

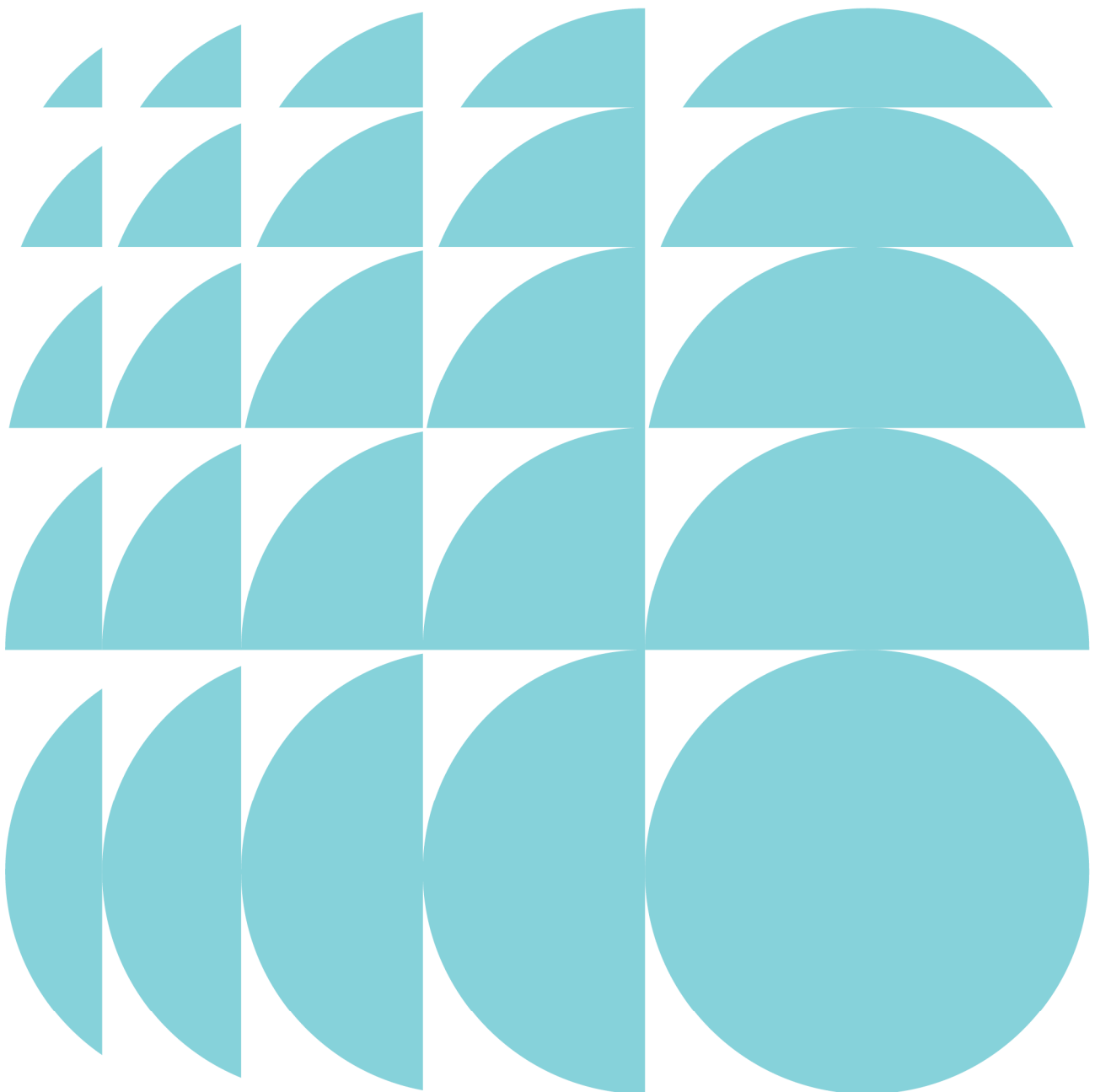
Planning Proposal

46 Nicholson Street, St Leonards

Amendments to the Lane Cove Local
Environmental Plan 2009

Submitted to Lane Cove Council
On behalf of Jemalong Property Group

16 July 2020 | 2200245



CONTACT

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1.0 Introduction

This Planning Proposal is submitted to Lane Cove Council (**Council**) on behalf of Jemalong Property Group (**Jemalong**) to request amendments to the *Lane Cove Local Environmental Plan 2009 (Lane Cove LEP)* relating to land at 46 Nicholson Street, St Leonards (**the site**)).

The site is occupied by a number of commercial buildings that are reaching the end of their economic lifespan, are in poor repair and in some cases unusable. The eight lots have been consolidated under single landholding ownership, presenting a significant opportunity to revitalise building stock belonging to a collection of small lots and strata ownership that would ordinarily be difficult to revitalise.

Historically, delivery of commercial development has been unviable in St Leonards which has resulted in a number of residential proposals being introduced to the St Leonards south CBD to ensure development viability. This Planning Proposal seeks to take advantage of a short window of opportunity in the commercial market that makes St Leonards a cost-effective location if a suitable scale is achieved.

At the core of this proposal and the tenant demand is the opportunity for Jemalong to deliver an innovative and as far as possible green outcome. Jemalong, is a 100% subsidiary of Twynam Investments which is committed to a decarbonisation investment philosophy. Twynam currently invests in six investment verticals, including Green Building technology and decarbonisation. One of these such technologies is the potential for the cladding of the building to provide solar energy to the grid or to its tenants. Twynam has a history of investing in innovative solutions and will investigate the potential technologies via its network and its long standing association with Vast Solar to investigate the potential for such technology.

Jemalong believe the site can now support a boutique A-Grade, 6-star Green star building with enough total leasable area, and large enough floorplate size to attract a blue chip back office or a corporate headquarters tenant to St Leonards.

It is proposed to redevelop the site with a 32-storey commercial scheme with approximately 38,000sqm of commercial floor space. The site is subject to the Lane Cove LEP. In order to facilitate the proposed scheme, this Planning Proposal seeks to:

- Increase the maximum floor space ratio from 4.5:1 to 16.45:1; and
- Introduce a solar height plane control to Newlands Park to control building height for the site.

Lane Cove has consistently worked to retain the commercial core within the St Leonards centre and the proposal responds to the strategic planning framework established by the State and Council for St Leonards. It provides additional employment generating floor space where commercial uses are proposed to be protected and grown. The proposal is at an intensity commensurate with the capacity of the site and withing proximity to the planned rail and metro infrastructure. An image of an indicative form which could be delivered by the proposed controls is provided in **Figure 1**.

The proposal will also provide a significantly improved public domain outcome for the site and broader precinct by virtue of an activated through-site link and new public domain at the corner of Nicholson Street and Christie Street which will contribute to street activation and pedestrian permeability.

The proposal will also respond to the emerging post COVID-19 changes to health and work practices and the need for more accessible workplaces in locations close to residential neighbourhoods (see **Section 1.1.3**). The proposal will be an ideal model to suit future commercial requirements by providing modern facilities in a CBD fringe location bringing the office closer to homes on the lower north shore. This approach balances the social benefits of being physically co-located with the efficiency of proximity to home.

As required by Section 3.33 of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*, this Planning Proposal includes:

- 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 provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1 of the EP&A Act); and
- Details of community consultation.

This Planning Proposal describes the site, the proposed amendments to the Lane Cove LEP and provides an environmental assessment of the proposed height and FSR controls, building envelope and indicative built form. The report should be read in conjunction with the Urban Design Study prepared by Woods Bagot (**Appendix A**) and specialist consultant reports appended to this proposal (refer Table of Contents).

This Planning Proposal has also been prepared having regard to 'A guide to preparing planning proposals' published by the Department of Planning, Industry and Environment (**DPIE**).



Figure 1 – Photomontage of the indicative built form

Source: Woods Bagot

1.1 Background

1.1.1 Vision

Jemalong recognises the important role that St Leonards plays as a Strategic Centre within Global Sydney. The vision is to deliver a premium, A-grade commercial project which will strengthen St Leonards as a centre for economic and cultural activity. The project will deliver on the objective of growing employment capacity of St Leonards through alignment with the goals and objectives of Council and the State.

This Planning Proposal establishes the planning framework to deliver on this vision for a premium, A-grade leading commercial development, which will:

- reinforce St Leonards as a Strategic Centre for business and investment within Central Sydney by delivering a new A Grade, environmentally sustainable office tower, and providing market-based A grade commercial floor space, and supporting significant employment growth;
- create a next generation workplace environment that realises the opportunities that are emerging in future work practice, wellbeing and sustainability, communication and digital technologies, and security;
- provide a high-quality destination at ground level, by leveraging off the corner position and length of frontage of the site to provide a completely new and invigorated street level outcome, supporting fine-grain activation and permeability;
- be of the highest standard of architectural, urban and landscape design, and provide a recognisable and high-quality contribution to the St Leonards skyline, reinforcing the role of St Leonards as a Strategic Centre; and
- provide sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in St Leonards.

In particular, the proposal supports the ongoing growth of employment floor space in the St Leonards Core in proximity to and along the Pacific Highway and between St Leonards Station and the future Sydney Metro Station at Crows Nest.

1.1.2 Modern Tenant Requirements

Tenant demands and requirements within the commercial office market are continually evolving. In recent times, there has been a move towards more open plan, flexible spaces that provide collaborative workspaces, seamless integration with technology and sustainable initiatives.

Beyond requiring more efficient and flexible workspaces, occupiers also increasingly demand access to premium building services, sustainability initiatives and employee wellness benefits. This includes, but is not limited to, offerings such as end of trip facilities, retail amenities and concierge services. Tenants are also more socially responsible, commonly preferring to occupy office spaces that support sustainable practises including 6 Star Green Star and NABERS ratings.

In addition to the above, another focus for modern tenants is the ability to create a 'central hub' for the business. Tenants seek the ability to provide a critical mass of space and facilities that embody the company's brand and culture which can be used to attract and retain the best talent and staff for their business. Often this results in the desire for large floorplates over contiguous levels, often with private tenant access between levels. This is particularly common in fringe and suburban office markets where the focus for tenants is on creating 'campus' style facilities.

Each of these requirements and trends is placing pressure on older or secondary grade office buildings, as tenants increasingly seek higher quality spaces when given the opportunity. The proposal seeks to deliver a boutique A-Grade, 6 star Green star building that will meet modern tenant requirements in a way that is not provided for in St Leonards currently. To that end, Timber of Timber hybrid construction methodology is being explored by Woods Bagot that will ensure the building is market leading in sustainability and will deliver memorable workspaces that inspire creativity as outlined at **Section 4.3**.

1.1.3 Changing Nature of Workplaces

Tenant requirements in the post-COVID-19 environment remain uncertain. However, several trends are unlikely to change including the importance of technology enabled workspaces and the ability to provide a safe and healthy work environment, which remain more important than ever in the post-COVID world.

The current global pandemic has had a significant impact and transformation on commercial office working environments. COVID-19 has resulted in the necessity to work from home, particularly during the height of the pandemic with impacts to commercial office market demand. The result of COVID-19 will mean that the way businesses and office tenants use their space will continue to evolve. In response to the pandemic, commercial office buildings will play a central role in the recovery and enhance opportunities to improve the way we work in a safe environment.

