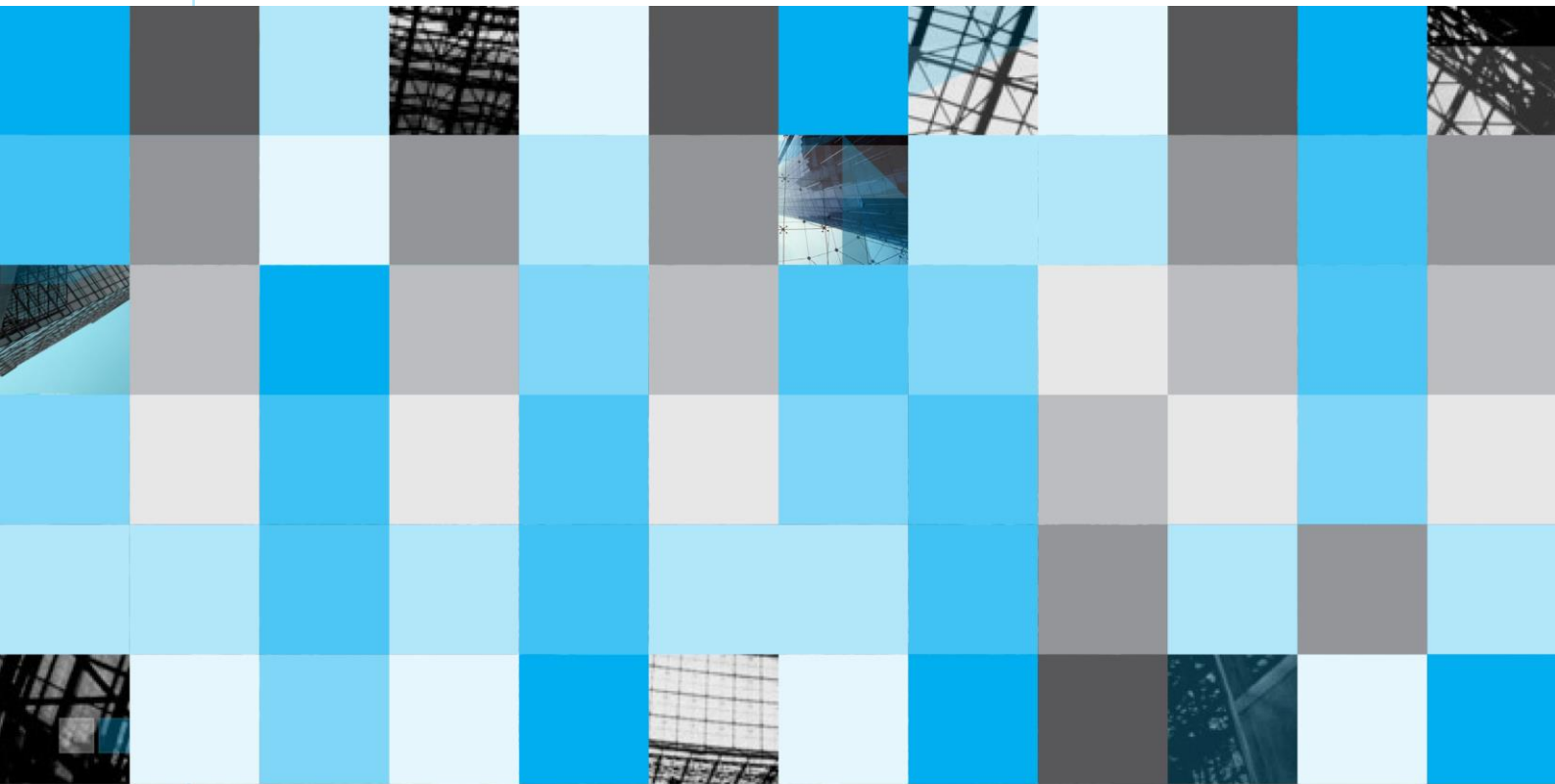


SUTHERLAND
& ASSOCIATES
PLANNING



100 Christie Street, St Leonards

Planning Proposal

SUTHERLAND & ASSOCIATES PLANNING

ABN 14 118 321 793 ACN 144 979 564

Planning Proposal

100 CHRISTIE STREET, ST LEONARDS

November 2017

Prepared under instructions from
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VERTICAL TRANSPORTATION SERVICES REPORT

1.0 INTRODUCTION

This Planning Proposal has been prepared by Sutherland & Associates Planning Pty Ltd on behalf of Combined Projects (St Leonards) Pty Ltd in relation to 100 Christie Street, North Sydney.

Combined Projects (St Leonards) Pty Ltd are a new owner of the site, having purchased the property in mid 2016, and have been in detailed consultation with North Sydney Council since the site was purchased, including an extensive design workshop process.

The purpose of the Planning Proposal is to amend the North Sydney Local Environmental Plan 2013 to provide for the redevelopment of the site in line with the NSW Government and Council's strategic objectives for St Leonards and consistent with the guidelines applicable to the site. The Planning Proposal will ultimately facilitate the future redevelopment of the site in a manner that will transform St Leonards into a vibrant, safe and active mixed use centre.

The NSW Department of Planning and Environment have released A Plan for Growing Sydney and Draft North District Plan to guide growth and development in North Sydney over a 20 year period and St Leonards has been specifically identified as a strategic centre located within the Global Economic Corridor. Relevant to the planning proposal, A Plan for Growing Sydney identifies the following priorities for the St Leonards strategic centre:

- 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.

The NSW Department of Planning and Environment is currently undertaking a strategic planning investigation with Lane Cove, North Sydney and Willoughby City Councils of the St Leonards and Crows Nest Station Precinct. The investigation is occurring as a new metro station is proposed at Crows Nest and given St Leonards is identified as a Strategic Centre within A Plan for Growing Sydney. The investigation will respond to the actions identified in A Plan for Growing Sydney and include ways to maintain employment in the area, provide new homes, shops, cafes and open space and maximise access to public transport. The investigation will also identify infrastructure needed to support the area into the future, including improvements to transport, the road network, open space and social infrastructure including community and education facilities. The NSW Department of Planning and Environment have advised that a Special Infrastructure Contribution will be considered as a potential option to fund new infrastructure.

North Sydney Council's St Leonards Crows Nest Planning Study (May 2015) and the Christie Street Master Plan Guidelines (April 2016) apply to the site. The primary purpose of the Planning Study is to manage the high level of development interest in St Leonards / Crows Nest, sustainably accommodate population growth in the North Sydney local government area, protect jobs and deliver much needed public domain and services. The Guidelines apply to three sites known as 100 Christie Street and 655-657 Pacific Highway and establish the environmental capacity of the site and provide a set of guidelines to guide redevelopment to achieve this environmental capacity. The Guidelines specify two options for the redevelopment of the subject area, with Option 1 providing for a 'tall building' on 100 Christie Street and Option 2 involving redistributing the bulk of the building mass from 100 Christie Street to 655-657 Pacific Highway. Whilst the Guidelines suggest that Option 2 may be the preferred outcome, they also recognise that where amalgamation is unable to be achieved that a tower will be supported on 100 Christie Street alone because it includes the capacity to deliver a specific public benefit in the form of upgrade and dedication of Christie Street Reserve to the public. Negotiations between the owners have been unsuccessful and the owners of 100 Christie Street have therefore proceeded with a planning proposal consistent with Option 1. The Christie Street Master Plan Guidelines also outline a number of public benefits that are required to accompany any planning proposal relating to the site.

The application of the current B3 Commercial Core zone and 49 metre height control within the North Sydney Local Environmental Plan 2013 would not allow for the redevelopment of the site in a manner consistent with the St Leonards Crows Nest Planning Study and the Christie Street Master Plan Guidelines given that no residential development is permitted in the B3 zone and the 49 metre height control is insufficient to support a tower on the site or fulfil the environmental capacity of the site. The current zoning and height controls therefore unreasonably constrain the appropriate development of the site.

A detailed Urban Design Report prepared by Turner Architects accompanies the planning proposal which has examined the constraints and opportunities of the site, in order to deliver a more appropriate density of development commensurate with the capacity identified under the St Leonards Crows Nest Planning Study and the Christie Street Master Plan Guidelines and with a built form which remains compatible with the emerging scale and character of the precinct. The Urban Design Report demonstrates that the site has the capacity to accommodate a 36 storey mixed use development with a height of 137 metres, a total FSR of 18:1, a non-residential FSR of 4.25:1.

The Planning Proposal demonstrates the strategic merit of the proposed amendment to the North Sydney Local Environmental Plan 2013 (NSLEP 2013) and seeks commencement of the statutory process to:

- Amend the 'Land Zoning Map', 'Height of Buildings Map', 'Non-residential Floor Space Ratio Map' and 'Floor Space Ratio Map' in relation to the boundary between the northern and southern portions of the site to create:
 - a rectangular site which maintains the area of 1,343 square metres for the southern end of the site which is to remain zoned as B3 Commercial Core
 - a rectangular site which maintains the area of 1,071 square metres for the northern end of the site which is to remain zoned as RE1 Public Recreation
- Amend the 'Height of Buildings Map' to allow a maximum building height of 137 metres on the southern portion of the site.
- Amend the 'Non-residential Floor Space Ratio Map' to allow a minimum non-residential floor space ratio of 4.25:1 on the southern portion of the site which is zoned B3 Commercial Core
- Amend the 'Floor Space Ratio Map' to provide a maximum space ratio of 18:1 on the southern portion of the site which is zoned B3 Commercial Core
- Introduce an additional Clause 6.20 to the North Sydney Local Environmental Plan 2013 as follows:

6.20 Development at Christie Street Reserve, St Leonards

(1) This clause applies to land at Christie Street Reserve, St Leonards being that part of Lots 2 and 3, DP 733528 and zoned RE1 Public Recreation.

(2) Despite any other provision of this Plan, development for the purposes of a basement car park and any associated circulation areas in relation to a development permitted on land located at 100 Christie Street being that part of Lots 2 and 3, DP 733528 and zoned B3 Commercial Core is permitted with development consent.

(3) Despite subclause (2), development consent must not be granted for development permitted by subclause (2) unless the basement carpark:

(a) is located a minimum of 1.5m below ground level (finished); and

(b) does not occupy more than 50% of the subject land that is zoned RE1 Public Recreation.*

- Amend Clause 4.6(8) to exclude the use of Clause 4.6 to vary the development standard in the above draft Clause 6.20.
- Introduce an additional Schedule 1 provision:

(1) This clause applies to land at 100 Christie Street, St Leonards being that part of lots 2 and 3, DP 733528 and zoned BJ Commercial Core.

(2) Development for the purposes of shop top housing is permitted with development consent, but only if the non-residential floor space ratio of the subject land exceeds a minimum of 4.25:1 and that minimum requirement must not include 'serviced apartments', 'hotel or motel accommodation'.

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning & Assessment Act 1979 (EP&A Act). As required by Section 55 of the EP&A Act this Planning Proposal includes the following:

- a statement of the objectives or intended outcomes of the proposed instrument;
- an explanation of the provisions that are to be included in the proposed instrument;
- the justification for those objectives, outcomes and provision and the process for their implementation
- details of the community consultation that is to be undertaken on the planning proposal.

The Planning Proposal has also been prepared having regard to the 'Guide to Preparing Planning Proposals' developed by the NSW Department of Planning and Environment. The report addresses the proposal's consistency with A Plan for Growing Sydney, Draft North District Plan, council's local strategy and strategic plans and assesses the consistency of the planning proposal against relevant State Environmental Planning Policies and S117 Directions issued by the Director General of the Department of Planning.

The Planning Proposal is supported by the following:

- Urban Design Report – Turner Architects
- Landscape Concept Design – Scott Carver
- Survey Plan – Daw & Walton Consulting Surveyors
- Airspace Assessment – Thompson GCS
- Pedestrian Wind Environment Statement – Windtech
- Employment Study – Leyshon Consulting
- Transport and Access Study – Barker Ryan Stewart
- Draft Travel Plan – Barker Ryan Stewart
- Draft Voluntary Planning Agreement – Combined Projects (St Leonards) Pty Ltd
- Draft Boundary Adjustment
- Vertical Transportation Services Report - JHA

2.0 SITE DESCRIPTION AND LOCATION

2.1 Locality Description

The site is located within the suburb of St Leonards which is within the North Sydney Local Government Area. The Christie Street Master Plan Guidelines (2106) identify the following attributes of the St Leonards locality:

- St Leonards is a growing mixed use centre located on Sydney's lower North Shore. It is located approximately 600 metres from Crows Nest Village, 2 kilometres from North Sydney Centre and 3 kilometres from Chatswood.
- The buildings are a mix of medium-high density commercial and mixed use developments near the station and older low-medium scale commercial offices.
- A Plan for Growing Sydney (2014) identifies St Leonards as a 'Strategic Centre' - a major hub for employment and activity on the Global Economic Corridor. It is the 6th largest employment centre in the metropolitan area, supporting 33,000 jobs.
- Employment land is concentrated within 400m of the station, particularly within the Royal North Shore Hospital and the business district on the southern side of the highway. Large corporates such as IBM, and small-medium sized information media, telecommunications, professional services and local up-and-coming high technology enterprises are located along the Pacific Highway, Atchison St and Chandos St.
- In the 2011 census, St Leonards had a residential population of 4,467 people, 90% of which lived in a flat, unit or apartment. This figure is set to grow with a number of recent LEP amendments to allow tall, residential flat buildings south of the highway.
- St Leonards is an established and well serviced transport interchange with around half the trips made to the area by public transport and 80% of those are by train. In November 2015 the State Government announced the Sydney Metro will include a station at Crows Nest.
- The centre straddles three local government areas: North Sydney, Willoughby and Lane Cove.

The site is not identified as a heritage item nor is it located within a heritage conservation area in Schedule 5 of the NSLEP 2013. The location of the site is illustrated in Figure 1 below.

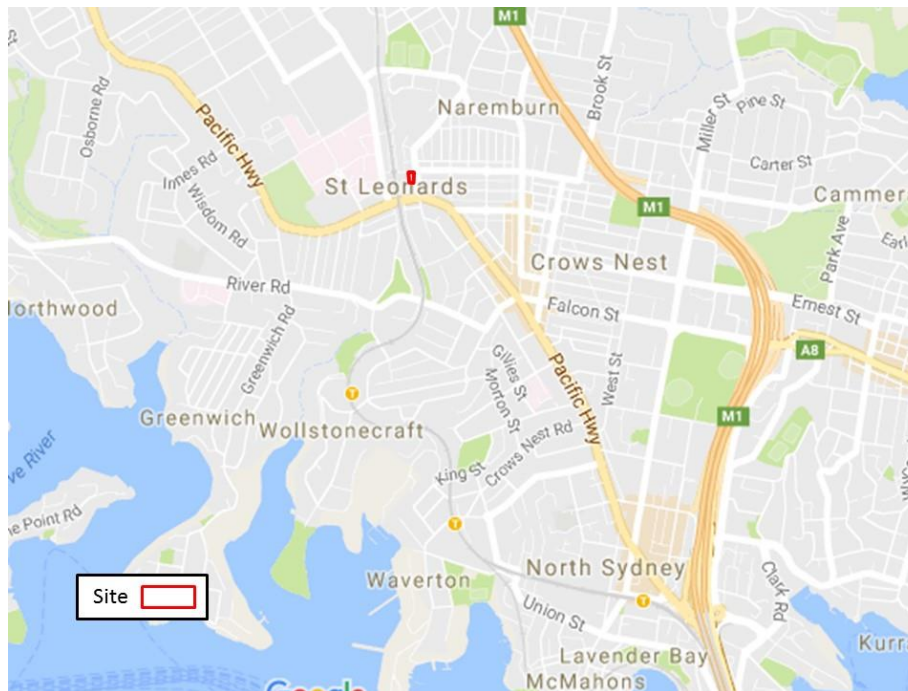


Figure 1:

Site Location:
(Source:
Google Maps
2016)

2.2 Site Description

The site is legally described as Lots 2 and 3 in DP 733528 and is known as 100 Christie Street, St Leonards.

The site is generally rectangular in shape and has a frontage of 66.519 metres to Christie Street to the east, 29.59 metres to Chandos Street to the north, 71.065 metres to Sergeants Lane to the west and 31.09 metres to Sergeants Lane to the south. The site has splayed corners of 4.245 metres in the north eastern corner, 2.12 metres in the north western corner, 2.12 metres in the south eastern corner and 2.12 metres in the south western corner. The site has a total area of 2,414 square metres at ground level. It is also noted that the site extends 3 metres underground to the south and this below ground portion of the site has an area of 53 square metres. An aerial image of the site is shown at Figure 2.

The highest point of the site is at the south-eastern corner and the site has a fall of approximately 3.62 metres to the north-eastern corner, a fall of approximately 4.23 metres to the north-western corner, and a fall of approximately 1.96 metres to the south-western corner.

