Centre.

Principle 3: Commercial sites' FSRs throughout the majority of the St Leonards centre (i.e. the B3 Commercial Core) are to be fully developed for employment uses. Spot rezonings are not supported.

- Spot rezonings from commercial to mixed use, not providing substantial public benefits, consequently will not be supported.
- The entire remainder of the current B3 Zone is supported by Council to remain wholly commercial. For example, a report is to be submitted to Council on 17 August recommending refusal of a planning proposal to rezone 46-50 Nicholson St/ 59-67 Christie St (.Nature Care) to B4 Mixed Use. Additionally, Council has continually advised proponents for a similar proposal for 29-57 Christie St that this would not be expected to receive Council support.
- The Department's recommendation for Planning Proposal 18 (472-504 Pacific Hwy) - that mixed use would be permissible as long as 30% to 50% of the site's FSR non-residential floor space were retained - is not taken to be a precedent for the centre as a whole.
- The public benefits planned by Council, including the new St Leonards Rail Plaza, Friedlander Place with rear lane works and key worker housing, form a specific program and no other substantive community infrastructure have been proposed to date. At a future stage, as growth occurs, additional needs may be identified.

- Council confirms its policy to retain the B3 Commercial Core Zone other than for the three sites the subject of Planning Proposals 18 (Leighton/ Charter Hall), 20 (Winten) and 22 (Loftex).

(ii) *Transition between commercial and low density residential uses:*

The closest low density residential areas are currently those in the R2 Low Density Residential Zone west of Canberra Avenue. These, however, are proposed to be rezoned to high density at a scale transitioning from 8 to 19 storeys (Figures 1 and 2), compatible with the commercial and mixed use towers to the north and east of that precinct.

This follows the preparation of the St Leonards South Master Plan that was extensively consulted with the community in the knowledge that the Winten mixed use proposal was being submitted. Council received considerable community support for the proposed rezoning and scale and, on 13 July 2015, Council resolved to submit a planning proposal (Planning Proposal 25) to the Department, for which the documentation is now being prepared.

An important basis for the St Leonards South Master Plan was Council's intention for the Rail Plaza to provide amenity for those new residents, and this is dependent on the Winten proposal proceeding.

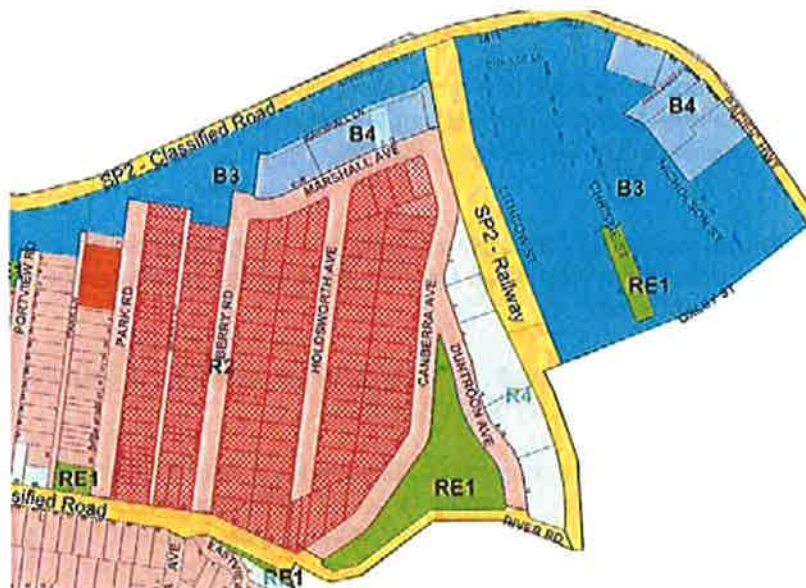


Figure 1: Proposed R4 High Density Residential Zone



Figure 2: Proposed high density's transitional built form

The mixed use development would comprise two towers as a transitional measure:-

- The eastern tower would be at a similar height (149 metres at RL 224) as that of the Charter Hall building at 504 Pacific Highway (138 metres at RL 227.4) in Planning Proposal 18, gazetted in May this year.
- The western tower would be at a similar height (95 metres) as that of the Loftex tower at 1-13A Marshall Avenue in Planning Proposal 22, approved on 20 April for submission to the Department, following public exhibition and approval by Council in November 2014 of a design 94 metres in height. Those two buildings would complement each other in scale on either side of the proposed St Leonards Rail Plaza.

It is considered that the scale of Planning Proposal 20 is appropriate within the St Leonards Strategic Centre context.

I trust that the information above satisfies the matters raised in your letter.

Please feel welcome to contact Michael Mason, Executive Manager – Environmental Services on 9911 3690 or at mmason@lanecove.nsw.gov.au if you would like to discuss any of the above material.

Yours sincerely,


 Craig Wrightson,
 General Manager