While many organisations will move forward with more flexible strategies than before they will continue to believe in the importance of the office for valuable social interaction as well as being able to collaborate and ideate face to face. In response to COVID-19, working life instantly shifted from our offices and co-working to working from home. While this trend has been on the rise over recent years the immediate mass shift exposed the benefits (and challenges) to a far wider range of us than ever before.

The experience will lead to significant change in work habits and expectations. The work from home experience will see home forming an extension of the work more so than ever. It is anticipated there will be reduced desire to use public transport and be among large groups of people for longer commutes and there will be a focus on smaller satellite, community based, offices. These offices will be closer to people's homes making significant impact on the 'time' challenges of the old working models and supporting people to 'live and work locally' in tribes.

With most people working from their local community nodes the central HQ office becomes smaller and would bring people together as required, from their community nodes (see **Figure 2**).

The proposal will be an ideal model to suit future commercial requirements by providing modern facilities in a CBD fringe location bringing the office closer to homes on the lower north shore. This approach balances the social benefits of being physically co-located with the efficiency of proximity to home.

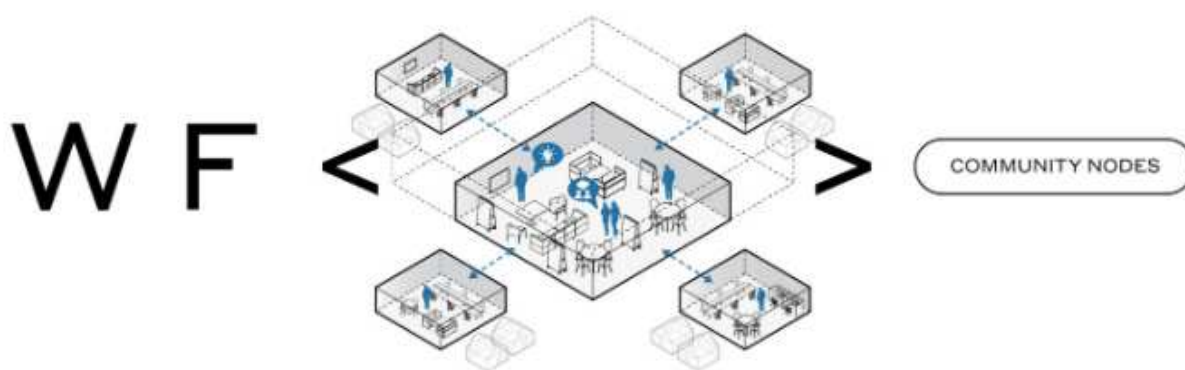


Figure 2 Community Node Decentralised HQ Model

Source: Woods Bagot

1.2 The changing nature of St Leonards

This Planning Proposal has been prepared in the context of significant strategic planning change and an evolving development landscape, both within and around the St Leonards Centre. Over the past few years, a number of planning proposals have been progressed in St Leonards. At the same time, the DPIE has been progressing strategic investigations into the rezoning of the St Leonards and Crows Nest precincts.

With the release of the Draft 2036 Plan in October 2018, Gateway approval for multiple planning proposals, and the commencement of construction of several major developments, St Leonards has clearly reached a turning point, and is well on its way to becoming a vibrant, high-density mixed-use precinct.

St Leonards and Crows Nest 2036 Plan

The increased densities in the St Leonards precinct are consistent with the strategic planning framework of the Strategic Centre and the enhanced accessibility provided by the Sydney Metro rail project. This \$11bn State Government investment will see a new rapid transit station built in Crows Nest, located within 300m of the site, providing automated, fast and frequent transport to the CBD (via a second Harbour crossing) as well as key employment destinations at North Sydney CBD and Macquarie Park.

The significance of St Leonards has been recognised by DPIE, who have been undertaking investigations into the future land use of the St Leonards precinct for the several years. This process has culminated in the release of the Draft St Leonards and Crows Nest 2036 Plan, which sets out both a vision and a strategic framework to guide a future council-led rezoning of the area.

The Draft 2036 Plan presents a vision for the high-rise future of St Leonards and Crows Nest. Leveraging government investment in the new metro station at Crows Nest, the Plan envisages towers along the Pacific Highway between St Leonards Station and Crows Nest Station, with heights tapering down to surrounding areas. Coupled with this density strategy is a placemaking and landscape vision, which seeks to retain the most important components of the existing character, while creating new and expanded open spaces to support population growth.

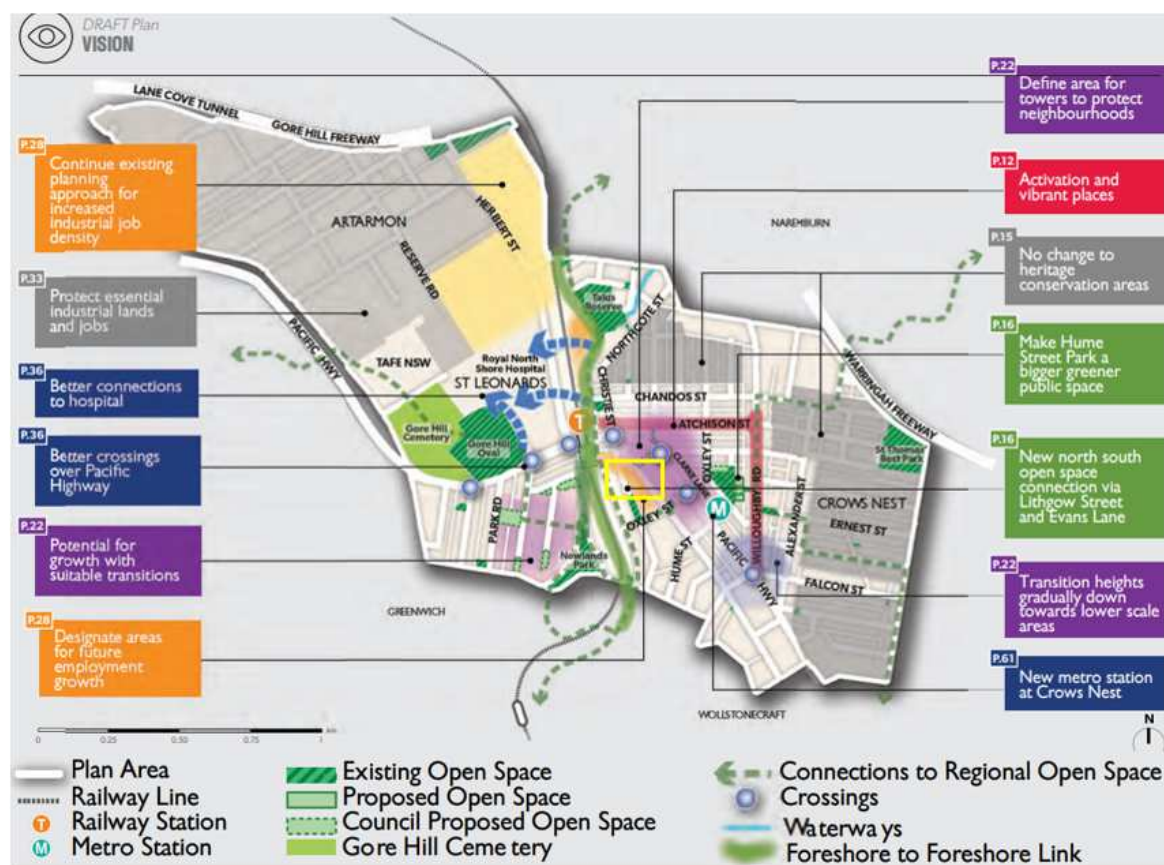


Figure 3 – Vision for St Leonards and Crows Nest under the Draft 2036 Plan (approximate area of site outlined in yellow)

Source: DPIE

Under the Draft 2036 Plan, the following recommendations are applicable to the site.

- **Height.** The site is in an area of St Leonards recommended to accommodate taller buildings.
- **Tree lined streets.** Nicholson Street (which fronts the eastern boundary of the site) is recommended to become a 'Tree Canopy Street' with setbacks which support grass and tree canopies.
- **Pedestrian links.** Christie Street (which fronts the western boundary of the site) is recommended to support a key pedestrian link northwards across the Pacific Highway and southwards to Wollstonecraft.
- **Building heights.** The Draft Plan recommends a height of 18 storeys for the site (refer to **Figure 4**).
- **Floor Space Ratio.** The Draft Plan recommends an FSR of 8:1 for the site (refer to **Figure 5**).
- **Street wall heights.** The Draft Plan recommends a 4-storey street frontage height on each frontage of the site.
- **Building setbacks.** The Draft Plan recommends a 3-metre building setback from each frontage of the site.
- **Zoning.** The site is recommended to retain its existing B3 Commercial Core zoning to support long-term employment growth (refer to **Figure 6**).

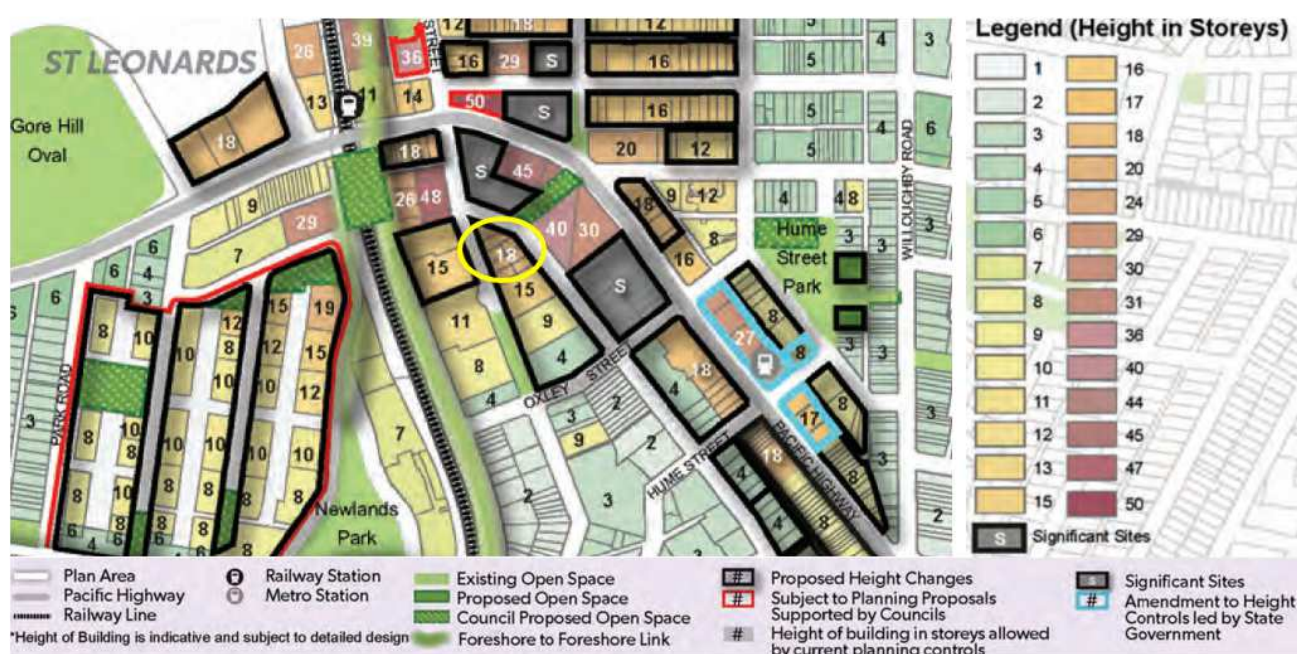


Figure 4 – Proposed height changes recommended under the Draft 2036 Plan (with site identified in yellow circle)