The southern portion of the site is currently occupied by an eleven storey commercial building above a basement car park. There is currently one driveway crossing which services the building directly from Sergeants Lane on the western side of the site and another from Sergeants Lane on the southern side of the site. The Christie Street Reserve is located on the northern portion of the site and is subject to a long term lease to North Sydney Council and is used for the purposes of public open space. The Reserve includes areas of paving, turf, formal seating and is surrounded on its perimeter by a number of trees. A number of trees are also located along the frontage of the site in Christie Street. A substation is located in the south western corner of the site. Sergeants Lane is currently a shared road with a 10 kmh speed limit, however, vehicles have priority due to the design of the carriageway despite the fact that a significant volume of pedestrian traffic used the Lane.

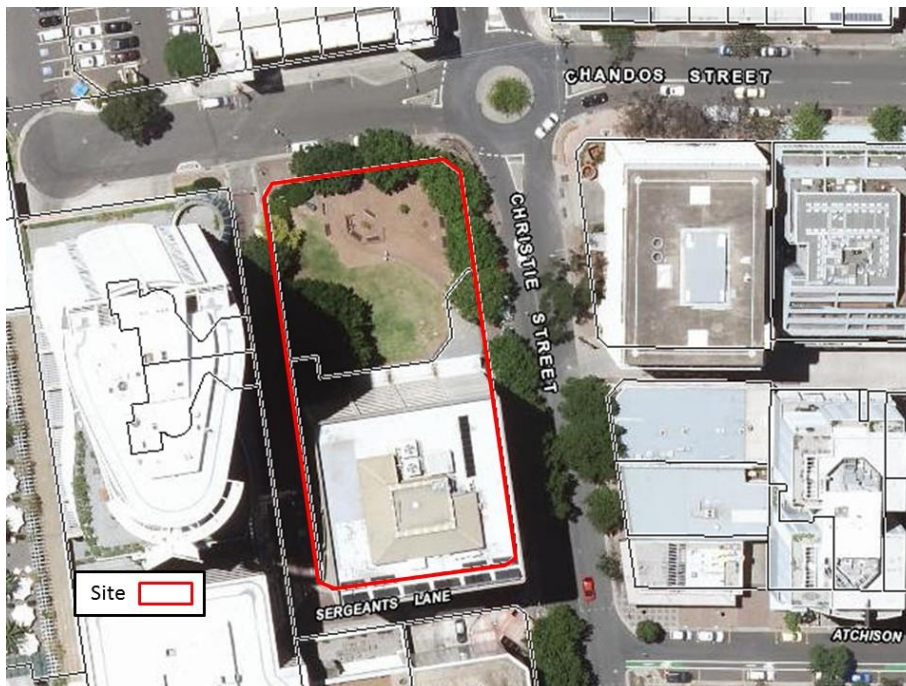


Figure 2:

Site (Source:
Six Maps,
Department of
Lands 2016)

Photograph 1:

The site as viewed Chandos Street looking in a southerly direction





Photograph 2:

The ground floor plane along the northern side of the existing building and interface with Reserve

Photograph 3:

The inactive ground floor plane along the eastern side of the existing building which contains a collonade



Photograph 4:

The inactive ground floor plane along the southern side of the existing building



Photograph 5:

Existing loading dock on the southern side of the building



Photograph 6:

The inactive ground floor plane along the western side of the existing building

Photograph 7:

Existing basement entry on western side of building



Photograph 8:

The existing Christie Street Reserve on the site as viewed facing north



Photograph 9:

The existing Christie Street Reserve on the site as viewed facing south from Chandos Street

Photograph 10:

Existing poor interface between the Christie Street Reserve and Sergeants Lane



2.3 Surrounding Development

The context surrounding the site is varied in architectural form and characterised by predominately high density commercial and mixed use development interspersed with some retail and pub uses.

655 and 657 Pacific Highway are located to the south of the site across Sergeants Lane and contain commercial buildings that are 7 and 8 storeys in height. The ground level of 655 Pacific Highway is currently occupied by the St Leonards Tavern with various loading docks to Sergeants Lane..

Land on the opposite (southern) side of the Pacific Highway is located within the Lane Cove local government area and predominately comprises a mix of commercial and housing stock. Lane Cove Council intends to construct a bus and rail interchange on this land as part of the St Leonards Plaza project which will include both public domain areas and a residential precinct. Several towers are proposed on the site adjacent to the Plaza.

The Forum and St Leonards train station are located to the west of the site across Sergeants Lane. The Forum is a mixed use development that consists of a commercial building and two residential towers, West Tower at 81 metres and East Tower at 113 metres in height. The Forum development includes a range of retail uses centred around the train station. The Forum is provided with two entrances on the eastern boundary that connect the train station with the Pacific Highway and surrounding areas to the north, east and west. Royal North Shore Hospital is located further to the west. Both of these eastern entrances deliver a significant volume of pedestrian traffic to Sergeants Lane to existing commercial and residential buildings to the east.

On the eastern side of Christie Street are the adjoining sites known as 75, 77-79 and 81-83 Christie Street which contain older style two storey commercial buildings. The buildings are currently occupied by a range of uses which include an Australian Post outlet and Gilroys Hotel. 1-9 Chandos Street is located on the south eastern corner of the intersection of Christie Street and Chandos Street and contains a 13 storey commercial building. 1-9 Chandos Street is an identified local heritage item.

14 Chandos Street is located on the north eastern corner of the intersection of Christie Street and Chandos Street and contains a 4 storey commercial building.

621 Pacific Highway is located to the south east of the site with frontage to Chrisite Street, Atchison Street and Pacific Highway. This site is currently occupied by an 11 storey commercial building.

A 5 storey building is located to the north of the site on the opposite side of Chandos Street. The building is currently occupied by The College of Law, an educational establishment. At grade commuter car parking and car parking associated with a vehicle repair outlet is located to the north west of the site on the opposite side of Chandos Street.

Photograph 11:

Sergeants Lane to the south of the site with significant pedestrian traffic



Photograph 12:

655 and 657 Pacific Highway to the south of the site

Photograph 13:

Southern pedestrian connection to The Forum from Sergeants Lane to the south-west of the subject site





Photograph 14:

Existing ground floor
plane of the eastern side
of The Forum to
Sergeants Lane

Photograph 15:

The eastern side of eastern tower of The
Forum and interface with the subject site
as viewed facing north from Sergeants
Lane





Photograph 16:

The eastern side of eastern tower of The Forum and interface with the subject site as viewed facing south from Chandos Street

Photograph 17:

View of existing development opposite the site to the north across Chandos Street





Photograph 18:

View of existing development opposite the site to the north-east across Chandos Street

Photograph 19:

View of existing development opposite the site to the east across Christie Street





Photograph 20:

View of existing
development opposite
the site to the east
across Christie Street

Photograph 21:

View of Gilroys Hotel to
the east across Christie
Street





Photograph 22:

View of recent tower development further to the east along Atchison Street including 10 Atchison Street which is a 30 storey tower

2.4 Towers in St Leonards

The context surrounding the site will change significantly over the short term as a result of a number of approved but yet to be constructed towers as well as Planning Proposals for various towers, as follows:

Site	Status	Height
84-90 Christie Street	Awaiting LEP gazettal	149m/46 storeys
472-468 Pacific Highway	DA approval	91m/28 storeys and 115m/42 storeys
500-520 Pacific Highway	DA under assessment	138m/46 storeys
619-621 Pacific Highway	Planning Proposal	Approx. 170m/50 storeys
2 Pacific Highway	Planning Proposal	94m/approx. 29 storeys
601 Pacific Highway	Existing	65m
The Forum	Existing	81m and 113m
10 Atchison	Existing	95m

These tower locations and their relationship to the subject site are depicted in Figure 3 below image (source: North Sydney Council).

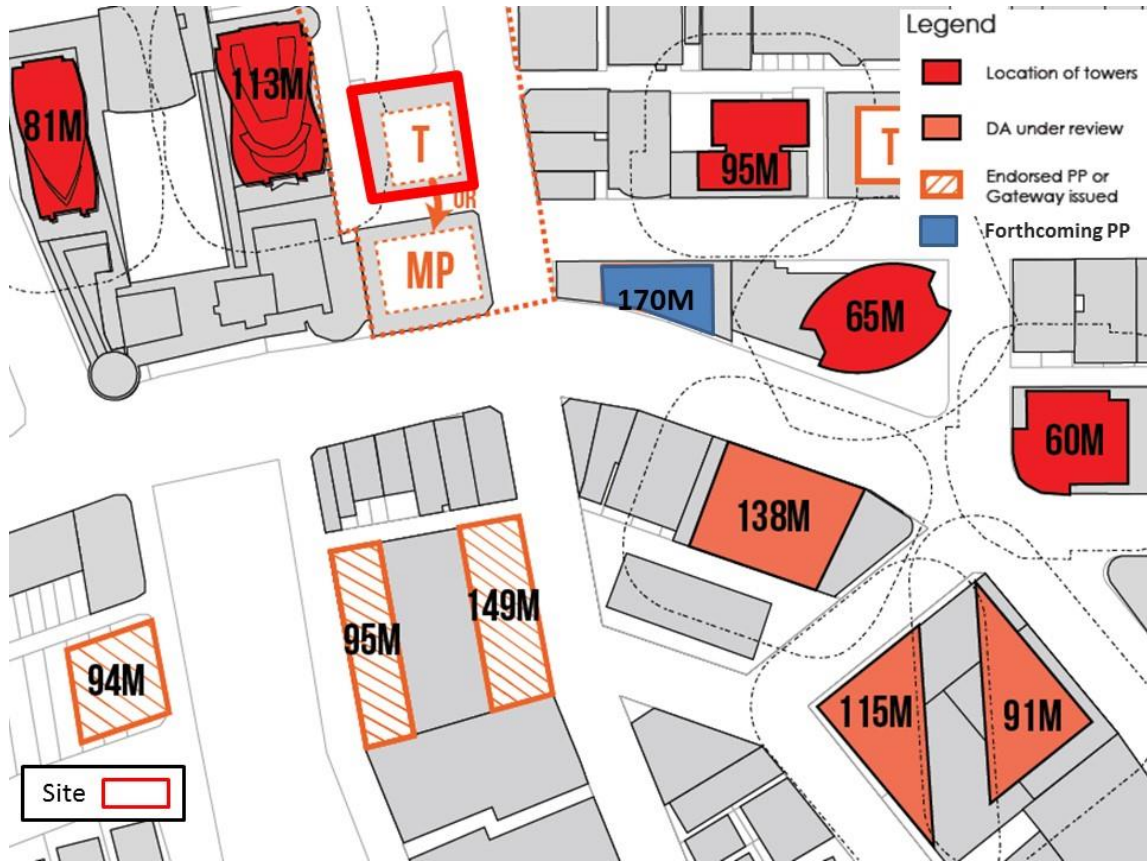


Figure 3:

Existing and proposed towers in St Leonards

3.0 BACKGROUND

3.1 Development Application No. 77/13

Development Application No. 77/13 proposing alterations and additions to the commercial building for adaptive reuse as a mixed use building consisting of retail and office space and 63 apartments at 100 Christie Street, St Leonards was approved by North Sydney Council on 1 July 2013.

Development Application No. 77/13 was determined prior to the adoption of North Sydney Local Environmental Plan 2013 when the site was within a mixed use zone and a non-residential floor space ratio applied to the site. The development application was considered against Draft North Sydney LEP 2012 and acknowledgement was given in the assessment that residential uses on the site would be prohibited under the B3 Commercial Core zone should the Draft North Sydney LEP 2012 come into effect.

The approved development provides for basement level parking, ground level retail premises (including a restaurant), commercial premises on Levels 1-4 and residential accommodation on levels 5-11. Roof top common open space is also provided. The approved development did not include an increase in height with the new works being contained generally within the existing building envelope with the exception of an extension of 3 metres to the north and 1.8 metres to the south.

The approved quantum of non-residential net leasable area is 3,851 square metres and this is considered to provide the appropriate bench-mark of employment generation against which the Planning Proposal must be considered, because if the Planning Proposal does not proceed, the owner of the site will commence work under this consent which currently represents the highest and best use of the site.

The Development Consent 77/13 will lapse on 4 July 2018.

3.2 Earlier Development Schemes

In December 2015 two proposals were presented to the North Sydney Council Design Excellence Panel by the former owner of the site as part of the preliminary stages of a master plan for 100 Christie Street, 655 and 657 Pacific Highway that was intended to inform a subsequent planning proposal.

The first proposal was prepared by PTW and included 6 options of which Option B was recommended. Option B included:

- 9 storey commercial podium plus 66 storey residential tower. Basement parking.
- 75 storeys (236m NSC estimate) to RL319 (NSC estimate).
- Commercial floorplate 1,800m²; Tower footprint 1,258m².
- GFA: Non-residential 16,048m²; residential 70,574m² (700 apartments).
- Vehicle access from Christie Street.
- Public benefits include 1,865-2,100m² open space.

The second proposal was prepared by Aplus Design and included:

- 7 storey commercial, plus 58 storey residential tower and observation deck. Below ground retail, food & beverage and community building, extending into Christie Street Reserve. Basement parking.
- 65 storeys (215m) to RL298.03.
- Commercial floorplate 1,300m²; Tower footprint from 1,300 m², 1,000m², to 700m².
- GFA: Non-residential 19,200m²; residential 70,000m² (622 apartments).
- Vehicle access from Christie Street and under Christie Street Reserve.
- Public benefits include 2,040m² open space, 6,500 m² community building.

The Design Excellence Panel found that both schemes constituted a significant overdevelopment of the site and had little regard to the requirements of Council's strategic plan for the area. The Panel provided the following primary advice:

- An appropriate height for the residential tower should be determined having careful regard to the local context and desired future character of St Leonards, as outlined in Council's Study, and close examination of the environmental impacts of the built form. This must include an assessment of overshadowing of both existing and proposed residential towers and the proposed plaza on the southern side of the Pacific Highway in the Lane Cove local government area.
- A 1,300m² tower footprint, supporting as many as 13 apartments per floor is considered by the Panel to be excessive. A smaller floorplate, of around 800-900m² would offer a residential development of higher amenity and design quality, and a more slender, refined architectural form. No further attempt was made by the proponents to pursue either of these schemes following the advice of the Design Excellence Panel.
- A commercial podium of around 6 storeys fronting Christie Street Reserve may be more appropriate.
- FSR should be calculated excluding the Christie Street Reserve and the Sergeants Lane area.
- The connectivity of any proposed retail space is critical. Retail is most successful at ground level.

3.3 Design Alternatives Workshop Process and Design Excellence Panel

The new owner of the site has undertaken an extensive Design Alternatives Workshop Process in collaboration with Council throughout 2016.

The workshop process has involved an examination of the constraints and opportunities for the site by Turner architects which has informed a variety of design options.

The workshop process has refined the various options to a preferred urban design outcome for the site in collaboration with Council staff and the Design Excellence Panel. The preferred urban design outcome for the site forms the basis of this Planning Proposal.

Stage	Dates
Stage 1 An architectural package was submitted to Council which included the following: <ul style="list-style-type: none"> • Site analysis and assessment of context • Presentation of 4 building form alternatives as various responses to identified opportunities and constraints • Metrics for each option 	25 July 2016 Meeting with Council staff to discuss and critique each of the 4 building forms to identify strengths and potential issues of the various options
Stage 2 – Council staff	29 August 2016

Stage	Dates
<p>An architectural package was submitted to Council which included the following:</p> <ul style="list-style-type: none"> • Presentation of 2 preferred building form options incorporating feedback from Stage 1 workshop process and including any specifically identified areas for refinement • Evolution of vision for the site and core development principles • Identification of quality benchmarks and precedent images • Indicative CGIs • Presentation of preliminary landscape alternatives for each option • Metrics for each option 	<p>Meeting with Council staff to discuss and critique each of the 2 building forms to identify strengths and potential issues of the remaining options</p>
<p>Stage 3 – Design Excellence Panel</p> <p>An architectural package which includes the following:</p> <ul style="list-style-type: none"> • Summary of the workshop process and refinement from 4 to 2 to a preferred building form option for the site. • Presentation of preferred building form option • Identification of preferred building character • Presentation of preferred landscape solution • Indicative CGIs • Metrics for preferred option 	<p>8 November 2016</p> <p>In light of the comments of the Design Excellence Panel, a number of amendments have been made and the final concept for the site is detailed within the Urban Design Report prepared by Turner Architects.</p>

4.0 LOCAL PLANNING PROVISIONS

4.1 North Sydney Local Environmental Plan 2013

North Sydney Local Environmental Plan 2013 (NSLEP 2013) applies to the North Sydney local government area. Key provisions applying to the site are identified below:

4.1.1 Zoning and Permissibility

The site is located within the B3 Commercial Core zone and RE1 Public Recreation zone pursuant to the North Sydney Local Environmental Plan 2013 (NSLEP). An extract of the Land Zoning Map is included as Figure 4.