Source: DPIE

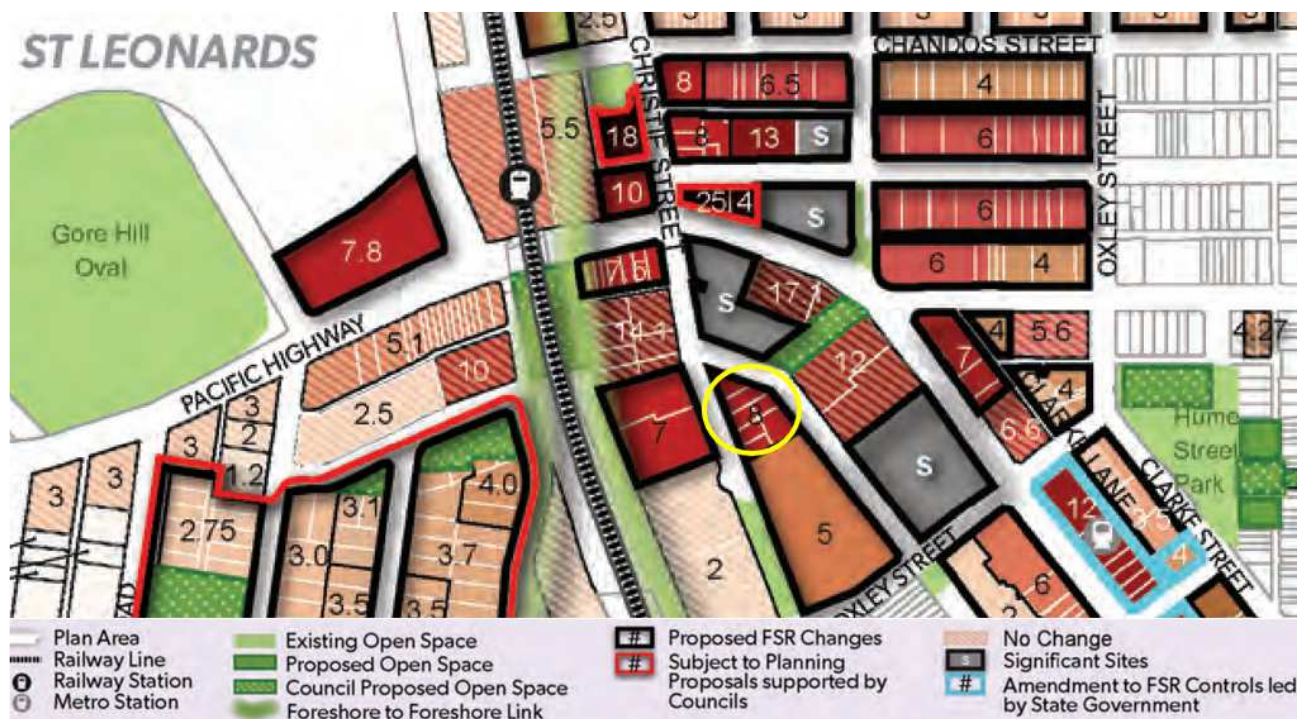


Figure 5 – Proposed FSR changes recommended under the Draft 2036 Plan (with site identified in yellow circle)

Source: DPIE

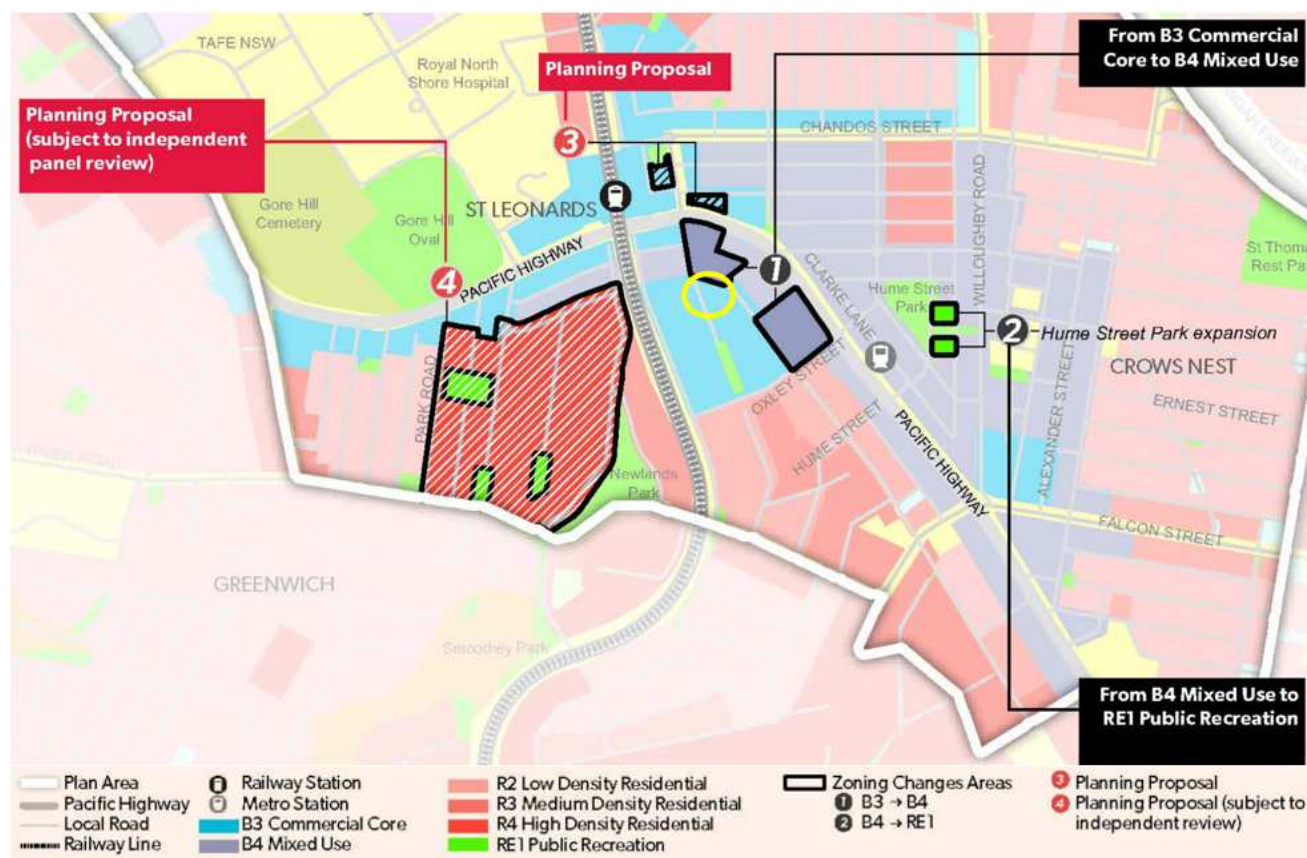


Figure 6 – Proposed zoning recommended under the Draft 2036 Plan (with approximate location of the site identified in yellow circle)

Source: DPIE

It is noted that the Draft 2036 Plan nominates a height and FSR for the site that is not commensurate with the site's capacity as analysed in detail in this report. Further, it is noted that the significant majority of industry submissions to the exhibition of the Draft 2036 Plan were against the conservative vision for height and density in the St Leonards strategic centre, which sits at odds with accepted transit oriented development principles.

A detailed assessment of the site has been carried out by Woods Bagot and the proposal seeks to facilitate a building that will deliver employment generating floor space to meet Council and State objectives and a building that minimises environmental impacts.

1.3 Site background

In 2012 the (then) draft Lane Cove LEP 2009 (Planning Proposal 6) initiated by Council was placed on public exhibition and proposed for the site, an uplift in controls to an FSR of 9:1 and a maximum height of 45m.

However, Council decided not to progress the proposal due to uncertainty surrounding the changing planning context of St Leonards, in particular the DPIE's changing approach to the provision of employment floor space under the (then) Metropolitan Strategy for Sydney and approval by the (then) LEP Gateway of the Planning Proposal of nearby 472- 520 Pacific Highway.

To keep pace with the market at the time (2014), Jemalong, then sought to amend the Lane Cove LEP 2009 to enable redevelopment of the site. The Planning Proposal sought to facilitate a mixed-use development comprising ground floor retail and commercial podium with a residential tower. The following amendments to the Lane Cove LEP 2009 were proposed:

- Rezone the site from B3 Commercial Core to B4 Mixed Use;
- Increase the maximum building height from 25m to 187m; and
- Increase the maximum floor space ratio from 4.5:1 to 17:1.

On 21 September 2015, Council recommended that the Planning Proposal should not be supported, primarily on the grounds of uncertainty surrounding the changing planning context of St Leonards, which included the DPIE's Planned Precinct Process.

Since then Council's Local Strategic Planning Statement (LSPS) has been released and the vision for St Leonards is also established through the Draft 2036 Plan, both which seeks to retain the commercial core of St Leonards for employment generating floor space. Jemalong seek to amend the Lane Cove LEP 2009 (the subject of this Planning Proposal) to facilitate a commercial development on the site in line with that expected for the site and its position within the St Leonards Core under the Draft 2036 Plan.

1.4 Pre-lodgement Consultation

A pre-lodgement meeting was held on 7 April 2020 where the proposal was presented to Council officers for review. The Planning Proposal has been prepared to take into account feedback received and is considered to provide an outcome that is consistent with the Council's intentions for the site and the St Leonards CBD.

2.0 The Site

2.1 Site location and context

The site is located at 46-52 Nicholson Street and 57-67 Christie Street, St Leonards. It is located between Christie Street and Nicholson Street, just south of the Pacific Highway.

The site is located within the Lane Cove Local Government Area (**LGA**), on the southern side of the St Leonards Centre approximately 300m walking distance from the St Leonards Railway Station and Crows Nest Metro. A map of the site's locational context is provided at **Figure 7** and **Figure 8**.