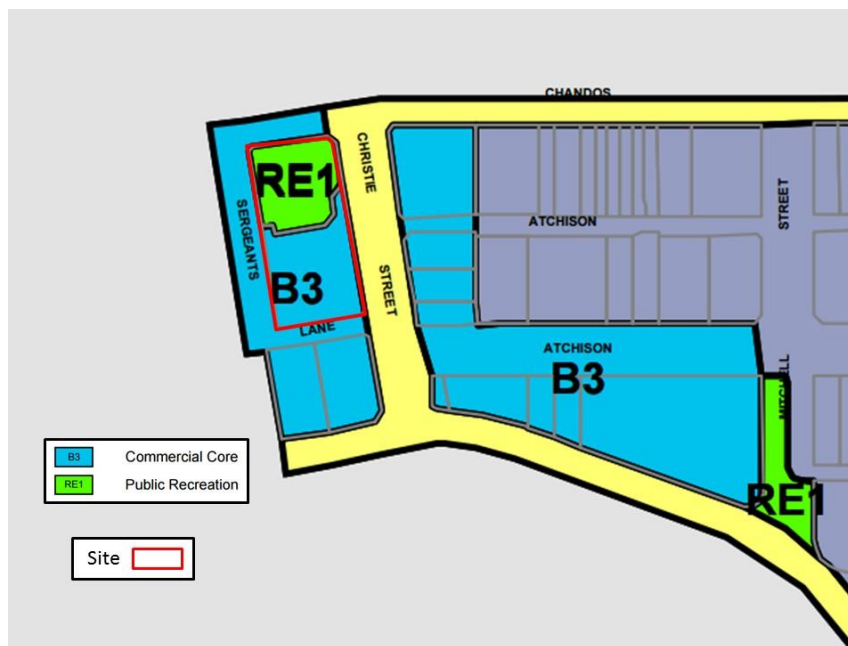


Figure 4:

Extract from NSLEP
2013 zoning map

The objectives of the B3 Commercial Core zone are:

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To prohibit further residential development in the core of the North Sydney Centre.
- To minimise the adverse effects of development on residents and occupiers of existing and new development.

The objectives of the RE1 Public Recreation zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.

- To protect and enhance the natural environment for recreational purposes.
- To ensure sufficient public recreation areas are available for the benefit and use of residents of, and visitors to, North Sydney.

4.1.2 Height

Clause 4.3 (Height of Buildings) establishes a maximum building height of 49 metres for the southern part of the site. An extract of the Height of Buildings Map is included as Figure 5.

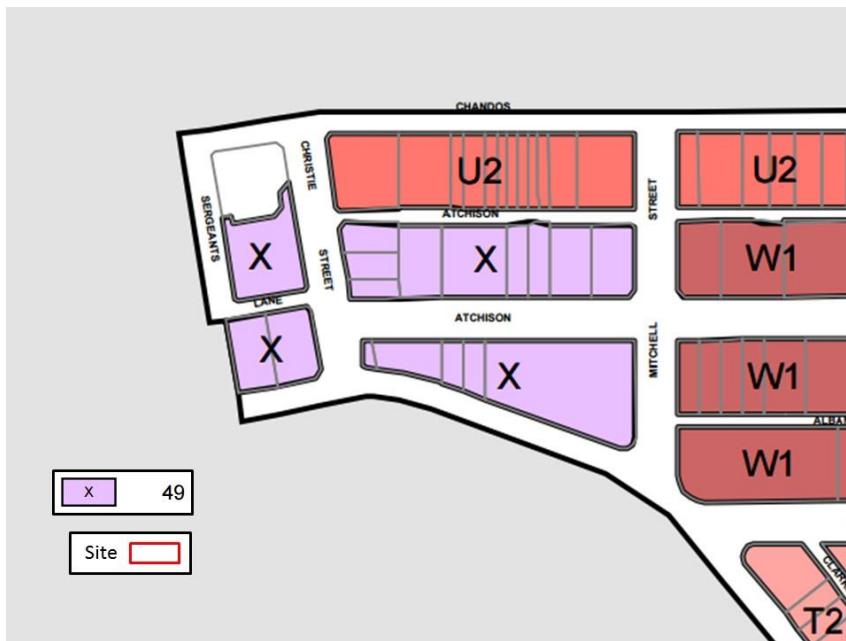


Figure 5:

Extract from NSLEP
2013 height of
buildings map

The objectives of the clause are:

- to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,
- to promote the retention and, if appropriate, sharing of existing views,
- to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,
- to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,
- to ensure compatibility between development, particularly at zone boundaries,
- to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.

4.1.3 Floor Space Ratio

Clause 4.4 (Floor space ratio) establishes a maximum floor space ratio applicable to sites. There is no specified floor space ratio for the site.

4.1.4 Non-residential floor space ratios

Clause 4.4A (Non-residential floor space ratios) establishes a minimum non-residential floor space ratio applicable to sites. There is no specified non-residential floor space ratio for the site.

4.1.5 Preservation of Trees or Vegetation

Clause 5.9 aims to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation and requires development consent for the removal of trees.

4.1.6 Heritage

Clause 5.10 relates to heritage conservation. The subject site is not identified as a heritage item nor is it located within a heritage conservation area in Schedule 5 of the LEP. The site is in the vicinity of 1-9 Chandos Street, an identified heritage item. An extract of the NSLEP Heritage Map is shown in Figure 6.

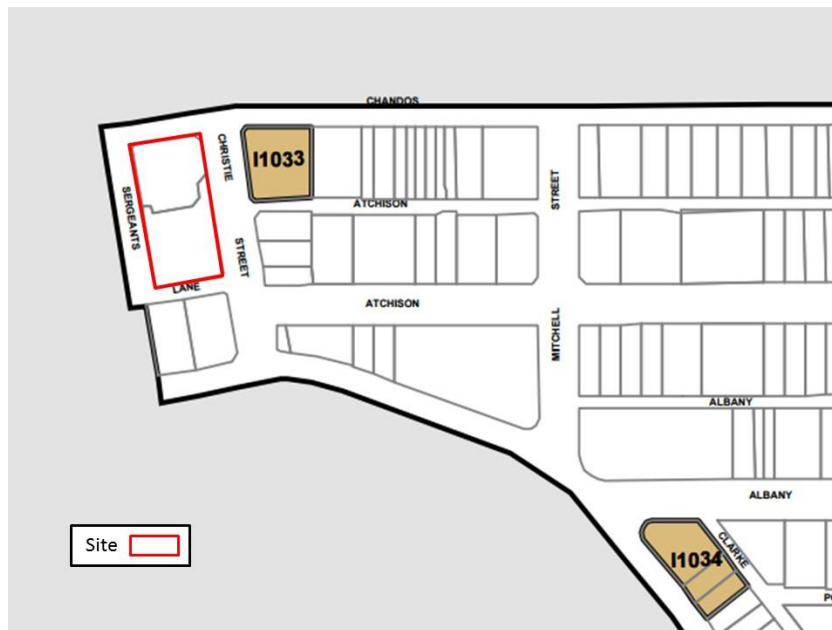


Figure 6:

Extract from NSLEP
2013 heritage map

4.1.7 Development in Zone RE1 or Zone RE2

Clause 6.7 provides matters for consideration that the consent authority must consider before granting development consent to development on land zoned RE1 or RE2.

4.1.8 Earthworks

The objective of Clause 6.10 is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or

heritage items or features of the surrounding land. Clause 6.10 provides matters for consideration that the consent authority must consider before granting development consent.

5.0 PLANNING PROPOSAL

5.1 Overview

In accordance with Section 55 (2) of the Environmental Planning and Assessment Act 1979 (the Act) a Planning Proposal is to be comprised of five (5) parts:

- Part 1 – A statement of the objectives and intended outcomes of the proposed instrument
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument
- Part 3 – The justification for those objectives, outcomes and the process for their implementation
- Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- Part 5 – Details of the community consultation that is to be undertaken on the planning proposal.

Section 55(3) of the Act allows the Secretary to issue requirements with respect to the preparation of a planning proposal. The Secretary's requirements include:

- Specific matters that must be addressed in the justification (Part 3) of the planning proposal
- A project timeline to detail the anticipated timeframe for the plan making process for each planning proposal.

The project timeline forms Part 6 of a planning proposal.

Section 5 of the planning proposal addresses and responds to the matters for consideration detailed within A Guide to Preparing Planning Proposals (NSW Department of Planning and Environment, August 2016).

5.2 Part 1: Objectives or Intended Outcomes

The planning proposal seeks to facilitate the provision of residential accommodation in addition to the existing permissible uses on the site, combined with an increase in the maximum building height, introduction of a new non-residential floor space ratio provision and introduction of maximum floor space ratio provision that combined will allow for the future redevelopment of the site in a manner that will transform St Leonards into a vibrant, safe and active mixed use centre.

The objectives of the amendments are as follows:

- Revitalisation of an important site within the Strategic Centre of St Leonards through the delivery of design excellence that will transform St Leonards into a vibrant, safe and active mixed use centre.
- Retain the commercial core in St Leonards for long-term employment growth through the retention of a significant quantum of quality employment floor space (which represents an increase when compared to the approved current development consent for redevelopment of the site) that will deliver new jobs in an accessible location and maintain parity with the existing employment density potential on the site.
- Provide significant public domain improvements including active street frontages, high quality public domain and improved connectivity between the St Leonards train station and surrounding areas.
- Provide for increased housing choice in proximity to major public transport and services.
- Delivery of significant public benefits in accordance with the Christie Street Master Plan Guidelines including transfer of ownership of the Christie Street Reserve in perpetuity as well as freehold ownership of 2 full commercial floors to North Sydney Council.

The intended outcome of the Planning Proposal is to amend the existing planning controls to facilitate the future development of the site within the identified environmental capacity of the site pursuant to the St Leonards Crows Nest Planning Study, the Christie Street Master Plan Guidelines and subsequent site investigation by Turner

Architects whilst achieving the identified objectives. A concept design of the intended outcome has been prepared by Turner Architects and is included within the Urban Design Report which accompanies the planning proposal.

5.3 Part 2: Explanation of Provisions

5.3.1 Proposed Changes to the North Sydney Local Environmental Plan 2013

The amendments proposed to North Sydney Local Environmental Plan 2013 include:

- Amend the 'Land Zoning Map', 'Height of Buildings Map', 'Non-residential Floor Space Ratio Map' and 'Floor Space Ratio Map' in relation to the boundary between the northern and southern portions of the site to create:
 - a rectangular site which maintains the area of 1,343 square metres for the southern end of the site which is to remain zoned as B3 Commercial Core
 - a rectangular site which maintains the area of 1,071 square metres for the northern end of the site which is to remain zoned as RE1 Public Recreation
- Amend the 'Height of Buildings Map' to allow a maximum building height of 137 metres on the southern portion of the site.
- Amend the 'Non-residential Floor Space Ratio Map' to allow a minimum non-residential floor space ratio of 4.25:1 on the southern portion of the site which is zoned B3 Commercial Core
- Amend the 'Floor Space Ratio Map' to provide a maximum space ratio of 18:1 on the southern portion of the site which is zoned B3 Commercial Core
- Introduce an additional Clause 6.20 to the North Sydney Local Environmental Plan 2013 as follows:

6.20 Development at Christie Street Reserve, St Leonards

(1) This clause applies to land at Christie Street Reserve, St Leonards being that part of Lots 2 and 3, DP 733528 and zoned RE1 Public Recreation.

(2) Despite any other provision of this Plan, development for the purposes of a basement car park and any associated circulation areas in relation to a development permitted on land located at 100 Christie Street being that part of Lots 2 and 3, DP 733528 and zoned B3 Commercial Core is permitted with development consent.

(3) Despite subclause (2), development consent must not be granted for development permitted by subclause (2) unless the basement carpark:

(a) is located a minimum of 1.5m below ground level (finished); and

(b) does not occupy more than 50% of the subject land that is zoned RE1 Public Recreation.*

- Amend Clause 4.6(8) to exclude the use of Clause 4.6 to vary the development standard in the above draft Clause 6.20.
- Introduce an additional Schedule 1 provision:

(1) This clause applies to land at 100 Christie Street, St Leonards being that part of lots 2 and 3, DP 733528 and zoned BJ Commercial Core.

(2) Development for the purposes of shop top housing is permitted with development consent, but only if the non-residential floor space ratio of the subject land exceeds a minimum of 4.25:1 and that minimum requirement must not include 'serviced apartments', 'hotel or motel accommodation'.

There are no other provisions of the North Sydney Local Environmental Plan 2013 that are required to be amended.

5.3.2 Concept Design

The planning proposal is accompanied by a detailed concept design prepared by Turner Architects which provides an example of the built form which could be achieved on the site with the amendments sought through the planning proposal. The concept design has been prepared following a thorough analysis of the site and the surrounding development as well as the intended vision for both the site and the centre of St Leonards and comprises a 36 storey building with the following elements:

- A 6 storey podium containing ground floor retail (684 square metres) and 5 floors of office space above (1,050 square metres each floor) with a total of 5,709 square metres non-residential floor space. Two of the floors are to be dedicated to Council for co-working space.
- A ground floor plan with an active frontage on all 4 sides.
- 30 residential floors above containing 239 apartments comprised 147 x 1 beds, 90 x 2 beds, 2x 3 beds.
- An indicative gross floor area of 24,241 square metres.
- A basement which extends under 50% of the RE1 zone and includes a loading dock as well as a breakthrough panel within the basement which will provide access via the basement of the subject site to a future basement under 655-657 Pacific Highway upon the redevelopment of that site.
- A public right of way over the northern portion of the site for pedestrians which connects from Sergeants Lane to Christie Street.

The concept design is detailed within the accompanying Urban Design Report prepared by Turner Architects.



Figure 7:

Photomontage of concept for the site



Figure 8:

Photomontage of concept for upgraded Christie Street Reserve and ground floor plane

Built Form

The concept design of the intended outcome prepared by Turner Architects involves a 30 storey slender residential tower above a 6 storey podium and basement level parking that is of exceptional architectural quality.

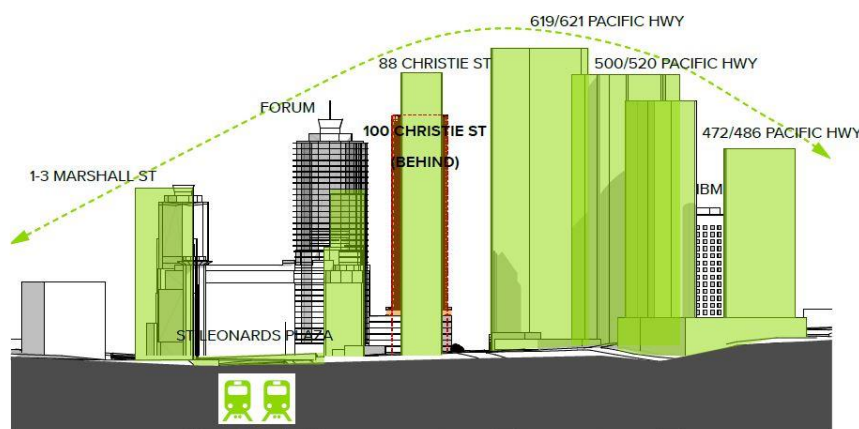
The concept design is provided with fine grain active frontages with outdoor dining to all surrounding streets and a new Christie Street Reserve which will become a destination for workers, residents and the public alike and will function as a natural extension to the existing public domain and street network. The ground floor plane surrounding the site is specifically designed to open up site lines around physical corners enhancing pedestrian movement and connectivity between the site, train station and the surrounding areas. A right of way is proposed along the northern side of the building to provide pedestrian connectivity from Sergeants Lane to Christie Street.

Detailed shadow assessment of the potential impacts of overshadowing as well as an assessment of the emerging skyline for St Leonards CBD has determined the maximum acceptable height on the site which will provide an appropriate fit within the emerging hierarchy of height in the St Leonards CBD. This shadow analysis is provided within the Urban Design Report that accompanies the planning proposal.

A varied palette and materiality are used to provide a clear identity for the development as well as to define the differing functions within the overall development and ensure that the residential and non-residential uses are clearly understood. The varied architectural language generates a high level of visual interest whilst the unifying language of the podium services to also provide continuity within the ground floor plane of the development.

The design of the concept introduces a differing language between the podium and the tower to achieve a clear delineation between the two forms which accentuates the verticality of the proposal. The small size of the floor plate and the design elements of the concept serve to create a particular slim and elegant tower form for the site.

An awning is proposed around each side of the building, however, the awning is recessed on the northern side such that it does not extend over the park.



St Leonards - Future Skyline

Figure 9:

Illustration of proposed height which sits comfortably within the future skyline of St Leonards

Public Domain and Public Open Space

The Landscape Concept Plan prepared by Scott Carver that accompanies the planning proposal identifies the public domain changes that could be achieved with the redevelopment of the site in accordance with the planning proposal.

The concept design is consistent with the provision of public open space as required under the Christie Street Master Plan Guidelines, comprising a new 1070 square metre Christie Street Reserve known as Christie Street Green as depicted in Figure 10. The redevelopment of the site will involve the construction of a new reserve which will be defined on title via a stratum title subdivision and ownership of the park will be transferred to North Sydney Council upon completion. The design of the park as illustrated in the Landscape Package prepared by Scott carver which accompanies this application and will establish a visually and environmentally sensitive landscape, complimentary to the architectural vision and greater urban setting, while providing high quality private spaces for residents and visitors. The design will open up sightlines around physical corners allowing and encouraging people to move through certain spaces and will remove the current barrier created by the existing retaining wall along the western side of the park to provide a seamless interface with Sergeants Lane. Scott carver explain further that:

The design centres around the feature offer, Christie Green. This lush open green space is maximized in area, amenity and activity. The Green bleeds into the public domain creating an enlarged public domain offering as well as dynamic seating edges so both sides of the park are activated. This 450mm high seating wall with feature kangaroo paw mass planting encompassing the space allows clear sight lines and views from any angle of the public domain.