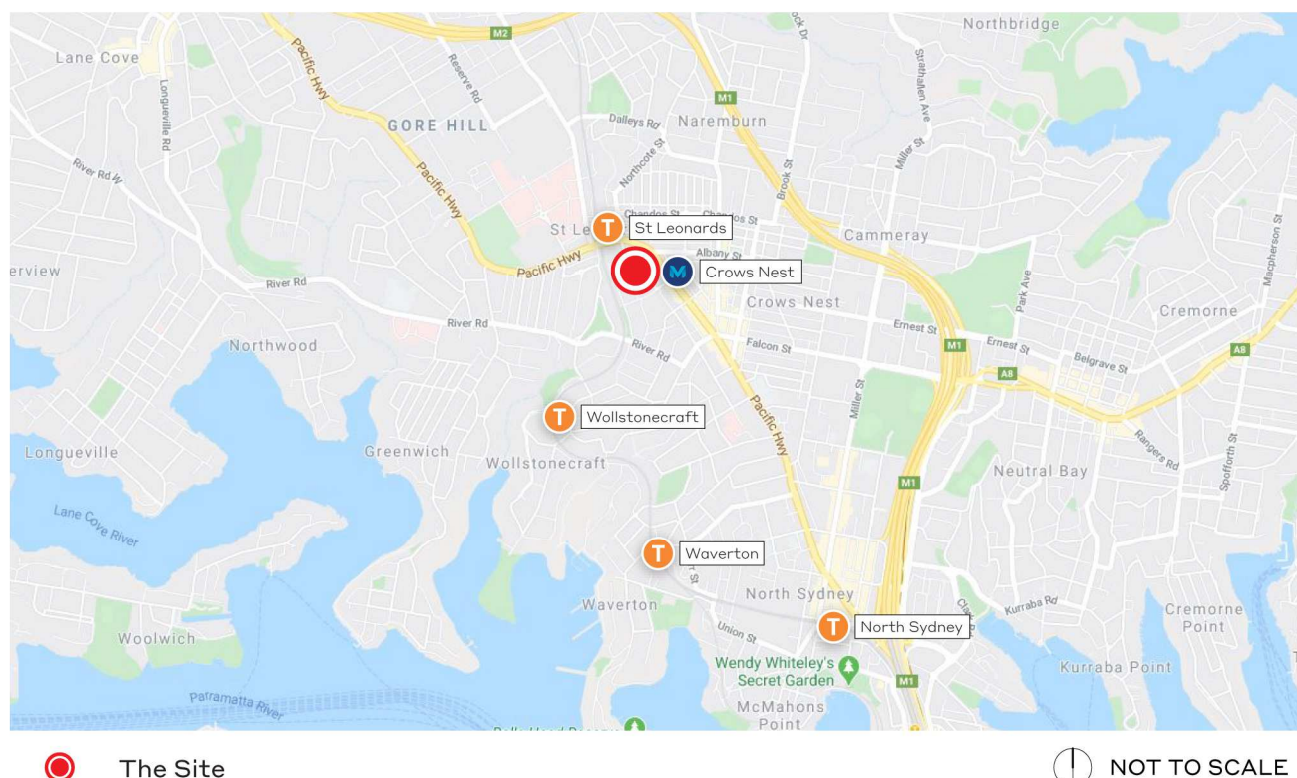


Figure 7 – Site location

Source: Nearmaps and Ethos Urban

St Leonards is approximately 5km north of the Sydney CBD (refer to **Figure 9**). The precinct has been undergoing a transition from smaller commercial buildings to multi-storey, mixed use and commercial developments. Much of the land on the north and south side of the Pacific Highway has already been redeveloped with larger mixed-use buildings and several underdeveloped properties are subject to development consent. Further to the north of the site is 'The Forum' which forms the town centre of St Leonards and acts as a commercial, retailing and transport hub for the centre.

The site is within a short walk from:

- St Leonards Station (200m walk, 4 minutes walk); and
- the future Crows Nest Metro station (200m walk, less than 4 minutes walk);
- Royal North Shore Hospital;
- Crows Nest town centre; and
- Cammeraygal High School.

An aerial photo of the site is provided at **Figure 9**.



Figure 8 – The site is relation to the St Leonards and Crown Nest Metro

Source: Ethos Urban



Figure 9 – Site context

Source: Google Maps and Ethos Urban

2.2 Site description

The site comprises eight (8) separate lots and is irregular in shape, with an area of 2,300 sqm (refer to **Table 1**). The site is wholly owned by Jemalong St Leonards Pty Ltd, a wholly owned subsidiary of the Jemalong Property Group.

Table 1 – Site description

Address	Legal description	Area (sqm)	Current use
48 Nicholson Street	11 DP 654462	281	Hutchinson Building
48 Nicholson Street	Lot A DP334878	258	
2/50 Nicholson Street	SP54127	254	Nature Care College, part vacant
65 Christie Street 52 Nicholson Street	Lot 2 DP945933	370	Vacant
67 Christie Street	SP18047	339	Evoke, Talkin Golf Productions and part vacant
63 Christie Street	Lot 2 DP528060	262	Pharm Engage
59 Christie Street	Lot 1 in 9409064	280	Nature Care College
61 Christie Street	Lot B DP334878	257	Nature Care College, Expert Experts

2.2.1 Existing development on the site

The site contains six commercial buildings ranging in height from two to four storeys, which are reaching the end of their economic lifespan, are in poor repair and in some cases unusable. The eight lots have been consolidated under single landholding ownership for the purposes of redevelopment, presenting a significant opportunity to revitalise building stock belonging to a collection of small lots and strata ownership that would ordinarily be difficult to revitalise.

The floorspace is largely vacant with 65% unoccupied due to the poor state of the buildings and that they do not meet the needs of current tenants. The proposal will be critical in providing the economic incentive to revitalise the building stock.

More specifically, the site comprises the following existing development:

- 48 Nicholson Street: a three-storey rectangular building (refer to Error! Reference source not found.).
- 50 Nicholson Street: a three-storey square commercial building (refer to Error! Reference source not found.).
- 52 Nicholson Street and 65 Christie Street: a three-storey rectangular building that occupies land between Nicholson and Christie Street. (refer to Error! Reference source not found. and Error! Reference source not found.).
- 63 Christie Street: a four-storey rectangular building. (refer to Error! Reference source not found. and Error! Reference source not found.).
- 61 Christie Street: a three-storey rectangular building (refer to Error! Reference source not found.).
- 59 Christie Street: two 3-storey rectangular buildings (refer to Error! Reference source not found.).

The buildings generally abut each other at the property boundaries with the exception of 59 Christie Street which is separated by a driveway access lane and small courtyard at the rear of the block. The buildings vary in height ranging from 2-4 storeys. None of the buildings are listed as heritage items and the precinct is not located within a heritage conservation area.

Pedestrian access to each building is located off its respective frontage. Car parking is located below some of the buildings. There are eight separate vehicle access points across the seven sites.



Figure 10 48 Nicholson St

Source: Ethos Urban

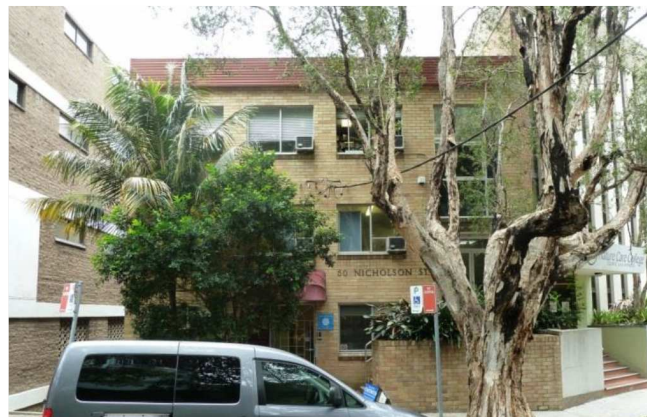


Figure 11 50 Nicholson St

Source: Ethos Urban



Figure 12 52 Nicholson St

Source: Ethos Urban



Figure 13 67 Nicholson St

Source: Ethos Urban



Figure 14 63 Christie St (north)

Source: Ethos Urban



Figure 15 63 Christie St (south)

Source: Ethos Urban



Figure 16 61 Christie St

Source: Ethos Urban



Figure 17 59 Christie St

Source: Ethos Urban

2.3 Surrounding development

Broadly, development surrounding the site comprises a mixed-use typology comprising a combination of ground-floor retail, commercial office, and residential development in buildings of varying heights, styles and ages. Given the changing nature of St Leonards, land surrounding the site is also subject to future development and urban renewal. The land use typology immediately surrounding the site is summarised in **Figure 18**.

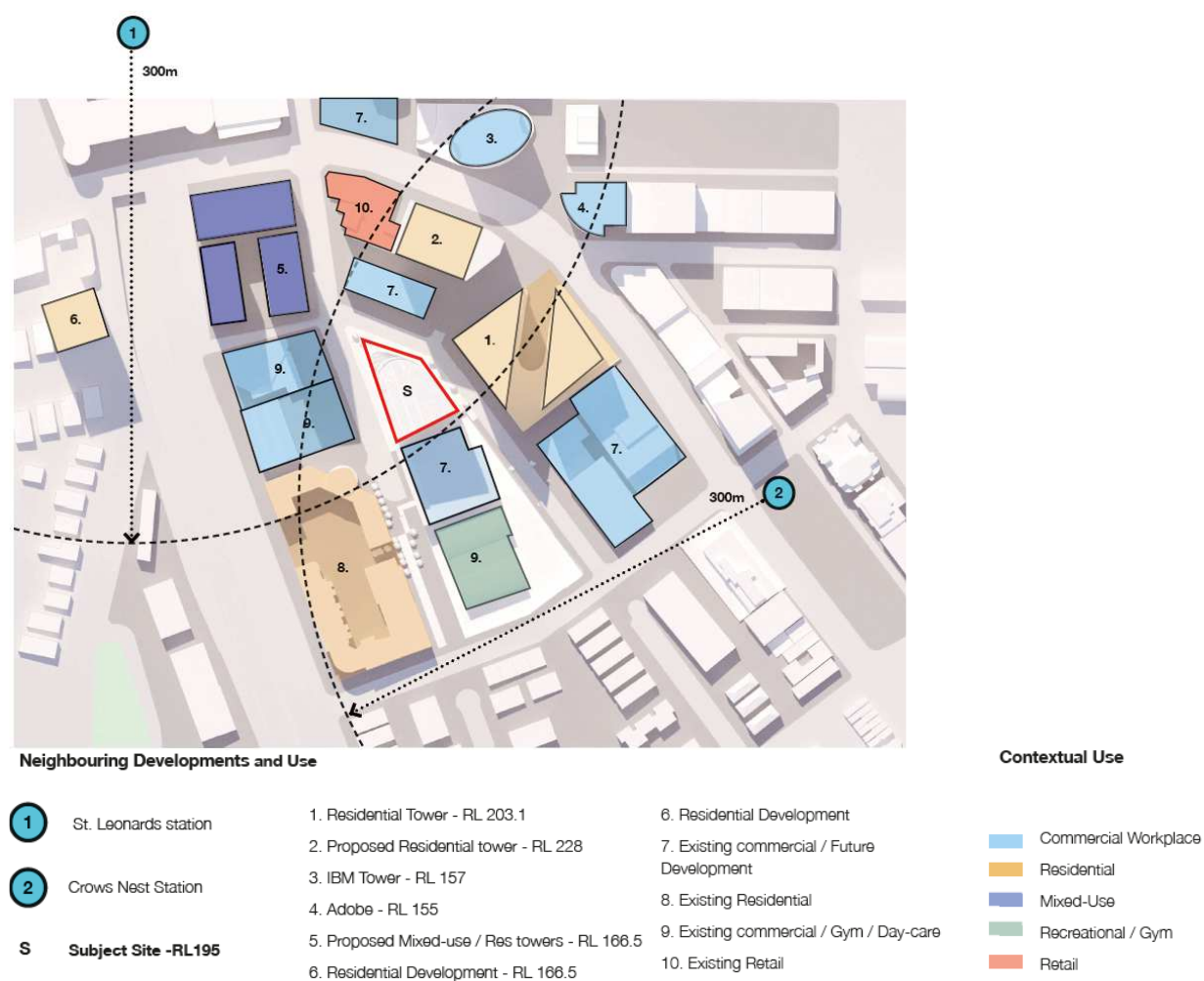


Figure 18 – Surrounding land use context

Source: Woods Bagot

To the north

The block of land north-east of the site (between the Pacific Highway, Nicholson Street and Christie Street) comprises the following.

- Land identified as 524-542 Pacific Highway, St Leonards. This includes a series of land parcels which includes the existing Telstra Exchange building (three storeys). This parcel of land also contains four attached two-storey buildings, which contain small-scale retail and commercial tenancies (refer to **Figure 19**).
- Land identified as 496-498 and 500-520 Pacific Highway, St Leonards. On 19 December 2017, the Sydney North Planning Panel granted consent for construction of a mixed-use development (RL227.4) comprising a non-residential podium, 458 residential apartments and upgrade works to Friedlander Place. Construction is currently under way (Refer to **Figure 24** Error! Reference source not found.).
- The Northern Children's Specialist Centre (a specialist children's health practice) located at 69 Christie Street, St Leonards. It comprises an existing commercial building of approximately seven storeys (refer to **Figure 20** Error! Reference source not found.).
- Land to the immediate north-west at 88 Christie Street is currently subject to construction works to facilitate a mixed-use development comprising a commercial building and two residential buildings (RL 166.5).

To the east

Land directly east of the site across Nicholson Street comprises the 40-storey residential development known as St Leonards Square (486 Pacific Highway, St Leonards). Further along Nicholson Street are a series of lower scale commercial buildings and car parks associated with sites fronting the Pacific Highway further to the east.

To the south

The site abuts a seven-storey commercial building to the south which sits between Christie and Nicholson Streets (refer to **Figure 21** Error! Reference source not found.). To the south of Christie Street are residential complexes (refer to **Figure 22** Error! Reference source not found.).

To the west

Development on the opposite side of Christie Street features the seven storey offices of Mastercard Australia (refer to **Figure 23** Error! Reference source not found.). Further along Christie Street to the south west is an existing residential apartment building.

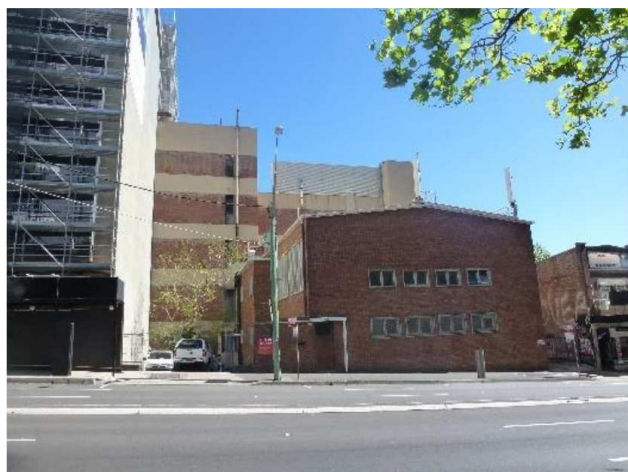


Figure 19 – Existing Telstra Exchange and adjoining small scale commercial development fronting Pacific Highway at 524-542 Pacific Highway

Source: Ethos Urban



Figure 20 69 Christie Street

Source: Ethos Urban



Figure 21 29-57 Christie Street

Source: Ethos Urban



Figure 22 Residential complexes south along Christie Street

Source: Ethos Urban



Figure 23 Mastercard building at 72 Christie Street

Source: Ethos Urban



Figure 24 View from Christie Street looking to 496-498 and 500-520 Pacific Highway, St Leonards

Source: Woods Bagot

2.4 Existing transport and access

2.4.1 Surrounding Road Network

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

Nicholson Street is a two-way street that runs from Christie Street to Oxley Street. Circulation restrictions require all traffic surrounding the site to exit the area via Oxley Street which connects to the Pacific Highway directly and via Lithgow Street.

The Pacific Highway is an arterial road that runs from the Warringah Freeway through to Sydney's northern suburbs, connecting also to the Sydney CBD. At St Leonards, the Pacific Highway runs in three lanes in both directions.

2.4.2 Pedestrian

The southern end of Christie Street is a cul-de-sac with pedestrian access to Oxley Street. The site is also accessible from the Pacific Highway via Friedlander Place which connects with Nicholson Street.

2.4.3 Bicycle

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

2.4.4 Rail

The proposed development is located approximately 300m walking distance south of St Leonards Railway Station. St Leonards Station is located on the North Shore Line which provides local rail services and onward connections for regional services. The site is also in immediate proximity to the future Crows Nest Metro Station, located approximately 250m to the south-west which will provide direct links to North Sydney, Barangaroo and Martin Place.

2.4.5 Bus

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

3.0 Current Planning Controls

3.1 Lane Cove Local Environmental Plan 2009 (Lane Cove LEP)

The Lane Cove LEP is the principal environmental planning instrument applying to the site.

3.1.1 Zoning

The site is zoned B3 Commercial Core. Development of commercial premises is permissible with development consent.

3.1.2 Height and Buildings and Floor Space Ratio (FSR)

- The site is permitted a maximum height of 25m; and
- The site is permitted a maximum FSR of 4.5:1.

3.2 The Draft 2036 Plan for St Leonards and Crow's Nest

Although not currently in force, the controls proposed for the site under the Draft 2036 Plan are important to note given they can be considered to provide direction of the anticipated future outcome of the site and locality.

As detailed in **Section 1.2**, under the Draft Plan, the following controls are proposed for the site:

- 18 storey height limit;
- 8:1 FSR;
- 4 storey street wall heights;
- 3m street setbacks; and
- Solar access plane to Newlands Park.

4.0 Design Response and Development Concept

4.1.1 Overview

This Planning Proposal is seeking to amend the development standards and provisions of the LEP as they apply to the site, in order to facilitate the future redevelopment of the land with a high-quality commercial development.

An indicative concept (reference design) has been prepared by Woods Bagot, and is detailed at **Appendix A** to test the opportunities for built form within the controls sought. A numeric overview of the indicative design that the Planning Proposal would facilitate is provided at **Table 2**.

Table 2 – Development Summary

Component	Indicative Concept
Site Area	2,300 sqm
Gross floor area (total), comprising: <ul style="list-style-type: none"> Commercial office; and Retail. 	37,842 sqm, comprising: <ul style="list-style-type: none"> 36,693 sqm; and 1,149 sqm.
Floor Space Ratio	16.45:1
Height	RL 198.6m
Car Parking	122

4.1.2 Design principles

The contextual and site-specific design principles established for the site are listed below. Each is elaborated in further in the Design Report prepared by Woods Bagot at **Appendix A**.

- Support the creation of a truly high-density and mixed-use centre;
- Protect solar access to Newlands Park;
- Consider the principles of view sharing between surrounding residential receivers;
- Create an A-grade commercial anchor in the heart of the precinct;
- Support urban connectivity and contribute to the public domain; and
- Consider view sharing between surrounding residential receivers.

4.1.3 Indicative concept

To demonstrate that the controls proposed can deliver a feasible commercial office tower, Woods Bagot has developed an indicative scheme for the site (further detail is provided at **Appendix A**). The scheme supports indicatively a 32-storey commercial tower, comprising:

- A total GFA of 37,842 sqm (FSR of 16.45:1), including:
 - 1,149 sqm of ground floor retail; and
 - 36,693 sqm of commercial office.
- Three levels of basement car parking with capacity for 122 car spaces with access from Christie Street;
- Above-ground balconies (up to Level 27);
- Public domain improvements including an activated ground floor with public open space on the corner of Christie Street and Nicholson Street, and public through-site link from Christie Street to Nicholson Street;
- Above ground outdoor balcony space for over half the floors.

4.1.4 Building envelope

The building envelope achieved under the Planning Proposal has the following characteristics (refer to **Figure 25**):

- A height of RL 198.6m (30 storeys plus two level of plant);
- A total GFA of 37,842 sqm;
- Nil ground floor setback on each frontage; and
- 3 metre setback on each frontage.

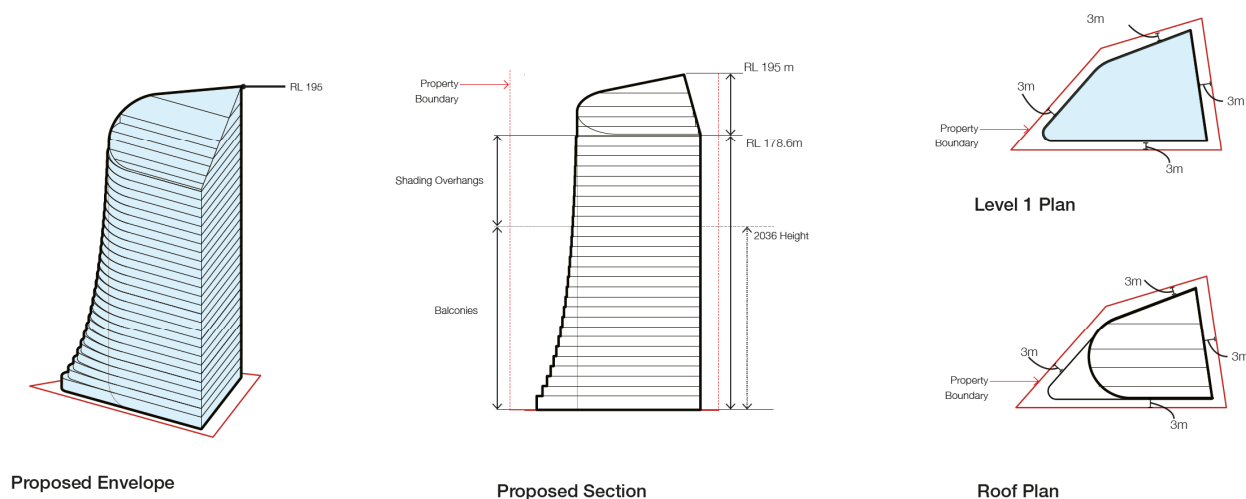


Figure 25 – Planning Proposal Building envelope

Source: Woods Bagot

It is considered that a complying LEP / DCP envelope under the existing controls (with a maximum height of 25m and FSR of 4.5:1) would fail to capitalise on the single ownership structure and would not facilitate a A grade commercial offering, in line with market expectation on floor space. In the same way, an envelope under the Draft 2036 controls is considered to generate a sub-optimal outcome (i.e. a relatively short and bulky building with less appropriate proportions and articulation between the podium and tower (especially at the corner axis of Christie Street and Nicholson Street (refer to **Figure 26**).