The public domain improvements also include an upgrade to the entire of Sergeants Lane, the Christie Street footpath and also the conversion of the portion of Chandos Street to the south of the Reserve into a shareway. This strategy serves to significantly increase the visual perception of the size of the public part on the site.

The upgrade of all public domain surrounding the site integrates with the introduction of an active frontage on all four sides of the ground floor of the concept which will achieve a very high level of engagement with passing pedestrians where none currently exists.

Finally, a future Development Application for the site will investigate the possibility of two way traffic operation of Sergeants Lane between the proposed vehicle access and Chandos Street to provide for the southern leg of Sergeants Lane to the intersection of Christie Street being exclusively for pedestrians. The proposal intends to also facilitate this outcome by providing a breakthrough panel within the basement which will provide access via the basement of the subject site to a future basement under 655-657 Pacific Highway upon the redevelopment of that site.



Figure 10:

Public domain upgrades

Basement parking under the Christie Street Reserve

The Christie Street Masterplan Guidelines requires the activation of all four sides of a future building on the site with building entrances and retail spaces. This approach represents a best practice urban design outcome and is strongly supported by the development. However, this approach also necessitates all loading and servicing of the building to occur within the basement of the building at the first basement level. Due to the particularly small floor plate of the basement, design investigation has determined that a basement level constrained to the footprint of the building above is of insufficient size to allow simultaneous servicing and ingress and egress for cars associated with the residential and commercial components of the building. Simply, any loading and unloading activities will block access to the remaining basement levels resulting in vehicle queuing in Sergeants Lane. The only solution to this conflict is to increase the size of the basement so that it extends under 50% of the northern portion of the site zoned RE1 Public Recreation as illustrated in Figure 11 below.

There are many precedents of basement car parks being successfully located under green space throughout Sydney including Barangaroo, UTS and The Domain. The Landscape Package prepared by Scott Carver which supports this Planning Proposal includes details in relation to minimum soil depth and maintenance requirements and demonstrates that the proposed location of a basement under 50% of the Reserve will not comprise the performance of the Reserve as a green space and a public asset.

There is currently a 99 year lease over the existing Christie Street Reserve. This Planning Proposal includes a draft Voluntary Planning Agreement which provides for the creation of a stratum freehold allotment over the Reserve and transfer of ownership to Council at the completion of the project. The

transfer in ownership of the park permanently to Council will remove the need for the 99 year lease, however, it is also proposed that as part of the future Development Application that the developer will prepare and execute an 'Interface Agreement' (or other suitable contractual arrangement to the satisfaction of Council) with Council which eliminates any future maintenance or liability issues for Council associated with the location of the basement underneath the Reserve.

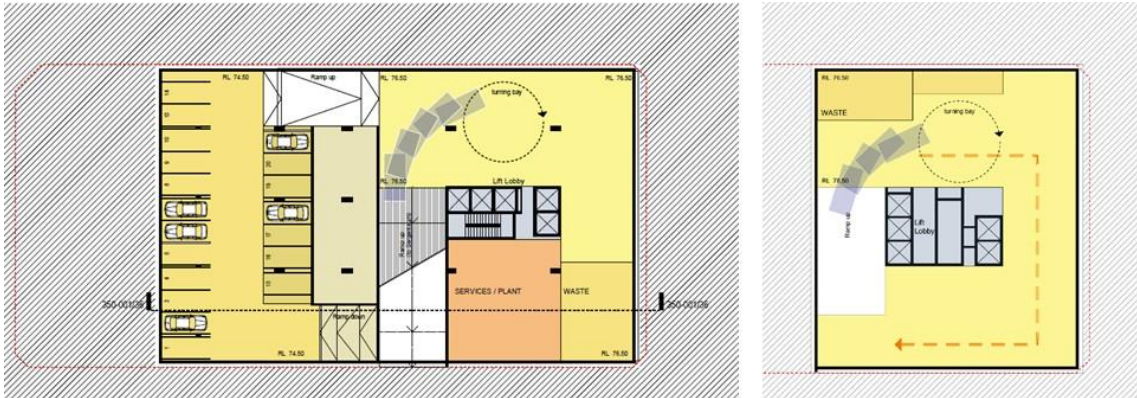


Figure 11:

Comparison of a basement only under the building footprint (Option 2) which illustrates the conflict between loading and car access, and a basement under 50% of the park which demonstrates a properly functioning basement with no conflict between servicing and car ingress and egress

It is also intended that a future Development Application will include a breakthrough panel within the basement which will provide access via the basement of the subject site to a future basement under 655-657 Pacific Highway upon the redevelopment of that site. The access will be permanently secured on title to the benefit of 655-657 Pacific Highway. The use of the basement on the subject site to access a future redevelopment of 655-657 Pacific Highway will eliminate the need for any further basement entries to 655-657 Pacific Highway directly from Sergeants Lane which is critical to achieving the end vision of Sergeants Lane as an activated space with pedestrian primacy.

In summary, the proposal to locate the basement under the RE1 zone of the site will facilitate a particularly positive urban design outcome and public benefit for the following reasons:

- The extension of the basement underneath 50% of the park allows for servicing of the building to occur within the basement rather than street level which provides for the maximum activation of all four sides of the building. The activation of Sergeants Lane in particular including the removal of pedestrian and truck conflict is a profound improvement which will be achieved as a result of the proposal which will ensure pedestrian primacy is achieved.
- The extension of 50% of the basement under the park does not comprise the future quality and performance of the park as demonstrated in the Landscape Package prepared by Scott Carver as sufficient soil depth will be provided to support mature landscaping.
- The extension of the basement under 50% of the park does not present any ongoing liability or maintenance issues for Council in the future as it is proposed to put in place an interface agreement.
- The overall redevelopment of the site as represented in the concept design prepared by Turner Architects facilitates the transfer of ownership of the park to Council in perpetuity which removes the risk of loss of this asset to the public at the expiration of the lease.

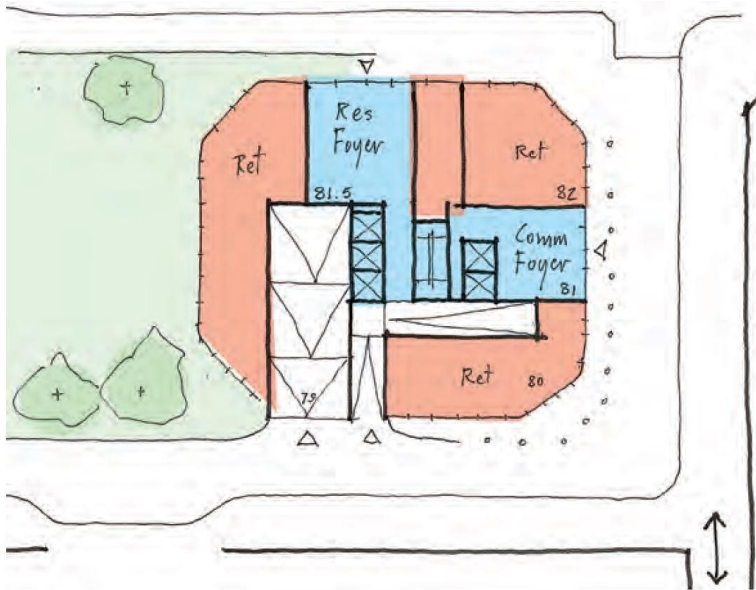


Figure 12:

Sketch illustrating the highly activated ground floor plane of the concept design for the site

Indicative Uses and Employment Floorspace

The concept design provides for a total of 5,709 square metres of employment floor space within a 6 storey podium, with 684 square metres of ground floor retail floor space and 5 levels of commercial floor space with each level provided with 1,050 square metres. Above the podium the concept design provides for a total of 18,411 square metres of residential accommodation distributed over 30 storeys.

The concept design provides for a range of ground level retail tenancies that will provide active frontages to Christie Street, Sergeants Lane as well as Christie Street Reserve. The concept design illustrates outdoor seating at the interface between the tower and Christie Street Reserve and each of the street frontages. It is intended that the retail tenancies will be occupied by a variety of uses appropriate for a mixed use development such as restaurants, cafes and shops that will complement the St Leonards centre. This component of the concept is particularly important because the portion of Sergeants Lane between the southern Forum exit/entrance and Christie Street accommodates approximately 1800 pedestrian movements in the morning peak and 1740 in the afternoon peak, yet this space has currently has no activation with loading docks and basement entries along its length on both sides and is particularly hostile with car priority. It is considered that the capacity of the proposal to effect change along Sergeants Lane will result in a profound improvement to the urban context of St Leonards. This is also an especially critical area given the pedestrian flow along Sergeants Lane will increase substantially with the completion of many other projects in St Leonards as this is the primary access route from the east to the St Leonards Train Station.

The planning proposal is accompanied by an Employment Study prepared by Peter Leyshon which finds that the redevelopment of the site as illustrated in the concept will result in an increase to employment capacity on the site in comparison to the existing development consent for the site. Accordingly, the amendments sought under the planning proposal will allow for the future redevelopment of the site consistent with A Plan for Growing Sydney, Draft North District Plan, St Leonards Crows Nest Planning Study and the Christie Street Master Plan Guidelines which seek to increase the quantum of employment floor space within the strategic centre of St Leonards. This employment capacity is proposed to be protected by the introduction of a minimum non-residential floor space ratio of 4.25:1.

A critical component of the proposal involves the transfer of ownership of two full commercial floors to a warm shell standard to Council in perpetuity. Council intends to use the floor space for the purposes of co-working space which has a particularly high employment density.

Setbacks

The concept design provides the following setbacks from the property boundaries, unless otherwise specified:

Setbacks	Ground	Podium	Tower
North	6m	0m	0m
South	3m	1.5m	9m non-habitable 12m habitable (from centreline of lane)
East	3.5m	0m	2m
West	1.5m	1.5m	2.295m

Wind Impacts

The planning proposal is accompanied by a Pedestrian Wind Environment Statement prepared by Windtech which comprises a qualitative assessment of wind impact and makes a number of recommendations to ensure that any future development on the site incorporates wind mitigating measures to ensure that occupants of the development and surrounding public domain areas are not unreasonably effected by wind. Due to the nil setback of the tower from the northern boundary and inability for an awning to extend over the property boundary with the park, it is anticipated that wind mitigation to the park will be achieved as a result of a recess at level 1 and level 2 office floors.

Whilst it is considered that sufficient evidence has been provided in relation to wind impacts in order for Council to be satisfied that conceptually a suitable wind environment can be achieved as part of the future development of the site, actual wind tunnel testing is also being undertaken and will be provided to Council in due course.

Lift Performance

The planning proposal is accompanied by a Vertical Services Transportation Report prepared by JHA at Appendix L which demonstrates that there are sufficient lifts for the proposed number of apartments and which also confirms that the proposal is not inconsistent with Objective 4F-1 of the Apartment Design Guide.

5.3.3 Voluntary Planning Agreement

The planning proposal is accompanied by a draft voluntary planning agreement which comprises the following public benefit offerings:

- Upgrade of public domain of Christie Street, Chandos Street and Sergeants Lane;
- Delivery of new Christie Street Reserve in stratum title to Council in perpetuity;
- Delivery of 2 commercial floor to Council in perpetuity; and

- Financial contribution towards off-site bike hub facilities.

5.4 Part 3: Justification

The following justification sets out the case for changing the planning controls which apply to 100 Christie Street under the North Sydney Local Environmental Plan 2013.

5.4.1 Need for the Planning Proposal

Is the planning proposal the result of any strategic study or report?

The planning proposal is the result of two strategic planning studies that have recently been undertaken by North Sydney Council. The strategic planning studies relevant to the subject site are:

- St Leonards Crows Nest Planning Study
- Christie Street Master Plan Guidelines

The St Leonards Crows Nest Planning Study document contains the vision for future development in St Leonards and Crows Nest and the strategies for achieving this vision. The Christie Street Master Plan Guidelines provide detailed design requirements for the future redevelopment of 100 Christie Street and 655 and 657 Pacific Highway consistent with the St Leonards Crows Nest Planning Study. Together these documents establish the environmental capacity of the site and provide a set of guidelines to guide redevelopment to achieve this environmental capacity.

The Christie Street Master Plan Guidelines specifically states that for development to achieve the proposed height, zone and non-residential floor space ratios envisaged under the master plan, a planning proposal would be required to amend North Sydney Local Environmental Plan 2013.

The planning proposal and associated conceptual design is entirely consistent with the Christie Street Master Plan Guidelines.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The planning proposal is the best means of achieving the intended outcomes.

The planning proposal will allow for the redevelopment of the site and delivery of much needed public benefits in a manner that is consistent with the St Leonards Crows Nest Planning Study and the Christie Street Master Plan Guidelines as is demonstrated in the concept design prepared by Turner Architects that accompanies the planning proposal.

The Christie Street Master Plan Guidelines specifically state that for development to achieve the proposed height, zone and non-residential floor space ratios envisaged under the master plan, a planning proposal would be required to amend North Sydney Local Environmental Plan 2013.

The following table reviews each of the amendments sought under the planning proposal:

Amendment	Comment
Amend the 'Land Zoning Map', 'Height of Buildings Map' and 'Non-residential Floor Space Ratio Map' in relation to the boundary between	The proposed amendment to the NSLEP 2013 in relation to the boundary between the northern and southern portions of the site as depicted on the

Amendment	Comment
the northern and southern portions of the site to create a rectangular site which is 1,343sqm in area at the southern end of the site and also a rectangular site which is 1,070sqm in area at the northern end of the site.	<p>'Land Zoning Map', 'Height of Buildings Map', 'Non-residential Floor Space Ratio Map', and 'Floor Space Ratio Map' is required to eliminate unnecessary complexities in the assessment of a future development application through the overlapping of zoning provisions and development standards applicable to the site.</p> <p>The Christie Street Master Plan Guidelines require the provision of a 1070 square metres public open space area on the southern portion of the site (Christie Street Reserve) which is achieved with the boundary amendment.</p>
Amend the 'Height of Buildings Map' to allow a maximum building height of 137 metres on the southern portion of the site.	<p>The proposed amendment to the NSLEP 2013 increasing the maximum building height from 49 metres to 137 metres on the southern portion of the site has been considered in the context of the future vision for St Leonards and the existing and recently approved and constructed buildings in the centre.</p> <p>The Urban Design Report prepared by Turner Architects provides an analysis of the impact of a building 36 storeys and 137 metres in height as sought under the planning proposal's amendments to the NSLEP 2013 on the St Leonards skyline. The analysis finds that this height is an appropriate response to the strategic location of the site in the centre of St Leonards and commensurate with the heights of nearby sites. The shadow impacts of the height have been tested and do not compromise the public space which will occur to the south or the solar access performance of other future buildings to the south.</p> <p>An amendment to the 'Height of Buildings Map' is the most efficient means of achieving this amendment.</p>
Amend the 'Non-residential Floor Space Ratio Map' to allow a minimum non-residential floor space ratio of 4.25:1 on the southern portion of the site.	<p>The proposed amendment to the NSLEP 2013 to introduce a minimum non-residential floor space ratio of 4.25:1 on the southern portion of the site will ensure the continuation of a quantum of employment floorspace within any future development on the site therefore providing for long-term employment growth in the St Leonards commercial core as well as being consistent with the vision for St Leonards within the applicable strategic policies. This amendment will also facilitate greater employment floor space on the site than</p>

Amendment	Comment
	<p>that which is required under Development Consent No. 77/13.</p> <p>An amendment to the 'Non-residential Floor Space Ratio Map' is the most efficient means of achieving this amendment.</p>
<p>Amend the 'Floor Space Ratio Map' to introduce a maximum floor space ratio of 18:1 on the southern portion of the site.</p>	<p>The proposed amendment to the NSLEP 2013 to introduce a maximum floor space ratio of 18:1 on the southern portion of the site will provide certainty in relation to the maximum density which is proposed and can be achieved within the proposed height.</p> <p>An amendment to the 'Floor Space Ratio Map' is the most efficient means of achieving this amendment.</p>
<p>Introduce an additional Schedule 1 provision:</p> <p><i>(1) This clause applies to land at 100 Christie Street, St Leonards being that part of lots 2 and 3, DP 733528 and zoned B3 Commercial Core.</i></p> <p><i>(2) Development for the purposes of shop top housing is permitted with development consent, but only if the non-residential floor space ratio of the subject land exceeds a minimum of 4.25:1 and that minimum requirement must not include 'serviced apartments', 'hotel or motel accommodation'.</i></p>	<p>The Christie Street Master Plan Guidelines require a landowner initiated planning proposal to amend the NSLEP LEP 2013 to allow for the provision of residential accommodation on the site. The Guidelines are however silent as to whether this should be achieved through a rezoning or through a site specific amendment to the NSLEP 2013.</p> <p>The planning proposal includes an additional clause to Schedule 1 of the NSLEP 2013 allowing for a 'shop top housing' development as an additional permitted use on the southern portion of the site. This would require ground floor retail, but would not preclude office above, and finally would allow residential use within the building.</p> <p>A viable alternative exists that would achieve a similar outcome, which is rezoning the site to B4 Mixed Use.</p> <p>The addition of a site specific amendment permitting 'shop top housing' and retention of the B3 Commercial Core zone is the most appropriate option given the applicable strategic planning policies emphasise the importance of preserving and growing employment floorspace within St Leonards. In particular, A Plan for Growing Sydney identifies the following priorities for the St Leonards strategic centre:</p> <ul style="list-style-type: none"> • 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