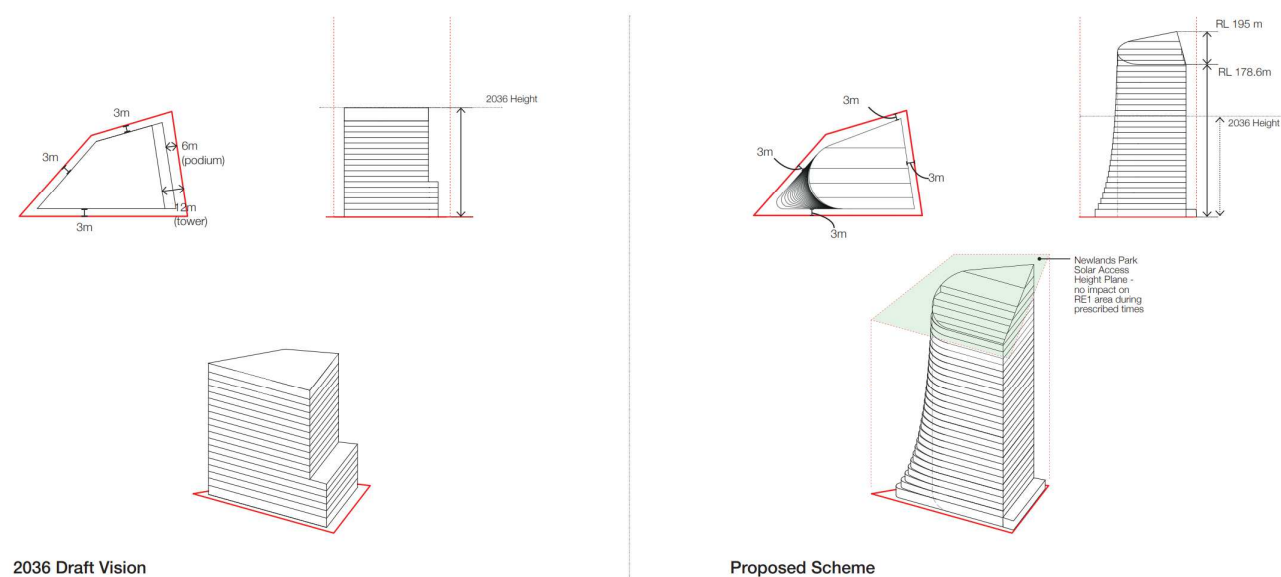


Figure 26 – Comparison between Draft 2036 envelope and proposed envelope

Source: Woods Bagot

The building envelope has been subject to detailed testing by Woods Bagot. It has been demonstrated to provide a largely equivalent outcome when compared to the Draft 2036 building envelope in terms of impacts. The proposed building envelope also provides a strong contextual response to the surrounding area and development, and contributes far greater to the vision for the Commercial Core of St Leonards.

Further, the building envelope is the result of the following considerations.

- The draft Newlands Park solar access plane under the Draft 2036 Plan. The chamfered roof of the envelope ensures no overshadowing of Newlands Park after 10:00am;
- The corner location of the site within a prominent urban visual axis. The corner of the envelope is articulated to support visual aesthetics;
- Tapered massing and view sharing. The northern portion of the envelope is tapered inwards as the height of the envelope increases to optimise view sharing with neighbours to the east. The tapering also supports better architectural interest and a more elegant form within the skyline;
- Deliberate positioning of balconies and overhangs on the western façade for solar protection; and
- Ground floor public domain and above ground outdoor tenant amenities.

4.1.5 Public domain

The indicative scheme seeks to provide a revitalised public domain outcome compared to existing conditions. The key features include a through site link connecting Christie Street to Nicholson Street, ground floor café and public open space on the corner of Nicholson Street and Christie Street (Refer to **Figure 27**).

4.1.6 Through Site Link

A through site link is proposed at ground level, connecting Friedlander Place and Christie Street. It will support the overall activation of the site and public domain, as well as contribute to pedestrian permeability more broadly within St Leonards CBD. It will specifically support the public domain at Friedlander Place, providing an extension of the public domain improvements provided in the locality over recent years.



Figure 27 – Indicative public domain spaces at the corner of Christie and Nicholson Street and along Christie Street

Source: Woods Bagot

4.1.7 Access and parking

A total of 122 car spaces can be accommodated within the indicative scheme, over three levels of basement. All vehicular access (vehicles and loading) is proposed from the southern end of Christie Street which is more appropriate for vehicle entry and exits in light of the vehicle and pedestrian flows in the surrounding road network.

Pedestrian access into the lobby will be achieved by both Nicholson Street and Christie Street.

4.1.8 Sustainability

The proposal will comprise sustainable practice relating to water and energy use and will deliver a highly sustainable commercial tower. It will have minimum targets of a 6 Star Green Star rating, 5.5 Star NABERS Energy rating and 4 Star NABERS Water rating, in line with the expectations of contemporary tenants and will be a flagship model for future sustainable commercial development within St Leonards.

4.2 Solar access

The building height and shape has been designed to ensure access to sunlight is protected (as recommended in the Draft 2036 Plan) through the introduction of a sun access height plane that ensures no additional overshadowing to Newlands Park after 10:00am mid-winter (refer to **Figure 28**).

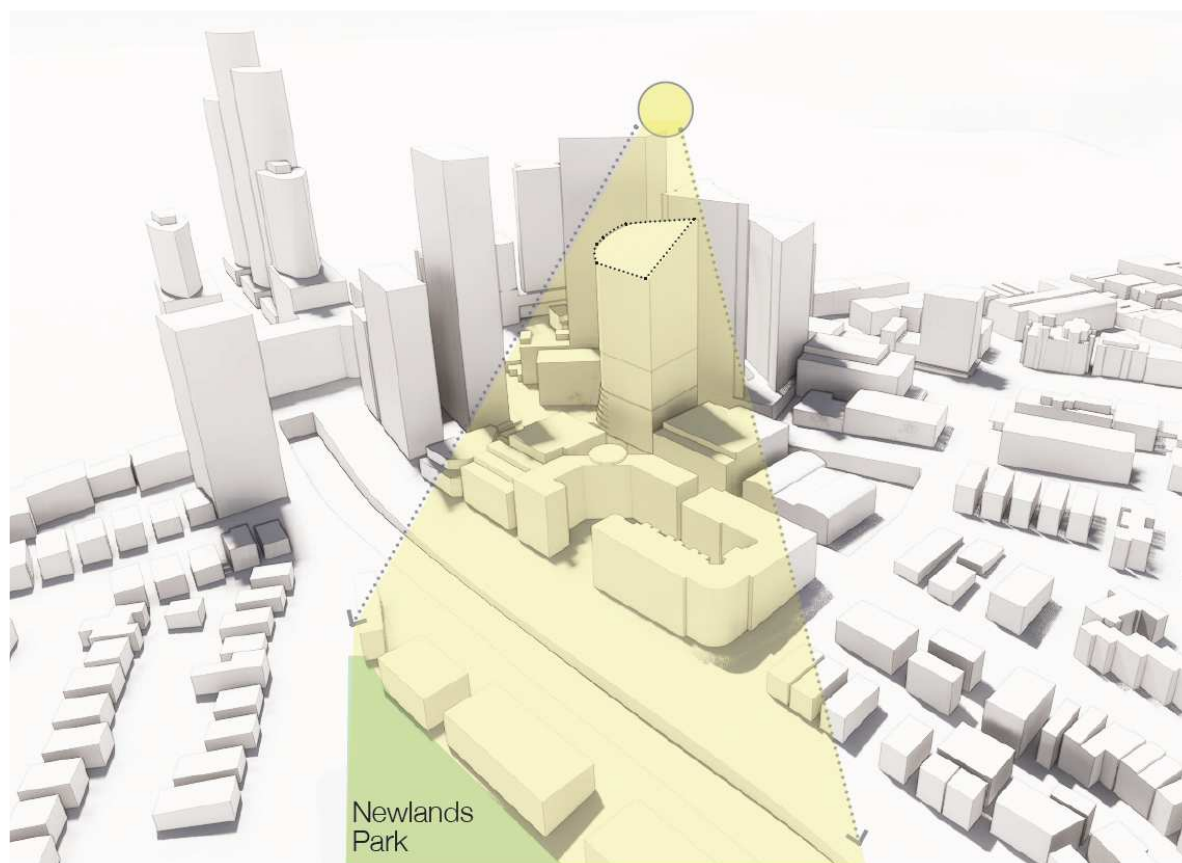


Figure 28 – Proposed envelope in relation to draft solar plane to Newlands Park

Source: Woods Bagot

4.3 Sustainable Timber Construction

Sustainability is at the core of the proposal. Fostering user well-being and sustainable responsible initiatives form the key design principles. Accordingly, Woods Bagot is exploring sustainable construction methodologies that may include timber or timber hybrid technology which has been successfully used elsewhere. Timber construction can assist with the environmental footprint of a development and deliver memorable work spaces that inspire creativity.

The lightweight nature of timber structure is approximately 20 per cent the weight of concrete. Coupled with an innovative façade system, the advantages of mass timber construction extend beyond the structural and practical into the realm of environmentally sustainable design (See **Appendix F** and **Figure 29**).



CLT Structure with Concrete Floor Screed



CLT / Concrete Composite System
Full CLT structure acts as formwork for concrete screed and beams



Figure 29 Potential Timber or Timber Hybrid Concept

Source: Woods Bagot

5.0 Part 1 – Objectives and intended outcomes

This chapter of the report describes the Planning Proposal and the urban design principles that set the foundation for its structure. Further detail is provided throughout the environmental assessment in the following chapters. This chapter also sets out the first of six parts to be addressed as part of the Planning Proposal in accordance with *Planning Proposals: A guide to preparing planning proposals* prepared by the DPIE.

The intent of the Planning Proposal is to make amendments to the Lane Cove LEP to permit additional height and floor space on the site to facilitate the development of a commercial tower.

More specifically, the objectives and intended outcomes of the Planning Proposal are to:

- Contribute to the future vision of St Leonards and desired outcome of the St Leonards Core by providing development to support future employment growth;
- Capitalise on a relatively large amalgamated site to facilitate a great opportunity for additional employment floor space, thereby promoting the more efficient use of land within an area already considered suitable for greater uplift and commercial development;
- Strengthen commercial floor space in the St Leonards Core;
- Provide an improved urban design and pedestrian permeable outcome at ground level with good street activation; and
- Support the provision of an A-Grade commercial tower which meets modern tenant requirements and high sustainability outcomes.

Through the proposed amendments, the Planning Proposal will enable a commercial office tower of an appropriate urban form to be developed on the site with a maximum height that accords with a solar height plane to Newlands Park and a maximum FSR of 16.45:1.

6.0 Part 2 – Explanation of provisions

The overarching purpose of the Planning Proposal is to facilitate the development of the site for a commercial office tower that is of a high quality urban form, provides for public benefits in the form of public open space and a through-site link, and achieves an A grade office floor plate that delivers strategic employment floor space consistent with local and State policy.