Amendment	Comment
	<p>Leonards including offices, health, retail, services and housing.</p> <p>Other reasons why this is the preferred approach:</p> <ul style="list-style-type: none"> • With the introduction of NSLEP 2013 less than 3 years ago, the zone of the site was changed from mixed use to B3 Commercial Core. • The B3 Commercial Core zone objectives align more succinctly with the vision for St Leonards compared with the objectives of the B4 Mixed Use zone. <p>An option of no rezoning is not possible as it will not facilitate some residential development on the site as envisaged by the Christie Street Master Plan Guidelines. Also, the option of an R4 – High Density Residential zone is also not considered to be appropriate as it would fail to maintain an appropriate quantum of employment generating use of the site.</p>
<p>Introduce an additional Clause 6.20 to the North Sydney Local Environmental Plan 2013 as follows:</p> <p><i>6.20 Development at Christie Street Reserve, St Leonards</i></p> <p><i>(1) This clause applies to land at Christie Street Reserve, St Leonards being that part of Lots 2 and 3, DP 733528 and zoned RE1 Public Recreation.</i></p> <p><i>(2) Despite any other provision of this Plan, development for the purposes of a basement car park and any associated circulation areas in relation to a development permitted on land located at 100 Christie Street being that part of Lots 2 and 3, DP 733528 and zoned B3 Commercial Core is permitted with development consent.</i></p> <p><i>(3) Despite subclause (2), development consent must not be granted for development permitted by subclause (2) unless the basement carpark:</i></p> <p><i>(a) is located a minimum of 1.5m below ground level (finished); and</i></p> <p><i>(b) does not occupy more than 50%* of the subject land that is zoned RE1 Public Recreation.</i></p>	<p>The planning proposal includes an additional clause to the NSLEP 2013 allowing for the ability to construct a basement car park associated with the development under 50% of the RE1 zone part of the site.</p> <p>This proposed amendment allowing for a car park associated with the mixed use development under 50% of the northern portion of the site is the best means of achieving the intended outcomes as:</p> <ul style="list-style-type: none"> • This portion of the site will retain its RE1 Public Recreation zoning, • Public open space will continue to be the primary use of the site, with the car park being a secondary use, • It will allow for the optimal urban design outcome for Sergeants Lane with maximum street activation as servicing of the development can be achieved in the basement without conflict between service vehicles and other users of the car park, and • It will facilitate the use of the basement on the subject site to access 655 and 657 Pacific Highway to ensure that the southern part of Sergeants Lane could potentially be closed to vehicular traffic.

5.4.2 Relationship to Strategic Planning Framework

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

A Plan for Growing Sydney

A Plan for Growing Sydney which was released in December 2014, guides Sydney's growth and development over a 20 year period. A Plan for Growing Sydney sets the strategic direction for decisions related to land use and transport planning and includes a series of directions and actions to implement the following goals:

- 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
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The local government area of North Sydney is located within the North subregion within the Plan. St Leonards is specifically identified as a strategic centre within the North subregion with the Plan identifying the following priorities for the St Leonards strategic centre:

- Work with council to retain a commercial core in St Leonards for long-term employment growth.
- Work with council to provide capacity for additional mixed-use development in St Leonards including offices, health, retail, services and housing.
- Support health-related land uses and infrastructure around Royal North Shore Hospital.
- Work with council to investigate potential future employment and housing opportunities associated with a Sydney Rapid Transit train station at St Leonards/ Crows Nest.

St Leonards is also located within the Global Economic Corridor which extends from Macquarie Park through the Sydney CBD to Port Botany and Sydney Airport and is depicted in Figure 13. The Global Economic Corridor is identified within the Plan as an economic cluster that is unique in Australia due to the extent, diversity and concentration of globally competitive industries. The Plan identifies that by 2030, there will be demand for around 190,000 new stand-alone office jobs and that around 75 per cent of these will likely seek to locate in one of Sydney's 10 major office markets. St Leonards is identified as one of those major office markets.

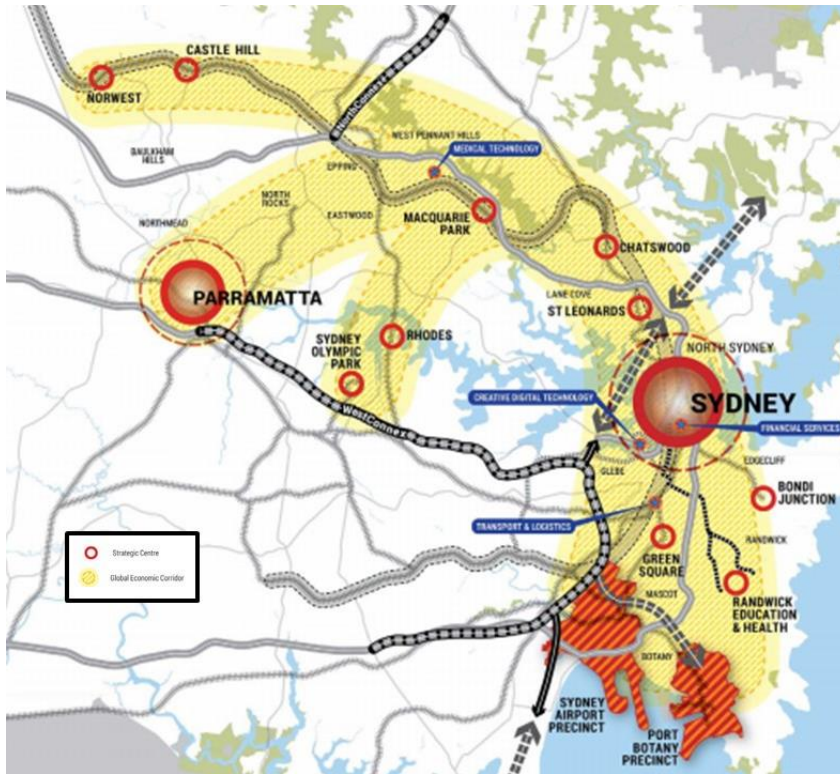


Figure 13:

Global Economic
Corridor from A Plan
for Growing Sydney

The following table summarises the planning proposal's consistency with relevant directions of A Plan for Growing Sydney:

Direction	Comment	Consistent
Direction 1.6: Expand the Global Economic Corridor	The planning proposal includes the introduction of a non-residential floor space ratio applicable to the southern portion of the site that will protect against residential encroachment and ensure that business activity will continue and in fact increase on the site consistent with the intentions for the Global Economic Corridor.	Yes
Direction 1.7: Grow strategic centres - providing more jobs closer to home	<p>The planning proposal will facilitate the future redevelopment of a large site within the strategic centre of St Leonards that enjoys exceptional access to public transport consistent with A Plan for Growing Sydney.</p> <p>The addition of a site specific amendment to NSLEP 2013 permitting 'residential flat building' and retention of the B3 Commercial Core zone to facilitate a future mixed use development on the site combined with the increased maximum building height, non-residential floor space ratio, and a maximum floor space ratio will provide for residential accommodation on the site in addition to a substantial delivery of high quality employment floor space.</p> <p>The Employment Study that accompanies the planning proposal finds that the proposal will provide for an increased employment density on the site compared to the maximum capacity available</p>	Yes

Direction	Comment	Consistent
	within the existing building, noting that the existing building is currently predominantly vacant and is no longer an attractive office provider without upgrades. These are jobs that will be provided close to where people live consistent with the Direction.	
Direction 2.1: Accelerate housing supply across Sydney	<p>The addition of a site specific amendment to NSLEP 2013 permitting 'residential flat building' and 'mixed use development' and retention of the B3 Commercial Core zone combined with the increased maximum building height, non-residential floor space ratio, and maximum floor space ratio will facilitate the delivery of a substantial quantum of residential accommodation on the site that is consistent with the Direction.</p> <p>The concept design prepared by Turner Architects that accompanies the planning proposal demonstrates that 239 dwellings are capable of comfortably being accommodated within the building envelope.</p>	Yes
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs	<p>The addition of a site specific amendment to NSLEP 2013 permitting 'residential flat building' and 'mixed use development' and retention of the B3 Commercial Core zone combined with the increased maximum building height, non-residential floor space ratio, and maximum floor space ratio, will provide for a substantial quantum of housing within an existing urban area that has been identified as a strategic centre within the Global Economic Corridor and that is located adjacent to St Leonards train station that will provide superior connection to other job rich areas including North Sydney and the Sydney CBD.</p>	Yes
Direction 2.3: Improve housing choice to suit different needs and lifestyles	<p>The addition of a site specific amendment to NSLEP 2013 permitting 'residential flat building' and 'mixed use development' and retention of the B3 Commercial Core zone combined with the increased maximum building height, non-residential floor space ratio, and maximum floor space ratio, will increase the number of homes in an established urban area that is well located to take advantage of public transport, jobs and services consistent with the Direction.</p>	Yes
Direction 3.1: Revitalise existing suburbs	<p>The planning proposal will facilitate future redevelopment of a site that has the potential to transform St Leonards into a vibrant, safe and active mixed use centre through the revitalisation of the public domain including the Christie Street Reserve consistent with the Direction.</p> <p>The concept design prepared by Turner Architects that accompanies the planning proposal demonstrates significant improvements to the amenity of the Christie Street Reserve, Sergeant Lane, and improved connectivity between the train station and surrounding areas, reduction in vehicular and pedestrian conflict as well as providing community facilities and</p>	Yes

Direction	Comment	Consistent
	increased activity on the site. These deliverables would not be achievable under the current planning controls.	
Direction 3.2: Create a network of interlinked, multipurpose open and green spaces across Sydney	The planning proposal is accompanied by a draft voluntary planning agreement that includes the delivery of a new Christie Street Reserve. The upgrade of the Christie Street Reserve will revitalise an existing and well utilised public open space area and in doing so will promote a healthier urban environment, improve community access to recreation and exercise and encourage social interaction consistent with the Direction.	Yes
Direction 3.3: Create healthy built environments	The planning proposal will facilitate future redevelopment of a site that has the potential to transform St Leonards into a vibrant, safe and active mixed use centre by improving the quality of the public domain (including the Christie Street Reserve) through better design. The site is located adjacent to the St Leonards train station and is well located to encourage walking and cycling. The planning proposal is accompanied by a draft voluntary planning agreement that includes a monetary contribution towards off-site bike hub facilities.	Yes

Draft North District Plan November 2016

The Environmental Planning and Assessment Act 1979 requires a planning authority in preparing a planning proposal to give effect to any district plan applying to the local government area to which the planning proposal relates. The Draft North District Plan applies to the North Sydney local government area and is currently on formal public exhibition until the end of March 2017 and accordingly is relevant to the planning proposal.

The Draft North District Plan sets out a 20 year vision for growth and development in the North District and will form the overarching strategy for all future planning in the area. The draft District Plan translates and tailors metropolitan planning priorities by giving effect to the four goals of A Plan for Growing Sydney by interweaving these goals by describing proposed priorities and actions for the District. The following table summarises the planning proposal's consistency with relevant components of Draft North District Plan:

Chapter	Comment	Consistent
A productive city	The draft District Plan is consistent with A Plan for Growing Sydney, with St Leonards identified as a strategic centre, however it does introduce a new concept of St Leonards becoming a health and education super precinct. The draft District Plan supports and encourages growth of health and ancillary activities. The planning proposal is consistent with the general priorities and actions applicable to the North District. In particular, the planning proposal will facilitate future development on the site that will stimulate economic activity, reduce the need to travel by car by co-locating residential, employment (and potentially health and	Yes

Chapter	Comment	Consistent
	<p>education) facilities and provide an attractive, safe and inclusive location for communities to meet and socialise.</p> <p>The addition of a site specific amendment to NSLEP 2013 permitting 'residential flat building', 'mixed use development' and retention of the B3 Commercial Core zone will allow for future uses on the site consistent with those anticipated within a health and education super precinct. The office floors within the building will be capable of being used for health and education purposes.</p> <p>Action P4 specifically relates to St Leonards and is titled 'Facilitate place making and the growth and diversification of job opportunities in St Leonards'. The Action identifies St Leonards as a Collaboration Area given it straddles multiple local government areas to ensure that coordination exists in future growth in the area and indicates that a Special Infrastructure Contribution will be considered as an option to fund transport, open space and community and education facilities. The Action also identifies that in addition to the policy directions for strategic centres, planning for the St Leonards Collaboration Area will include considerations to:</p> <ul style="list-style-type: none"> • leverage off the new Sydney Metro station at Crows Nest to deliver additional employment and residential capacity • identify actions to grow jobs in the centre • reduce the impact of vehicle movements on pedestrian and cyclist accessibility • protect and enhance Willoughby Road's village character and retail/restaurant strip while recognising increased growth opportunities due to significant NSW Government infrastructure investment • deliver new high quality open space, upgrade public areas, and establish collaborative place-making initiatives • promote synergies between the Royal North Shore Hospital and other health and education-related activities, in partnership with NSW Health • define the northern perimeter of St Leonards to protect the adjoining industrial zoned land for a range of urban services. <p>The planning proposal is consistent with the relevant considerations as it will provide for:</p> <ul style="list-style-type: none"> • additional jobs within the centre, • additional housing within the centre, • improved connectivity within the centre, and • the delivery of high quality open space and the upgrade of public areas. 	
A liveable city	The draft District Plan seeks to develop a city of housing choice, with homes that meet our resident's and lifestyles in a great place	Yes

Chapter	Comment	Consistent
	<p>to live, with communities that are strong, healthy and well connected.</p> <p>The draft District Plan establishes the following liveability priorities:</p> <ul style="list-style-type: none"> • Improve housing choice • Improve housing diversity and affordability • Coordinate and monitor housing outcomes and demographic trends • Create great places in the North District • Foster cohesive communities in the North District • Respond to people's need for services <p>The draft District Plan establishes a 2016-2021 housing target of 3,000 additional dwellings within the North Sydney local government area.</p> <p>The planning proposal is consistent with the stated priorities as it will facilitate future development on the site that will provide for housing diversity and choice within an established employment centre that enjoys excellent access to public transport and access to services and facilities and will deliver substantial public benefits as demonstrated within the draft voluntary planning agreement that accompanies the planning proposal.</p>	
A sustainable city	<p>The draft District Plan provides a large number of sustainability priorities and actions which aim to safeguard the North District's environment.</p> <p>The planning proposal is consistent with these priorities as it will facilitate future development on the site that will ensure the protection of the environment. The planning proposal is accompanied by a draft voluntary planning agreement that includes the delivery of a new Christie Street Reserve, an important public open space area located within the heart of the St Leonards Centre. The new Christie Street Reserve will be a high quality green space that will create a sense of place, provide for diverse recreation opportunities, support local biodiversity and incorporate water sensitive urban design principles and environmentally sensitive design to create a low maintenance, environmentally sensitive landscape that has a distinctive tree canopy with diverse low shrub groundcover and expanses of lawn.</p> <p>Any future building on the site would be required to be consistent with the principles of ecological sustainable design.</p> <p>The planning proposal would not result in any adverse impacts on bushland or Sydney Harbour and is unlikely to impact on any other aspects of the North District's environment that the draft District Plan seeks to protect.</p>	Yes

Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Community Strategic Plan 2013 - 2023

North Sydney's Community Strategic Plan 2013 – 2023 which was adopted on 17 June 2013 is the Council's primary forward planning document. The plan sets out a ten year strategic direction for North Sydney Council and a detailed four year delivery program for each service provided by the Council.

The outcomes of the community strategic plan relevant to the planning proposal, in relation to the built environment are:

- Infrastructure, assets and facilities that meet community needs
- Improved mix of land use and quality development through design excellence
- Vibrant, connected and well maintained streetscapes and villages that build a sense of community
- North Sydney's heritage is preserved and valued
- Sustainable transport is encouraged
- Improved traffic management
- Improved parking options and supply

The provision of a high quality mixed use development on the site will be consistent with the outcomes of the community strategic plan in relation to the built environment by locating employment floorspace and a substantial quantum of new housing at an appropriate density on a site that benefits from excellent proximity to transport, jobs, services and shops. The redevelopment of the site will deliver substantial public benefits and will transform St Leonards into a modern mixed use centre and in doing so remedy a number of identified constraints within the centre, including vehicle and pedestrian conflict and poor connectivity.

St Leonards Crows Nest Planning Study

The St Leonards Crows Nest Planning Study was prepared to manage the high level of development interest in St Leonards / Crows Nest, sustainably accommodate population growth in the North Sydney local government area, protect jobs and deliver much needed public domain and services. The Planning Study outlines the vision for future development in St Leonards and Crows Nest and the strategies for achieving this vision.

The Planning Study has been prepared in four stages with each stage relating to one of the four precincts that are covered by the study. 100 Christie Street is located within Precinct 2 which is identified as a high density commercial and mixed use area immediately east of the St Leonards train station. Precincts 2 and 3 of the Study were adopted by Council in May 2015.