The objectives and intended outcomes identified in Part 1 (**Section 5.0** of this report) are intended to be achieved by permitting greater height and floor space on the site through amendments to the Height of Buildings and Floor Space Ratio Maps within the Lane Cove LEP 2009 as set out below.

6.1 Lane Cove LEP 2009

The following amendments are proposed to the Lane Cove LEP 2009.

- Amendments to the Height of Buildings Map (Sheet HOB_004) to identify a solar height plane to Newlands Park for the site; and
- Amendments to the Floor Space Ratio Map (Sheet FSR_004) to reflect a maximum floor space ratio of 16.45:1 on the site.

6.2 Site Specific Local Provision

It is proposed to include site specific clauses under Part 6 Additional local provisions which would include provisions that would have the effect of requiring:

- Any development to be restricted in height by a solar height plane to Newlands Park requiring no shadow to fall on Newlands Park between 10.00am-3.00pm on 21 June.

6.2.1 Draft Potential Site-Specific Clause

Clause 6.xx Development on land at 46-52 Nicholson Street and 57-67 Christie Street, St Leonards

1. *This clause applies to land marked “Area AC” on the Height of Buildings Map*
2. *Despite any other provision of this Plan, the consent authority may grant consent to the erection of a building on land to which this clause applies that has a height that exceeds the maximum height of a building shown for the land on the Height of Buildings Map, but only if the consent authority is satisfied that the development does not result in any additional overshadowing on the land shown with blue hatching as ‘Newlands Park’– between 10.00am and 3.00pm on 21 June in each year.*

7.0 Part 3 – Strategic Justification

Section A – The Need for a Planning Proposal

7.1.1 Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study, or report?

The Planning Proposal gives effect to the Lane Cove Local Strategic Planning Statement (LSPS). Analysis of this is provided in **Section 7.2** below. The Planning Proposal also gives effect to the draft St Leonards and Crows Nest 2036 Plan, a strategic document released in draft by DPIE in 2018, that is intended to guide the future redevelopment of the area (refer to **Section 7.2**).

7.1.2 Q2. Is the Planning Proposal the best means of achieving the intended outcome?

Yes. A Planning Proposal seeking to amend the Lane Cove LEP is the most effective way of providing certainty for Council, the local community and the landowner. The existing height and FSR standards do not permit the development envisaged in this Planning Proposal, nor respond to the emerging CBD character of St Leonards CBD.

In preparing the indicative concept design that supports this Planning Proposal, a number of options were considered to facilitate the intended outcomes, including:

- Option 1: Draft 2036 compliant scheme;
- Option 2: Retain existing controls; and
- Option 3: Slender tower scheme (the Planning Proposal).

Option 1: Draft 2036 compliant scheme

Woods Bagot have outlined a scheme in line with the draft 2036 Plan controls which shows a building up to 18 storeys (refer to **Appendix A**). The single tower would present a shorter, more bulkier building that would not relate as well to the public domain or the other tall buildings in the vicinity of the site. The lack of commercial development in St Leonards over recent years indicates that the viability of commercial development remains sensitive. The resultant building would not yield a suitable amount of floorspace to attract modern tenants and will therefore not make redevelopment of the site feasible.

This Planning Proposal seeks controls that facilitate an alternative design that that is still capable of protecting sunlight to Newlands Park through delivery of a taller, slender tower on the site, which accords with and is capable of supporting the requirements of a modern A-grade commercial tower.

Option 2: Retain existing controls

The State's strategic planning framework (which includes the Greater Sydney Plan and North District Plan) identifies St Leonards as a Strategic Centre and a commercial office, health, and education precinct. This is reiterated in Council's vision for St Leonards under their LSPS. The site is in the commercial core of St Leonards, which policy seeks to protect and maximise commercial floor space. The site's current controls (25m height limit and an FSR of 4.5:1) do not support this vision and do not maximise the use of the site for commercial floor purposes in line with the strategic nature of the site and its proximity to a soon to be open metro station.

Option 3: Slender tower scheme (this Planning Proposal)

The preferred indicative development concept comprises a single tower that is slender and elegant in appearance. It reaches a height of 32 storeys. The building is tapered inwards as the height increases to maximise view sharing to adjoining residential development to the east, and minimise the perceived scale and bulk of the building. The scale of the building is suitable in its CBD context and surrounding development and the public domain.

Overall, this Planning Proposal is considered the best way of achieving the objectives and intended outcomes because:

- The Planning Proposal seeks to amend the Lane Cove LEP to respond to the objectives established by the State and Council by unlocking additional height and commercial floor space in St Leonards that will facilitate

employment generating land uses, and unlocking this in the special area between the St Leonards Railway Station and Crows Nest Metro.

- The capacity of the site (as demonstrated through the environmental assessment in this Planning Proposal) to accommodate employment generating floor space is greater than what is achievable under the current controls and also under the Draft 2036 Plan controls.
- The Planning Proposal will give Council, the State and the landowner certainty as to the development outcomes expected on the site.
- The slender tower will better fit in the site context and will minimise overshadowing and will promote sharing of views. The form is tapered and elegant and will improve the design quality of built form in the St Leonards CBD core.
- The site under the existing controls is limited to an FSR of 4.5:1. Given the strategic nature of the site, redeveloping under the current controls is not considered to achieve, or most appropriately utilise the site for:
 - a premium office tower within an identified area already considered suitable for density by the DPIE;
 - strengthening and protecting the commercial core of St Leonards; and
 - supporting the provision of A-grade commercial floor plates.

7.2 Relationship with the Strategic Planning Framework

7.2.1 Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The Planning Proposal is consistent with the applicable State and district plans. The relevant plans are:

- The Greater Sydney Region Plan – A Metropolis of Three Cities;
- The North District Plan;
- NSW State Infrastructure Strategy 2018;
- Future Transport Strategy 2056; and
- The Draft St Leonards Crows Draft 2036 Plan.

The Greater Sydney Region Plan

The *Greater Sydney Region Plan* is the overarching strategy for growing and shaping the Greater Sydney Area. It sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters.

The plan was adopted in March 2018 and seeks to reposition Sydney as a metropolis of three cities – the western parkland city, central river city, and the eastern harbour city. In the same vein as the former *A Plan for Growing Sydney*, the Plan provides 10 high level policy directions supported by 40 objectives that inform the District Plans, Local Plans and Planning Proposals which follow in the planning hierarchy. The consistency of the Planning Proposal with the Greater Sydney Region Plan is shown in **Table 3**.

Table 3 – Consistency with the Greater Sydney Region Plan

Direction	Consistency of the proposal with the Direction
A city supported by infrastructure	<ul style="list-style-type: none"> • The proposal supports the delivery of higher capacity development in line with the infrastructure investment being undertaken by local and State government (i.e. Sydney Metro).
A city for the people	<ul style="list-style-type: none"> • The proposal supports people to walk, cycle and use public transport through improved pedestrian connections, end of trip facilities and new bicycle parking. • Will provide a high-quality place to work
Housing the city	<ul style="list-style-type: none"> • The proposal seeks to facilitate future commercial development, not residential. • The development seeks to provide a modernised destination for employment.

Direction	Consistency of the proposal with the Direction
<i>A well-connected city</i>	<ul style="list-style-type: none"> The proposal will seek to deliver additional commercial floor space and in doing so will connect new jobs to high-capacity transport. This will take advantage of substantial investment in public transport infrastructure and support the achievement of a '30-minute city'.
<i>Jobs and skills for the city</i>	<ul style="list-style-type: none"> The proposal will provide commercial floor space to a Strategic Centre supporting the Plan's directive for Strategic Centres, which is to explore opportunities to enhance jobs and investment. In conjunction with commercial office floor space, associated ancillary retail will also be delivered that support the diversity of functions in St Leonards and encourage activity at the ground plane.
<i>Jobs and skills for the city</i>	<ul style="list-style-type: none"> The proposal does not affect any protected biodiversity or remnant or significant vegetation. Opportunities for increased public domain planting will be incorporated into the plaza area and building.
<i>An efficient city</i>	<ul style="list-style-type: none"> A key initiative of the proposal is to deliver a more sustainable development than is presently provided on site, and as such, sustainability targets aligned with leading for ESD have been set.
<i>A resilient city</i>	<ul style="list-style-type: none"> The environmental initiatives implemented through the development will contribute to enhanced environmental outcomes and seek to mitigate impacts related to climate change.

The North District Plan

The North City District Plan underpins the Greater Sydney Region Plan and sets the 20-year vision for the District through 'Planning Priorities' that are linked to the Region Plan. Under this Plan, the site is identified as part of the St Leonards Strategic Centre strategically located along the Eastern Economic Corridor. Key priorities of the District Plan which this Planning Proposal gives effect to are elaborated below.

Planning Priority E1: Planning for a city supported by infrastructure

Objective 4 – Infrastructure use is optimised.

Aligning land use and infrastructure planning ensures that infrastructure is maximised, and that growth and infrastructure provision are aligned. The development of over 37,842 sqm of commercial floor space is aligned with additional public transport capacity being delivered by the State government (i.e. Sydney Metro). The Planning Proposal will also facilitate development which will also be subject to contributions for the provision of infrastructure.

Planning Priority N8: Eastern Economic Corridor is better connected and more competitive

Objective 15 – The Eastern, GPO and Western economic corridor are better connected and more competitive

Similar to Priority E1, the proposal will contribute to commercial floor space inside the Eastern Economic Corridor which will be highly connected to broader Sydney through established and proposed transport. Improved connections to Strategic Centres such as St Leonards encourages business and investment and improves overall the competitiveness of the Global Arc and Greater Sydney.

Planning Priority N6: Creating and renewing great places and local centres, and respecting the District's heritage

Objective 12 – Great places that bring people together

A key attribute of a great place is walkability. The proposal will support daily critical mass to the site within immediate walking distance to the existing St Leonards Train Station and future Crows Next Metro. The proposal supports walkability and greater patronage of public transport and the surrounding street network and public domain. This in turn helps to create a more vibrant and active St Leonards. The indicative concept will be a modern workplace that brings people together.

Planning Priority N10: Growing investment, business opportunities and jobs in strategic centres

Objective 22 – Investment and business activity in centres

The proposal, through the provision of additional commercial floor space, will support job growth in the St Leonards Strategic Centre. This is in line with the intent of the Plan which is to explore opportunities to enhance jobs and investment in Strategic Centres. This will also contribute to the achievement of job targets for St Leonards (54,000 – 63,500 by 2036).

Planning Priority N12: Delivering integrated land use and transport planning and a 30-minute city

Objective 14 – A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities

In established parts of Greater Sydney such as St Leonards, urban renewal opportunities exist around regional transport and strategic centres, where links for walking and cycling promote a healthy lifestyle and contribute to liveability.

St Leonards is identified as a Strategic Centre, that is also identified as a Planned Precinct. It is within walking distance of two rail stations benefiting from major government investment. The proposal is therefore consistent with this objective as it will bring greater commercial floor space (and therefore jobs) closer to transport, reducing the need for travel and given the mixed-use nature of St Leonards and the denser nature of eastern Sydney generally, bring jobs and homes closer together.