Section 1.5 states that for development to achieve the height, zone and non-residential floor space ratios envisaged under the study, land-owner initiated planning proposals are required to amend the NSLEP 2013. Section 1.5 outlines a number of parameters that a site must meet in order to gain Council's support for a site specific planning proposal. The following table summarises the planning proposal's consistency with the parameters outlined within Section 1.5.

Requirement	Comment	Consistent
Relate to a parcel of land with a minimum street frontage of 20 metres.	The site has a frontage of 66.519 metres to Christie Street to the east, 29.59 metres to Chandos Street to	Yes

Requirement	Comment	Consistent
<p>Relate to a parcel of land that does not isolate, sterilise or unreasonably restrict the development potential of adjacent parcels of land (see Isolated Sites).</p> <p>Propose an amendment to the LEP with a:</p> <ul style="list-style-type: none"> non-residential floor space ratio control consistent with Map 5A; site specific floor space ratio control having regard to the podium height, minimum setback controls in maps 6A and 6B and SEPP 65; height control consistent with map 6C; 	<p>the north, 71.065 metres to Sergeants Lane to the west and 31.09 metres to Sergeants Lane to the south.</p> <p>No land will be rendered isolated or sterile nor will the development potential of adjacent land be unreasonably restricted as a result of the planning proposal.</p> <p>Map 5A identifies the site as Area 14_NEW which is required to provide a minimum 4:1 non-residential floor space ratio.</p> <p>The planning proposal seeks to apply a minimum 4.25:1 non-residential floor space ratio to the southern portion of the site which exceeds Council's minimum.</p> <p>Maps 6A and 6B identify that 100 Christie Street is to be provided with:</p> <ul style="list-style-type: none"> A 6 storey podium. A 3 metre ground level setback for 2 storeys. A 3 metre above podium setback. <p>The Christie Street Master Plan Guidelines provided a refinement to these basic setback controls and the concept design that accompanies the planning proposal demonstrates a building envelope that is generally consistent with these requirements and has a 6 storey podium. A detailed site analysis and investigation of design options has resulted in a more specific and sophisticated range of setbacks which are considered an appropriate response to the site. Notwithstanding, the setbacks are a detailed matter which can be addressed at a future Development Application stage.</p> <p>Map 6C identifies the southern portion of 100 Christie Street as 'T' (Tall Building). Buildings over 18 storeys are considered tall buildings. The study does not set a maximum height for tall buildings but rather encourages landowners to submit a scheme that will be assessed by Council and referred to the Design Excellence Panel for comment.</p> <p>The planning proposal involves increasing the allowable building height to 137 metres to facilitate a building 36 storeys in height consistent with the Christie Street Master Plan Guidelines. The concept design which</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

Requirement	Comment	Consistent
	<p>accompanies the planning proposal has been considered by Council and the Design Excellence Panel consistent with the requirements of the Study. The Urban Design Report prepared by Turner Architects provides a detailed justification in relation to the proposed height and demonstrates that it represents an important integration into the future skyline of St Leonards.</p>	
<ul style="list-style-type: none"> satisfactory arrangements to ensure there is no net increase in traffic generation. 	<p>The planning proposal is accompanied by a Transport and Access Study prepared by Glenn Barker which finds that the concept proposal is capable of not resulting in a net increase in traffic.</p>	Yes
<p>For tall buildings identified in map 6C, propose height, setback and floor space ratio controls that address the design principles for tall buildings.</p>	<p>The concept design is consistent with the relevant design principles for tall buildings, in this regard:</p> <ul style="list-style-type: none"> The built form depicted in the concept design provides for a 30 storey residential tower above a 6 storey well proportioned and articulated podium. The residential tower is particularly slender in design with a floorplate less than 650 square metres The building envelope is capable of providing a minimum separation distance and will provide appropriately for the amenity of The Forum and future development capacity of adjacent sites. The Urban Design Report which accompanies the planning proposal demonstrates that the building envelope will have an acceptable solar access impact on surrounding properties and the public domain having regard to the cumulative impact of multiple towers. The planning proposal is accompanied by a Pedestrian Wind Environment Statement prepared by Windtech which makes a number of recommendations to ensure that any future development on the site incorporates wind mitigating measures to ensure that occupants of the development and surrounding public domain areas are not unreasonably effected by wind. The concept design will provide for superior amenity to occupants ensuring high-quality living and working conditions, natural ventilation and privacy for building occupants. The planning proposal will facilitate the future redevelopment of the site in a manner that will make a positive contribution to the public domain 	Yes

Requirement	Comment	Consistent
Propose satisfactory arrangements that provide commensurate public benefits that support the proposed scheme.	<p>and fit harmoniously within the surrounding context and skyline.</p> <p>The planning proposal is accompanied by a draft voluntary planning agreement that includes:</p> <ul style="list-style-type: none"> • Upgrade of public domain of Christie Street, Chandos Street and Sergeants Lane, • Delivery of new Christie Street Reserve in perpetuity, • Delivery of two commercial floors to Council in perpetuity, • Cash contribution towards off-site bike hub facilities. 	Yes

The amendments proposed to NSLEP 2013 as part of the planning proposal will provide for future development at 100 Christie Street that will deliver employment floorspace, housing and public open space consistent with the St Leonards Crows Nest Planning Study. The future redevelopment of the site will deliver substantial public benefits in terms of transforming St Leonards into a modern mixed use centre.

Christie Street Masterplan Guidelines April 2016

The St Leonards Crows Nest Planning Study identifies the sites of 100 Christie Street and 655 & 657 Pacific Highway as a significant landholding that has the potential to transform the centre. The Study recommends that the landowners prepare a master plan in consultation with Council to inform proposed amendments to the North Sydney Local Environmental Plan 2013. The Christie Street Masterplan Guidelines were adopted by Council on 16 May 2016 and identify the key built form, access, employment and placemaking outcomes for the site to assist the preparation of a master plan. The guidelines apply to the area depicted in Figure 14 and include:

- 100 Christie Street, 655 and 657 Pacific Highway;
- Christie Street Reserve; and
- Sergeants Lane and a portion of Christie Street.



Figure 14:

Extract from
Christie Street
Masterplan
Guidelines

The Guidelines specify two options for the redevelopment of the subject area, with Option 1 providing for a 'tall building' on 100 Christie Street and Option 2 involving redistributing the bulk of the building mass from 100 Christie Street to 655-657 Pacific Highway. The Introduction to the Guidelines specifically state:

These guidelines also identify a separate option for a 'tall building' being accommodated on 100 Christie Street in line with the Study, should the amalgamation of the three sites not be possible. It should be emphasised that only one of these options may be pursued

Representatives of Combined Projects (St Leonards) Pty Ltd have met several times with the owners of 655-657 Pacific Highway in an effort to purchase the site, however, negotiations between the owners have been unsuccessful and so the owners of 100 Christie Street have proceeded with a planning proposal consistent with Option 1. The Masterplan Guidelines are clear that given negotiations have not succeeded that only a tower, being located on 100 Christie Street, is possible.

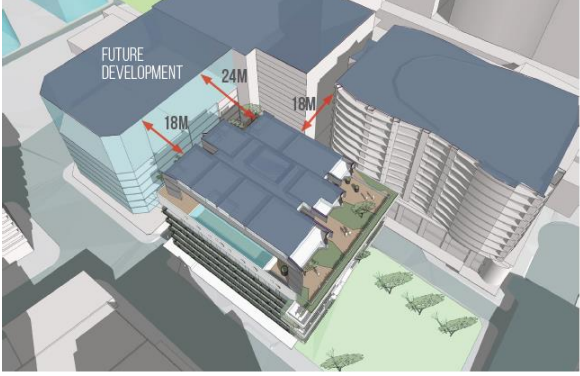

The following table summarises the planning proposal's consistency with Sections 3.0, 4.0 and 5.0 of the Guidelines.

Requirement	Comment	Consistent
3.0 Objectives and Design Requirements		
3.1 Placemaking Objective 1: Greater activity, better open space and fine-grained street and laneway frontages	Design Requirements: The concept design prepared by Turner Architects that accompanies the planning proposal demonstrates that future redevelopment is capable of accommodating high quality employment floor space that will contribute to the centre's identity as a creative business hub and provide much needed services for the growing business and residential community. The surrounding streets and laneways will be transformed into active, safe and engaging thoroughfares that prioritise	Yes

Requirement	Comment	Consistent
	<p>pedestrians over vehicles with fine-grained active frontages with outdoor dining to all surrounding streets and a new Christie Street Reserve which will become a destination for workers, residents and the public alike and will function as a natural extension to the existing public domain and street network. The ground floor plane surrounding the site is specifically designed to open up site lines around physical corners enhancing pedestrian movement and connectivity between the site, train station and the surrounding areas.</p> <p>Public Benefits:</p> <p>The planning proposal is accompanied by a draft voluntary planning agreement that provides for public benefits consistent with the placemaking design requirements and objectives, including:</p> <ul style="list-style-type: none"> • Delivery of new Christie Street Reserve in perpetuity, and • Delivery of two commercial floors to Council in perpetuity. 	
<p>3.2 Employment</p> <p>Objective 2: Development that capitalises on the community's knowledge, skills and creativity, with jobs closer to home</p>	<p>Design Requirements:</p> <p>The planning proposal includes the introduction of a non-residential floor space ratio of 4.25:1.</p> <p>The concept design prepared by Turner Architects that accompanies the planning proposal demonstrates floorplates that would be capable of accommodating land uses with a high job density and supporting small to medium sized enterprises, startups, coworking spaces, entertainment and specialty retail consistent with the design requirements. The proposal will include the dedication of 1 commercial floor to Council who will specifically make the floors available as a coworking space.</p>	Yes
<p>3.3 Access</p> <p>Objective 3: A place that prioritises walking, cycling and public transport with safer streets and no net increase in traffic generation</p>	<p>Design Requirements:</p> <p>The planning proposal will enable an increase in the number of dwellings that are conveniently located in relation to public transport, shops and services and given the sites superior access to public transport and services, will reduce dependency on private vehicles and encourage walking and cycling.</p> <p>The concept plan employs a ground floor plane surrounding the site that is specifically designed to open up site lines around physical corners enhancing pedestrian movement and connectivity between the site, train station and the surrounding areas.</p>	Yes

Requirement	Comment	Consistent
	<p>A dedicated taxi rank can be provided on Christie Street which will better meet the mobility needs of the community and help support less car dependent lifestyles.</p> <p>Access to the basement via The Forum has been found to be unachievable. As an alternative to reduce vehicle movements within Sergeants Lane the concept design allows for a break-through panel along the southern wall to allow future connection under Sergeants Lane to 655 Pacific Highway and this will be captured on title. This proposition will also create the opportunity to potentially convert the northern arm of Sergeants Lane into two way traffic and allow only pedestrian movement within the southern arm of Sergeants Lane in the future, which will be further investigated as part of the forthcoming Development Application.</p> <p>The Transport and Access Study prepared by Glenn Barker that accompanies the planning proposal finds that there will be no net increase in traffic generation associated with the redevelopment.</p> <p>Public Benefit:</p> <p>The planning proposal is accompanied by a draft voluntary planning agreement that provides for public benefits consistent with the access design requirements and objectives and includes a cash contribution towards off-site bike hub facilities.</p>	
<p>3.4 Built Form</p> <p>Objective 4: St Leonards transforms into a high amenity, mixed use centre</p>	<p>Design Requirements:</p> <p>The built form depicted in the concept design provides for a 30 storey residential tower above a 6 storey well proportioned and articulated podium. The residential tower is slender in design with a floorplate less than 650 square metres and is capable of being serviced by an adequate number of lifts.</p> <p>Ground Floor Setbacks</p> <p>The concept design demonstrates ground floor setbacks of:</p> <ul style="list-style-type: none"> • 3.5 metres from Christie Street (east) • 1.5m from the west • 3m from the south • 6m from the north <p>All ground floor setbacks meet or exceed those suggested by the Masterplan Guidelines.</p> <p>Podium Setbacks</p>	Yes, on merit

Requirement	Comment	Consistent
	<p>The concept design demonstrates podium level setbacks of:</p> <ul style="list-style-type: none"> • 0 metres from Christie Street (east) • 1.5m from the west • 1.5m from the south • 0m from the north <p>All podium setbacks meet or exceed those suggested by the Masterplan Guidelines.</p> <p>Tower Setbacks</p> <p>Separation distances in the Urban Design Report prepared by Turner Architects have been measured from the existing Forum building to the west as it is completely developed, and from the centreline of Sergeants Lane to the south to accommodate future development at 655-657 Pacific Highway. The Urban Design Analysis demonstrates that the proposed building envelope:</p> <ul style="list-style-type: none"> • Provides a compliant 24 metre separation from the tower of the Forum and an 18 metre separation from the lower levels of the Forum. An 18 metre separation is acceptable under the Apartment Design Guide where there is an interface between habitable and non-habitable windows and so any windows at the lower levels of the building where there is an 18 mere separation will need to either be non-habitable rooms or will need to achieve an equivalent of a non-habitable window (i.e. with screened or angled windows which preserve privacy). The proposed building envelope will also achieve a significant improvement for the lower levels of the adjacent Forum building because the existing effective 11 storey podium on the site will be replaced with a 6 storey podium. • Provides a compliant 9 metre separation from the centreline of Sergeants Lane to the south for a non-habitable façade and a compliant 12 metres separation from the centreline of Sergeants Lane to the south for habitable windows. The proposed building envelope therefore provides separation which is acceptable under the Apartment Design Guide from a future potential development on 655-657 Pacific Highway. 	

Requirement	Comment	Consistent
	 <p data-bbox="691 772 805 795">LOWER TOWER LEVEL</p>  <p data-bbox="691 1216 805 1238">UPPER TOWER LEVEL</p> <p data-bbox="691 1261 1273 1944">The Masterplan Guidelines also suggests an above podium setback of 3 metres from both Christie Street and Sergeants Lane and 6 metres from the Reserve. However, the Masterplan Guidelines do not specifically nominate the basis for these setbacks. The concept design provides a setback above podium of 2 metres from Christie Street, 2.295 metres from Sergeants Lane and 0 metres from the Reserve. Whilst some of these setbacks are less than suggested in the Masterplan Guidelines, it is noted that the site is isolated and not within a consistent streetscape of adjacent buildings and accordingly there is no established pattern of setbacks to which the design needs to adhere for consistency. Furthermore, a Pedestrian Wind Environment Statement supports the concept design and concludes that subject to implementation of its recommendations, the design of the concept and setbacks of the tower will not result in adverse wind impacts. Accordingly, the proposed setbacks of the tower are capable of support.</p>	

Requirement	Comment	Consistent
4.0 Concept Options		
<p>Option 1: Tall building on 100 Christie Street</p> <p>Option 1 shows the building envelope that incorporates the recommendations of the St Leonards / Crows Nest Precincts 2 & 3 Planning Study for a 'tall building' on 100 Christie Street. This option envisages a scenario where the three site owners do not collaborate on a single master plan.</p> <p>Pending the necessary studies, approvals outlined in the Study and public benefit outcomes, a maximum 30 storey residential tower over a 6 storey commercial podium may be able to be supported on 100 Christie Street.</p> <p>The majority of the tower achieves the minimum 24m tower separation. A minor proportion of the building supporting non-habitable rooms may be within the 6-9m above podium setback.</p> <p>This option is to be supported by the following public benefits:</p>	<p>Option 1 provides for a 'tall building' building envelope consistent with the St Leonards / Crows Nest Precincts Planning Study. The Guidelines suggest that pending the necessary studies and public benefit offerings a 30 storey residential tower over a 6 storey commercial podium may be able to be supported on 100 Christie Street.</p> <p>The Guidelines also suggests an alternative Option 2 with a 50 storey tower on 655-657 Pacific Highway to encourage amalgamation of the two sites. Despite efforts by the owner of 100 Christie Street to purchase 655-657 Pacific Highway, negotiations have failed and so the option of a tall building on 655-657 Pacific Highway is no longer possible.</p> <p>Accordingly, the planning proposal seeks to amend the height provisions of the NSLEP 2013 to provide for a 36 storey 'tall building' on the site consistent with Option 1 of the Guidelines. The concept design that accompanies the planning proposal details a 30 storey residential tower above a 6 storey podium containing ground floor retail and 5 floors of employment floor space above.</p> <p>A detailed analysis of the emerging context of the site and the specific design response demonstrates that a height of 36 storeys appropriate in this location. The site is located within the centre of the St Leonards CBD where the pinnacle of height should be provided with a tapering down of height away from the centre. This is a conventional urban design response to CBD skyline formation and typical examples are found throughout Sydney, with the planning controls for Chatswood CBD providing a particularly strong reference for this distribution of height within a CBD.</p> <p>An analysis of future building heights within the St Leonards CBD as illustrated in Figure 3 demonstrates that a height of 36 storeys is necessary on the subject site to achieve an appropriate skyline integration with other tall buildings such as 619 Pacific Highway as illustrated in Figure 9. The Urban Design Report prepared by Turner Architects demonstrates that this height does not result in any unreasonable adverse impacts with no significant overshadowing due to the particularly small floorplate of the building. Accordingly, as there are no adverse impacts and the height of 36 storeys is demonstrated to provide a comfortable and</p>	Yes, on merit

Requirement	Comment	Consistent
	<p>appropriate fit within St Leonards, the proposed height is considered to be capable of support.</p> <p>The planning proposal is accompanied by a draft voluntary planning agreement that includes:</p> <ul style="list-style-type: none"> • Upgrade of public domain of Christie Street, Chandos Street and Sergeants Lane, • Delivery of new Christie Street Reserve to Council in perpetuity, • Delivery of two commercial floors to Council in perpetuity, • Cash contribution towards off-site bike hub facilities. <p>The Guidelines also outline other key outcomes for Option 1 including:</p> <ul style="list-style-type: none"> • vehicle entry and basement design that enables shared basement access to 655 & 657 Pacific Highway; • 3m ground level setback for 2 storeys to the east/west portion of Sergeants Lane <p>The concept design provides for a break-through panel along the southern wall to allow future connection under Sergeants Lane to 655 Pacific Highway that will reduce vehicle movements within the lane.</p> <p>The proposal provides a 3 metre setback from the southern boundary and whilst this is for the ground level and not for 2 storeys, the concept plan demonstrates a particularly high ground floor to ceiling level and it is not considered necessary for the 3 metre setback to be provided for the first floor as well.</p>	
5.0 Impact Analysis		
5.1 Public Amenity and Services	<p>Pedestrian connectivity</p> <p>The concept design provides fine-grained active frontages to Christie Street and Sergeants Lane and will significantly improve pedestrian connections across the site through upgrades to the Reserve, Christie Street and Sergeants Lane and given the ground floor plane surrounding the site has been specifically designed to open up site lines around physical corners enhancing pedestrian movement and connectivity between the site, train station and the surrounding areas.</p> <p>The Transport and Access Study prepared by Glenn Barker that accompanies the planning proposal finds that the traffic generated by the development, including</p>	Yes

Requirement	Comment	Consistent
	<p>10 year growth projections, would not have an adverse impact on the lane.</p> <p>A dedicated taxi rank can be provide on Christie Street to better meet the mobility needs of the community and help support less car dependent lifestyles.</p> <p>Public domain and social infrastructure</p> <p>The planning proposal is accompanied by a draft voluntary planning agreement that includes a new Christie Street Reserve and the upgrade of all public domain areas surrounding the site and also provides for additional social infrastructure within the St Leonards centre including a financial contribution towards off-site bike hub facilities and the delivery of 1 commercial floor to Council which will be used for the purposes of a co-working space consistent with the Guidelines.</p> <p>The concept design that accompanies the planning proposal exhibits a high quality built form presentation to the reserve that will add to the culture and identity of the centre consistent with the Guidelines.</p>	
5.2 Built Form		
Activity	<p>The concept design provides fine-grained active frontages with outdoor dining to all surrounding streets and a new Christie Street Reserve which will become a destination for workers, residents and the public alike and will function as a natural extension to the existing public domain and street network.</p> <p>The ground floor plane surrounding the site is specifically designed to open up sight lines around physical corners enhancing pedestrian movement and connectivity between the site, train station and the surrounding areas.</p> <p>The planning proposal includes the introduction of a new non-residential floor space ratio provision to guarantee the provision of employment floorspace on the site. A non-residential floor space ratio of 4.25:1 will provide a minimum of 5,709 square metres of employment floorspace within the employment centre of St Leonards ensuring the redevelopment of the site is consistent with A Plan for Growing Sydney and North Sydney Council's plans to transform St Leonards into a modern and cosmopolitan mixed use centre that will provide for long-term employment growth.</p> <p>The concept design provides for 684 square metres of retail floor space at ground level and 1050 square</p>	Yes

Requirement	Comment	Consistent
Shadow impact	<p>metres of commercial floor space within each level of the podium, and would deliver a total of 5,709 square metres of modern employment floorspace.</p> <p>It is acknowledged that development of the site will overshadow development on the adjoining sites of 655-657 Pacific Highway and development to the south of the Pacific Highway within the Lane Cove local government area (including the proposed interchange). Detailed shadow assessment of the potential impacts of overshadowing has determined the maximum acceptable height on the site.</p> <p>This shadow analysis is provided within the Urban Design Report that accompanies the planning proposal which demonstrates that shadow cast from the building envelope at hourly intervals between 9am and 2pm.</p> <p>The analysis demonstrates that the proposed interchange in the Lane Cove local government area would be partially affected by the shadow from the development between 9am and 11.30am in mid-winter, however, would be completely clear of shadow during the critical hours of 12pm-2pm on 21 June. The interchange will continue to receive good levels of solar access at all times throughout the day.</p> <p>In addition the shadow to the proposed residential buildings at 88 Christie Street is limited to a period of approximately 1 hour and does not prevent the northern facades of these buildings from enjoying more than 2 hours solar access on 21 June. Likewise, the shadow to a future building at 619 Pacific Highway only occurs from 2pm onwards and does not prevent the northern facade of a future building from enjoying more than 2 hours solar access on 21 June.</p> <p>It is noted that any tower of the subject site, irrespective of final height, will result in substantial shadow to 655-657 Pacific Highway due to the close proximity between the two sites. It is understood that Council has acknowledged this in the Masterplan Guidelines in their position that only one tower is possible, either on 655-657 Pacific Highway in the event of amalgamation or on 100 Christie Street. As negotiations have failed, a tower is proposed on 100 Christie Street consistent with the Masterplan Guidelines and the shadow cast over 655-657 Pacific Highway is acceptable as that site is zoned only for commercial purposes.</p>	Yes

Requirement	Comment	Consistent
Skyline integration	<p>The Urban Design Report prepared by Turner Architects provides an analysis of the impact of a building 137 metres in height (RL 210) as sought under the planning proposal's amendments to the NSLEP 2013 on the St Leonards skyline. The analysis finds that this is a comfortable and commensurate height with other tall buildings proposed within St Leonards and is appropriate having regard to the location of the site within the centre of St Leonards, being immediately adjacent to the train station. The site is well placed to support a tower of this scale and a reduction in height would result in a disparity in hierarchy of height within the centre contrary to the conventional urban design principle of locating the pinnacle of height in the centre of a CBD, with height tapering away to the edges of the centre.</p> <p>The planning proposal is accompanied by an Airspace Assessment prepared by Thompson GCS which finds that a building built to a maximum RL of 210.0 AHD on the site will not pose any aviation safety concerns. This RL was chosen to ensure that a crane can be safely erected during construction above the maximum building height.</p>	Yes
Privacy and visual impact	<p>An analysis of the impact of a 137 metre high development at 100 Christie Street on the views obtained from The Forum is provided within the Urban Design Report prepared by Turner Architects. The analysis demonstrates that a tower at 100 Christie Street would allow for the retention of the majority of views from The Forum toward the south east of Sydney Harbour and the Sydney CBD skyline (other than the views obstructed by a new building at 88 Christie Street). Comparatively, a tall building on the neighbouring sites of 655-657 Pacific Highway would have a significant adverse impact on these views.</p> <p>The building envelope shown within the concept design that accompanies the planning proposal demonstrates levels of separation provided to The Forum are sufficient to protect both privacy and light spill.</p> <p>Importantly the guidelines identify that a tall building on 100 Christie Street would be less prominent from the street, compared with a tall building at 655-657 Pacific Highway.</p>	Yes

Is the planning proposal consistent with applicable state environmental planning policies?

The planning proposal is consistent with the all relevant State Environmental Planning Policies as summarised in the following table:

SEPP	Comment	Consistent
Sydney Regional Environmental Plan – (Sydney Harbour Catchment) 2005 (Deemed SEPP)	<p>SREP (Sydney Harbour Catchment) provides aims and controls to protect the values of the Sydney Harbour and provides general aims for all sites within the Sydney Harbour Catchment as well as specific planning provisions relating to the foreshore and waterways area as identified under the SREP. The subject site is not included within the foreshores and waterways area.</p> <p>The future redevelopment of the site in a manner consistent with the planning proposal would be capable of complying with the stated aims of SREP (Sydney Harbour Catchment). Detailed compliance with the SREP will be demonstrated at the time of making an application for development.</p>	Yes
State Environmental Planning Policy – (Infrastructure) 2007	<p>The aim of SEPP Infrastructure is to facilitate the effective delivery of infrastructure across the State.</p> <p>The future redevelopment of the site in a manner consistent with the planning proposal would be capable of complying with the relevant sections of SEPP Infrastructure including the requirements relating to sites in close proximity to rail corridors and busy roads. Detailed compliance with SEPP Infrastructure will be demonstrated at the time of making an application for development.</p>	Yes
State Environmental Planning Policy No 55 – Remediation of Land	<p>When carrying out planning functions under the Act (including undertaking LEP amendments), SEPP 55 requires that a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination.</p> <p>The site has not been the subject of environmental site assessment in regards to potential contamination. Detailed compliance with SEPP 55 will be demonstrated at the time of making an application for development.</p>	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	<p>The aim of SEPP BASIX is to encourage sustainable residential development.</p> <p>The future redevelopment of the site in a manner consistent with the planning proposal would be capable of complying with BASIX. Detailed compliance with BASIX will be demonstrated at the time of making an application for development.</p>	Yes
State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development	<p>SEPP 65 aims to improve the design quality of residential flat developments, provide sustainable housing in social and environmental terms that is a long-term asset to the community and delivers better built form outcomes.</p>	Yes

SEPP	Comment	Consistent
	The future redevelopment of the site in a manner consistent with the planning proposal would be capable of complying with SEPP 65. Detailed compliance with SEPP 65 will be demonstrated at the time of making an application for development.	
SEPP 19 - Bushland in urban areas	Not applicable.	N/A
SEPP 32 - Urban consolidation	Repealed.	N/A
SEPP 33 -Hazardous and offensive development	Not applicable as the proposal is not for hazardous or offensive development	N/A
SEPP 50 - Canal estate development	Not applicable as the proposal will not involve canal estate development.	N/A
SEPP 64 - Advertising and signage	Not applicable to the Planning Proposal. Any future development application which includes signage will need to address this SEPP.	N/A
SEPP (Exempt and Complying Development Codes) 2008	Not applicable to the Planning Proposal as it does not contain provisions that will contradict or would hinder application of this SEPP. Following development consent, this SEPP may be able to be relied upon for non-residential components within the building.	N/A
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable to the Planning Proposal. Any future development application which housing for seniors or people with a disability will need to address this SEPP	N/A
SEPP (Major Development) 2005	Not applicable to the Planning Proposal as it does not contain provisions that will contradict or would hinder application of this SEPP	N/A
SEPP (Mining, Petroleum production and Extractive Industries) 2007	Not applicable to the Planning Proposal which does not relate to extractive industries and also does not contain provisions that will contradict or would hinder application of this SEPP.	N/A
SEPP (Miscellaneous consent provisions) 2007	Not applicable to the Planning Proposal as it does not contain provisions that will contradict or would hinder application of this SEPP.	N/A
SEPP (State and Regional Development) 2011	Not applicable to the Planning Proposal as it does not contain provisions that will contradict or would hinder application of this SEPP. A future development application will likely exceed the \$20M threshold in the SEPP and will therefore be considered by a Sydney Planning Panel.	N/A

Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table summarises the planning proposal's consistency with applicable Ministerial Directions:

S.117 Direction No. and Title	Comment	Consistent
Employment and Resources		
1.1 Business and Industrial zones	<p>The objectives of this direction are to:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified strategic centres.</p> <p>The direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p> <p>The planning proposal is consistent with the direction in that it will:</p> <ul style="list-style-type: none"> Allow for the urban renewal of an important site within the strategic centre of St Leonards that will deliver a significant quantum of high quality employment floor space and housing choice within excellent proximity to public transport, services and will deliver significant public benefits and will transform St Leonards into a modern mixed use centre and in doing so remedy a number of identified constraints within the centre, including vehicle and pedestrian conflict and poor connectivity. Increase the floor space area of employment generating uses and related public services in a business zone on the subject site when compared to that which can be provided on the site under Development Consent No. 77/13. To be clear, the Planning Proposal will not reduce the total potential floor space area for employment uses compared to the current consent. Furthermore, the redevelopment of the site will provide the capacity for increased employment density within the new employment floor area. Have no impact on the floor space of any industrial zone, and Be consistent with A Plan for Growing Sydney and Draft North District Plan the NSW Government's strategies to guide Sydney's growth and development over a 20 year period. 	Yes
Housing, Infrastructure and Urban Development		
3.1 Residential zones	The Planning Proposal is consistent with the objectives of the direction because it will improve the choice, accessibility and distribution of housing stock. It will also help reduce the development of land on the urban fringe.	Yes
3.4 Integrating land use and transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:	Yes

S.117 Direction No. and Title	Comment	Consistent
	<p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p> <p>The direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>In accordance with this direction a planning proposal must be consistent with the aims, objectives and principles of "Improving Transport Choice" and "The Right Place for Business and Services" prepared by DUAP.</p> <p>The planning proposal is consistent with these documents in providing opportunity for development of additional dwellings and employment generating uses within an existing centre which is extremely well served by public transport services.</p>	
3.5 Development near licensed aerodromes	Not applicable.	N/A
Local Plan Making		
6.2 Reserving Land for Public Purposes	<p>The objectives of this direction are:</p> <p>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>The direction applies when a relevant planning authority prepares a planning proposal that will create, alter or reduce existing zonings or reservations of land for public purposes.</p> <p>The planning proposal seeks to alter the RE1 zone boundary associated with the Christie Street Reserve to provide for a rectangular site for the reserve which is 1070 square metres in area consistent with the Christie Street Master Plan Guidelines. The boundary between the northern and southern portions of the site is currently highly irregular and representative of the boundary between the two existing allotments. This irregular boundary is reflected in the zoning of the site. Realignment of the zone boundary is necessary to allow for the redevelopment of the site</p>	Yes

S.117 Direction No. and Title	Comment	Consistent
	consistent with the Christie Street Master Plan Guidelines and maintains the same size for the Reserve.	
6.3 Site Specific Provisions	<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. The direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.</p> <p>The planning proposal includes additional clauses to the NSLEP 2013 to allow for development for the purpose of a car park associated with the development beneath 50% of the Christie Street Reserve and a shop top housing development on the southern portion of the site (combined with a mixed use development).</p> <p>The Christie Street Reserve is located on the northern portion of the subject site. The Urban Design Report by Turner Architects that accompanies the application demonstrates that extending the basement car park located on the southern portion of the site northward beneath part of the Christie Street Reserve will significantly improve the functionality of the car park by minimising conflict between service vehicles and other occupant vehicles. The Landscape Package prepared by Scott Carver demonstrates that the location of the basement under 50% of the Reserve will not compromise the performance of the Reserve.</p> <p>The planning proposal has already demonstrated why the insertion of a new clause allowing for development for the purpose of a shop top housing development on the southern portion of the site is the preferred means of permitting residential accommodation on the site.</p> <p>The planning proposal is therefore capable of support in this regard.</p>	Yes
Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney	<p>In accordance with this direction planning proposals shall be consistent with the NSW Government's A Plan for Growing Sydney published in December 2014. As already discussed, the planning proposal is consistent with the relevant provisions of A Plan for Growing Sydney as it will allow for the redevelopment of the site consistent with the Governments vision for Sydney. The planning proposal will:</p> <ul style="list-style-type: none"> • Provide for the expansion of the Global Economic Corridor by expanding employment opportunities and mixed use activities within the key identified centre of St Leonards through the delivery of 5,709 square metres of high quality employment floor space. • Provide for additional housing choice in a well serviced location. 	Yes

S.117 Direction No. and Title	Comment	Consistent
	<ul style="list-style-type: none"> Provide for urban renewal in an established area that will create a vibrant cosmopolitan culture within the strategic centre of St Leonards through the delivery of quality public spaces. <p>The planning proposal has already demonstrated consistency with the relevant directions and actions of A Plan for Growing Sydney.</p>	

5.4.3 Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No threatened species, populations or ecological communities have been observed on the site. It is unlikely due to the urban context, history of the site and the surrounding area that there are any threatened species populations or communities that are at the limit of their known distribution with regard to this site. It is not anticipated that the future redevelopment of the site will have any adverse ecological impacts.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The site is not affected by any known natural hazards such as flooding, land slip or bushfire.

The site has not recently been the subject of environmental site assessment in regards to potential contamination.

Detailed shadow assessment of the potential impacts of overshadowing has determined the maximum acceptable height on the site. The affected properties will be protected from any unacceptable overshadowing as a result of the proposed amendment to the maximum height control. This shadow analysis is provided within the Urban Design Report that accompanies the planning proposal and demonstrates that the proposal will not result in an unacceptable shadow impact.

The Urban Design Report that accompanies the planning proposal also examines the impact of the proposed amendment to the maximum height control on views from The Forum and the visual impact including the impact on the skyline. The planning proposal will facilitate the future redevelopment of the site in a manner that will make a positive contribution to the public domain, fit harmoniously within the surrounding context and skyline and also have a reasonable impact on views to the south east from The Forum.

The planning proposal is accompanied by an Airspace Assessment prepared by Thompson GCS which finds that a building built to a maximum RL of 210.0 AHD on the site will not pose any aviation safety concerns.

The planning proposal is accompanied by a Pedestrian Wind Environment Statement prepared by Windtech which makes a number of recommendations to ensure that any future development on the site incorporates wind mitigating measures to ensure that occupants of the development and surrounding public domain areas are not unreasonably effected by wind.

The planning proposal is accompanied by a Transport and Access Study prepared by Glenn Barker which finds the proposal will not result in any discernible change in traffic impacts compared to the existing situation on the site.

There are no hazards that impact the site or environmental effects resulting from the future redevelopment of the site that would preclude consideration of the Planning Proposal.

[Has the planning proposal adequately addressed any social and economic effects?](#)

The introduction of a non-residential floorspace ratio provision applicable to the part of the site zoned B3 Commercial Core will provide a positive economic impact as it will facilitate the erection of a mixed use development which will be an employment generator in the future and will also result in an increased residential population which will contribute to the economic success of surrounding retail and business activities. The planning proposal is accompanied by an Employment Study prepared by Peter Leyshon which finds that the proposed redevelopment of the site will result in a marginal increase in employment density compared to the maximum capacity of the existing building on the site.

The concept design that accompanies the planning proposal demonstrates that the amendments sought under the planning proposal would result in a building envelope that is comfortably able to accommodate 239 dwellings. The planning proposal will enable an increase in the number of dwellings that are conveniently located in relation to public transport, shops and services and given the sites superior access to public transport and services, will reduce dependency on private vehicles. In addition, the proposal seeks to provide an increased density of development on the site which will assist in improving housing affordability through the greater supply of housing.

The planning proposal will facilitate the future redevelopment of the site that will have positive social impacts in terms of urban renewal in an established area that will create a vibrant cosmopolitan culture within the centre of St Leonards through the delivery of quality public spaces including a new Christie Street Reserve.

The amendments sought under the planning proposal will have no unreasonable effects on items or places of European or Aboriginal cultural heritage. The site is not an identified heritage item, is not located within a heritage conservation area and is not known to contain any Aboriginal relics or artefacts. 1-9 Chandos Street (an identified local heritage item) is located on the south eastern corner of the intersection of Christie Street and Chandos Street and contains a 13 storey commercial building. 1-9 Chandos Street is located opposite the Christie Street Reserve and given the future building on the subject site will be located on the southern portion of the site there will be ample separation to ensure there are no unreasonable effects on the significance of the heritage item.

5.4.4 State and Commonwealth Interests

[Is there adequate public infrastructure for the planning proposal?](#)

The introduction of residential accommodation on the site will place additional demand on existing infrastructure, however this would be offset in part by the significant public benefits detailed within the Draft Voluntary Planning Agreement that accompanies the application.

The NSW Department of Planning and Environment is currently undertaking a strategic planning investigation with Lane Cove, North Sydney and Willoughby City Councils of the St Leonards and Crows Nest Station Precinct. The investigation is occurring as a new metro station is proposed at Crows Nest

and given St Leonards is identified as a Strategic Centre within A Plan for Growing Sydney. The investigation will respond to the actions identified in A Plan for Growing Sydney and include ways to maintain employment in the area, provide new homes, shops, cafes and open space and maximise access to public transport. The investigation will also identify infrastructure need to support the area into the future, including improvements to transport, the road network, open space and social infrastructure including community and education facilities.

NSW Department of Planning and Environment have advised that a Special Infrastructure Contribution will be considered as a potential option to fund new infrastructure. It is acknowledged that a Special Infrastructure Contribution may be required in the final instrument.

[What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?](#)

Relevant public authorities will be consulted following the Gateway determination.

5.5 Part 4: Mapping

The Planning Proposal will require the amendment of the following North Sydney Local Environmental Plan 2013 maps:

- Amend the 'Land Zoning Map', 'Height of Buildings Map', 'Non-residential Floor Space Ratio Map' and 'Floor Space Ratio Map' in relation to the boundary between the northern and southern portions of the site to create:
 - a rectangular site which maintains the area of 1,343 square metres for the southern end of the site which is to remain zoned as B3 Commercial Core
 - a rectangular site which maintains the area of 1,071 square metres for the northern end of the site which is to remain zoned as RE1 Public Recreation
- Amend the 'Height of Buildings Map' to allow a maximum building height of 137 metres on the southern portion of the site.
- Amend the 'Non-residential Floor Space Ratio Map' to allow a minimum non-residential floor space ratio of 4.25:1 on the southern portion of the site which is zoned B3 Commercial Core
- Amend the 'Floor Space Ratio Map' to provide a maximum space ratio of 18:1 on the southern portion of the site which is zoned B3 Commercial Core

These maps are provided as Appendix A and also reproduced below:

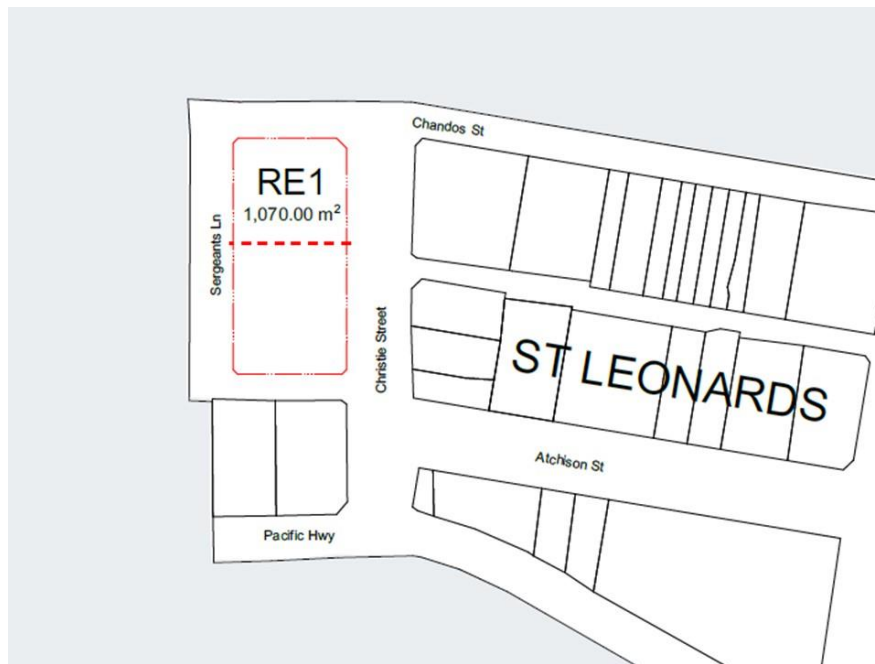


Figure 15:

Proposed new
land application
map

Figure 16:

Proposed new
zoning map



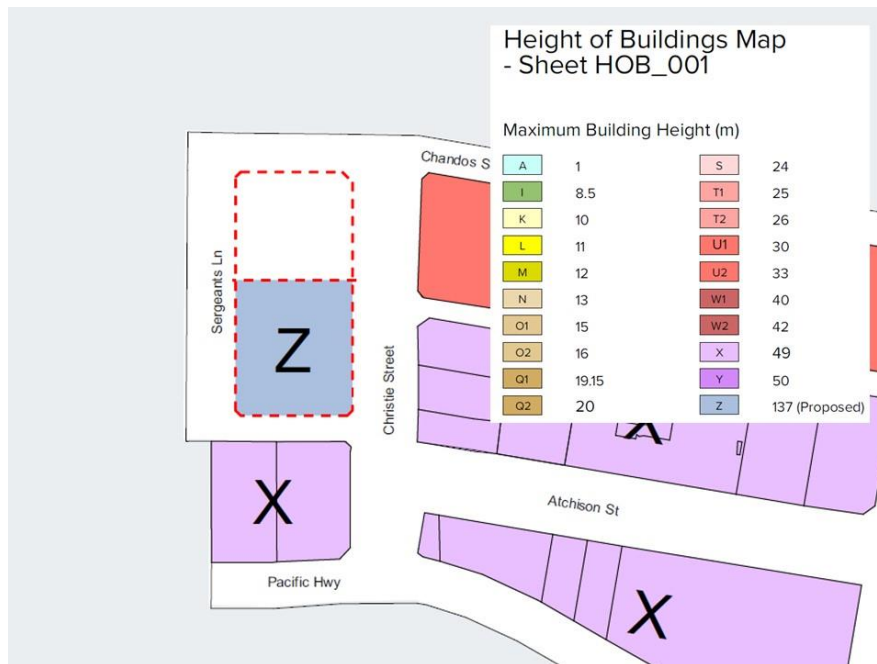


Figure 17:

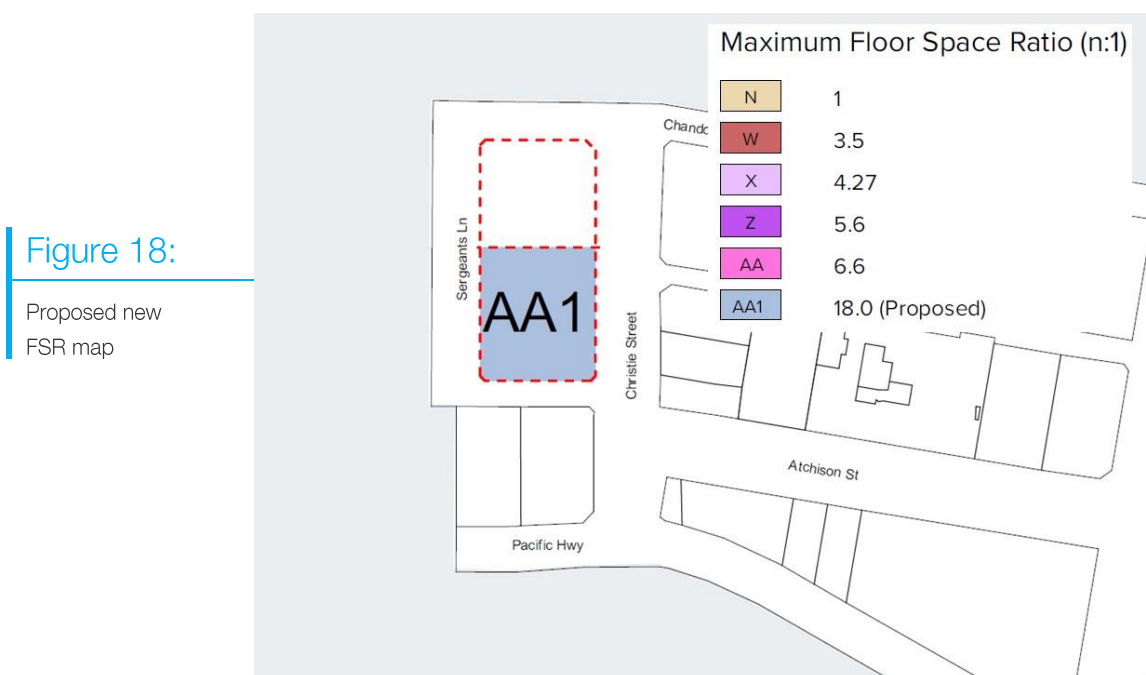
Proposed new
height map

Figure 18:

Proposed new
FSR map

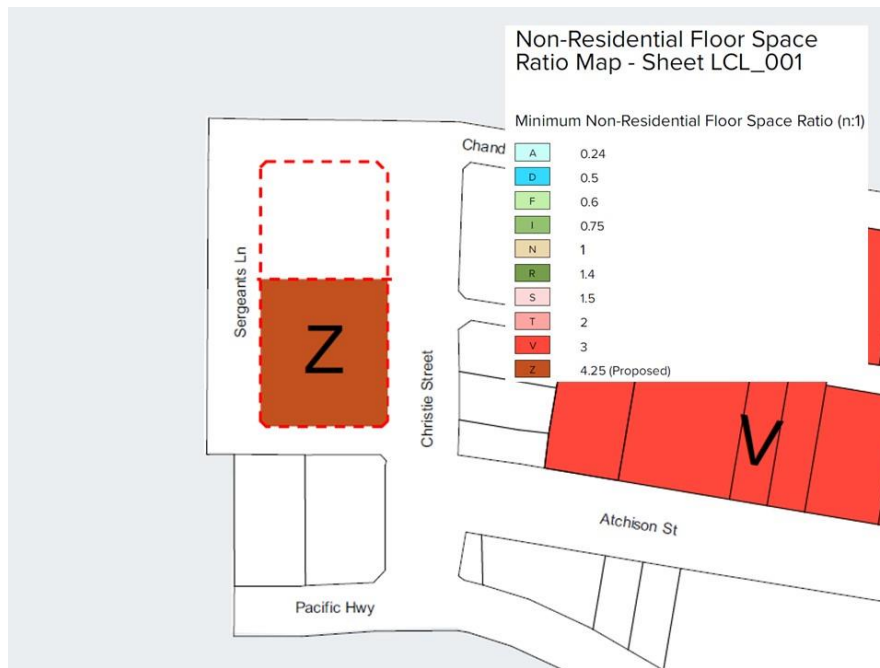


Figure 19:

Proposed new
Non-Residential
FSR map

5.6 Part 5: Community Consultation

'A guide to preparing local environmental plans' produced by the NSW Department of Planning and Environment sets out the community consultation requirements for planning proposals.

The guide indicates that consultation will be tailored to specific proposals. The exhibition for low impact planning proposals will generally be 14 days and all other planning proposals will be 28 days.

A low impact planning proposal is described as a planning proposal that, in the opinion of the person making the gateway determination is consistent with the pattern of surrounding land use zones and/or land uses; is consistent with the strategic planning framework; presents no issues with regard to infrastructure servicing; is not a principal LEP; and does not reclassify public land.

This report demonstrates the planning proposal meets the criteria for a low impact planning proposal. Accordingly, the public exhibition period should be 14 days.

Community consultation to be commenced by giving notice of the public exhibition of the planning proposal in a local newspaper, on the North Sydney Council website and in writing to adjoining landowners.

The written notice of the planning proposal will:

- give a brief description of the objectives or intended outcomes of the planning proposal
- indicate the land affected by the planning proposal
- state where and when the planning proposal can be inspected
- give the name and address of the relevant planning authority (North Sydney Council) for the receipt of submissions
- indicate the last date for submissions
- confirm whether delegation for making the LEP has been issued to the relevant planning authority.

5.7 Part 6: Project Timeline

The project timeline will be determined by North Sydney Council.

6.0 CONCLUSION

The planning proposal has demonstrated that strict application of the current B3 Commercial Core zone and 49 metre height control within the North Sydney Local Environmental Plan 2013 would not deliver the redevelopment of the site consistent with A Plan for Growing Sydney, Draft North District Plan, St Leonards Crows Nest Planning Study and the Christie Street Master Plan Guidelines.

The current zone and height controls in the North Sydney Local Environmental Plan 2013 which apply to the site therefore unreasonably constrain the appropriate development of the site and the growth of St Leonards into a vibrant mixed use centre.

A detailed Urban Resign Report prepared by Turner Architects accompanies the planning proposal which has examined the constraints and opportunities of the site, in order to deliver a more appropriate density of development commensurate with the capacity identified under the Christie Street Master Plan Guidelines and with a built form which remains compatible with the emerging scale and character of the centre.

The amendments sought with the planning proposal including the introduction of a total and non-residential floor space ratio, site specific provisions to allow a car park beneath 50% of the Christie Street Reserve and development for the purposes of a residential flat building and mixed use development on the southern portion of the site as well as an increase in the maximum permissible building height to 137 metres will provide for the future redevelopment of the site in a manner that will transform St Leonards into a vibrant, safe and active mixed use centre consistent with the relevant strategic planning policies and will deliver substantial public benefits in accordance with the Christie Street Master Plan Guidelines.

For the reasons outlined above it is appropriate for North Sydney Council, as the relevant planning authority, to support the planning proposal.

SUTHERLAND & ASSOCIATES PLANNING

APPENDIX A

Turner Architects

AMENDED PLANNING MAPS

A

APPENDIX B

Daw & Walton Consulting Surveyors

SURVEY

B

APPENDIX C

Turner Architects

URBAN DESIGN REPORT

C

SUTHERLAND & ASSOCIATES PLANNING

APPENDIX D

LANDSCAPE CONCEPT DESIGN

D

Scott Carver

APPENDIX E

Thompson GCS

AIRSPACE ASSESSMENT

E

SUTHERLAND & ASSOCIATES PLANNING

APPENDIX F

Windtech

PEDESTRIAN WIND ENVIRONMENTAL
STATEMENT

F

APPENDIX G

Leyshon Consulting

EMPLOYMENT STUDY

G

APPENDIX H

Barker Ryan Stewart

TRANSPORT AND ACCESS STUDY

H

APPENDIX I

Barker Ryan Stewart

DRAFT TRAVEL PLAN

APPENDIX J

Combined Projects (St Leonards) Pty Ltd

DRAFT VOLUNTARY PLANNING AGREEMENT

J

SUTHERLAND & ASSOCIATES PLANNING

APPENDIX K

Daw & Walton Consulting Surveyors

DRAFT BOUNDARY ADJUSTMENT

K

SUTHERLAND & ASSOCIATES PLANNING

APPENDIX L

JHA

VERTICAL TRANSPORTATION SERVICES
REPORT

L