The District Plan also contains specific actions for St Leonards. Relevant actions that the proposal is consistent with are:

- Leverage the new Sydney Metro Station at Crows Nest to deliver additional employment capacity;
- Grow jobs in the centre; and
- Deliver new-high quality open space, upgrade public areas, and establish collaborative place-making initiatives.

The proposal will facilitate the delivery of approximately 37,842 sqm of commercial GFA the immediate vicinity of both St Leonards and the future Crows Nest Station. This will leverage of this investment in infrastructure, will support job growth in the St Leonards Centre and contribute to the achievement of job targets for St Leonards (54,000 – 63,500 by 2036).

The proposal also incorporates public domain improvements such high-quality open space at the corner of Christie and Nicholson Street and an east-west through-site link to support urban pedestrian permeability and further improve/augment Friedlander Place. This will support a high-quality public domain outcome compared to current conditions.

NSW State Infrastructure Strategy 2018

The NSW State Infrastructure Strategy 2018-2038 brings together the infrastructure investment and land use planning of the Future Transport Strategy 2056 and the Greater Sydney Region Plan, and is underpinned by the State Infrastructure Strategy 2018–2038: Building Momentum that establish a pipeline of investment for infrastructure that is underway or in advanced planning. The Strategy sets out the NSW Government's vision for infrastructure over the next 20 years, focussing on aligning investment with sustainable growth. For Metropolitan NSW, the primary goal is to provide residents with access to jobs and services within 30 minutes, known as the '30-minute city' model.

The Strategy sets out six directions for infrastructure in NSW, of which the following are relevant:

- Better integrating land use and infrastructure – the proposal will deliver additional jobs in line with the delivery of Sydney Metro, so that capital investment keeps pace with new jobs.
- Making our infrastructure more resilient – the proposal will be designed with regard to environmental considerations, in particular a high degree of sustainability, to ensure that the development is not vulnerable to hazards.

Future Transport Strategy 2056

The *Future Transport Strategy 2056* is the 2017 update of the NSW Long Term Transport Master Plan and supersedes the Master Plan. It is a 40-year vision for mobility in NSW, developed with the Greater Sydney Commission, DPIE, and Infrastructure NSW. It seeks to ensure that transport planning and land use planning are fully integrated and is based upon the key themes of a Productive Economy, Liveable Communities and a Sustainable Society.

The proposal will best serve the objectives of this Plan through:

- supporting the expansion of the public transport system, by providing significant employment opportunities in direct proximity to existing heavy rail stations and future metro stations;
- encouraging public transport use by providing significant employment opportunities in close proximity to current and future metro, rail, bus and ferry services.

Draft St Leonards and Crows Nest 2036 Plan

The 2036 Plan is a draft precinct plan that has been released for public comment and is therefore a relevant consideration in terms of demonstrating the site's strategic merit. While the 2036 Plan outlines the strategic vision and direction for St Leonards and Crows Nest, the document remains a draft plan at the time of writing this Planning Proposal.

The Draft 2036 Plan is yet to be adopted by the DPIE and in its draft state is not yet a Section 9.1 Ministerial Direction. Further, the community and stakeholder feedback received by the DPIE during the exhibition of the draft 2036 Plan is expected to inform the final 2036 Plan.

The proposal's consistency with the vision, design principles and design criteria outlined in the Draft 2036 Plan is outlined in **Table 4**.

Table 4 – Consistency with the Draft 2036 Plan

Objective or criteria	Consistency of planning proposal
Vision	
A vibrant community New development around the Crows Nest Sydney Metro station will provide energy and life along the Pacific Highway and St Leonards. The existing vibrancy and liveliness of the Crows Nest Village and Willoughby Road will provide a foundation for the revitalisation of the St Leonards Core.	Consistent Existing development on the site is characterised by ageing commercial buildings that contribute very little to the vibrancy of the commercial core. Future development of the site will provide high-quality active frontages to Nicholson Street and Christie Street, and will also activate surrounding streets and facilitate the completion of east-west public domain connections to Lithgow Street to the west and Friedlander Place to the east.
A place that protects its past Heritage Conservation Areas and buildings are to be retained and celebrated as an important connection to the past.	Consistent The proposal will not impact the heritage significance of any nearby heritage items or heritage conservation areas.
An accessible place An attractive and easy place to walk, cycle and move through, with improved local and regional connections.	Consistent The proposal will contribute to the pedestrian movement through St Leonards by facilitating east-west connections from Friedlander Place to the civic square at 88 Christie Street.
A well-designed place New buildings that model the highest quality design, respecting and enhancing the existing local character of the area.	Consistent This planning proposal has been conceived with careful consideration of the built form constraints that apply to the site, including the ability to achieve a viable commercial floorplate within the limitations set by surrounding development and the draft sun access plane to Newlands Park.
An employment hub Providing 16,500 additional jobs over the next 20 years to support a growing and evolving economy, with opportunities for employment in the industrial, professional, creative, retail, health and education sectors.	Consistent It is proposed to provide a total of 37,842 sqm of commercial floor space to support long term employment growth.
A home for people of all ages	Not relevant

Objective or criteria	Consistency of planning proposal
A greater mix of homes will be available to the diverse range of people that live in the area.	The proposal seeks uplift only for commercial purposes in line with the intended outcome proposed for the site under the Draft 2036 Plan.
A greener place Parks and public green spaces will provide areas for locals to be active, creative, and enjoy green leafy spaces throughout the area, away from built up areas in St Leonards.	Consistent The proposal will not preclude the provision of additional parks and open space throughout the St Leonards and Crows Nest area. Further, the proposal will add to the growing network of public domain at the corner of Nicholson and Christie Streets.
Area Wide Design Principles	
Place - Ensure new development retains and enhances important heritage elements by using sympathetic building materials and preserving key views and vistas.	Consistent The proposed development will not affect any existing heritage items or heritage conservation areas.
Place - Retain and enhance the village atmosphere in and around Crows Nest, particularly along Willoughby Road.	Not relevant The proposal is not in Crows Nest.
Place - Ensure no additional overshadowing of public open spaces and important places in accordance with solar access controls identified on page 49 of the Plan.	Consistent The proposal will not overshadow Newlands Park between 10:00am and 3:00pm in winter.
Place - Apply casual surveillance and universal access principles to new development to create a safe, inclusive and comfortable environment.	Capable of achieving consistency The future development of the site will incorporate active frontages along Nicholson and Christie Street that will provide casual surveillance and activation of the public domain, and will contribute to the creation of a safe environment in St Leonards and in the vicinity of the site.
Place - New development should have consideration to wind impacts demonstrated through a wind assessment.	Capable of achieving consistency Wind impacts will be assessed at DA stage, with wind mitigation to be incorporated in the DA design if necessary.
Landscape - New buildings adjoining Hume Street Park should contribute to the village green atmosphere. They should also provide an active frontage to the park and encourage connections between Willoughby Road, Hume Street Park and Crows Nest Sydney Metro Station.	Not relevant The proposal does not adjoin Hume Street.
Landscape - New development along Chandos, Oxley and Mitchell Streets should provide wider setbacks to enable the creation of greener streets.	Not relevant The proposal is not located on these streets.
Landscape - New development adjoining the new green link should contribute to its landscape character. For example, planter boxes, lighting, green walls, deep planting, landscaped setbacks and forecourts.	Not relevant The proposal does not adjoin the green link.
Landscape - New development in nominated areas along Pacific Highway should be setback 3 metres and incorporate elements such as avenue planting, below ground setbacks for deep soil planting.	Not relevant The proposal is not located along the Pacific Highway.
Landscape - Incorporate new street trees to improve the overall tree coverage in the area.	Capable of achieving consistency Street tree planting will be considered at the DA stage.
Built form - Consider cumulative impacts of new developments on existing areas, including overshadowing, wind impacts and view loss.	Consistent The proposal has been developed with careful consideration of the cumulative overshadowing and view impacts on the surrounding area (refer to Section 8.0).
Built form - Contain taller buildings between St Leonards Station and Crows Nest Station and on nominated significant sites along the Pacific Highway.	Consistent The site is located in the band between St Leonards Station and Crows Nest Station.

Objective or criteria	Consistency of planning proposal
Built form - In transition areas between low and high-rise developments, new development should consider the prevailing scale and existing character in the design of their interfaces.	Not relevant The site is within 300m of both stations and within the area nominated for tall towers. The site is not located in a transition area.
Built form - New building design should provide high on-site amenity and consider street width and character by providing ground and upper level setbacks and awnings to achieve a human scale at street level.	Consistent The proposal is capable of providing a high level of amenity and is in accordance with the 3m building setback proposed for the site.
Land use - Ensure new development contributes to a range of dwelling types in the area to cater for all life cycles.	Not relevant Residential land uses are not proposed.
Land use - Protect key industrial land at Artarmon that services much of the North Shore.	Not relevant The site is not located within the Artarmon industrial area.
Land use - Ensure new employment sites in the area cater to a range of business types and sizes.	Consistent The proposal will include provision for large contiguous floor plates which can provide single or a combination of smaller broken up floor plates capable of accommodating various business types and sizes.
Land use - Foster development of high technology and health related uses in the light industrial area to support the surrounding hospitals.	Not relevant The site is not located in the light industrial area.
Land use - Investigate locations for a new primary and high school in the area to support the growing community.	Not relevant The site is not capable of accommodating a primary or high school.
Land use - New development in the mixed use zone should contribute to delivery of active streets by providing a range of uses at ground floor.	Not relevant The proposal is not within the mixed use zone, however, active frontages will be provided given the retail and commercial lobby design.
Land use - Protect large commercial core zoned sites to ensure employment uses are protected into the future.	Consistent The proposal provides commercial floor space for employment generating land uses.
Movement - New development should contribute to the improvement of the walking and cycling network in the area as well as help to connect to wider regional areas.	Consistent The proposal will facilitate movement north and southwards and to the east and west from the proposed through-site link to contribute to the pedestrian accessibility of St Leonards.
Movement - Identify opportunities to improve safety along existing pedestrian and cycling routes.	Consistent The proposal will increase safety around the site by providing active frontages to Christie Street and Nicholson Lane.
Movement - New development should encourage use of public transport and reduce the need to use a private car. Innovative solutions such as car sharing are encouraged.	Consistent The proposal provides a lower rate of parking on the site and will be supported by a Green Travel Plan to encourage public transport use (refer to Section 8.0).
Movement - New commercial developments should incorporate end of trip facilities to encourage more people to walk and cycle to work.	Capable of achieving consistency The proposal will be capable of incorporating end of trip facilities with the detailed quantum and location to be established during detailed design.
Design Criteria	
Meet solar height planes in this Plan (identified in figure 11 on page 26).	Consistent The proposal adopts the height plane for Newlands Park and will not overshadow Newlands Park between 10:00am - 3:00pm on June 21.
Consideration of quality streetscape aspects such as setbacks, street wall height and heritage buildings.	Partially Consistent and consistent with objective for quality streetscapes The proposal departs from a traditional building podium / street frontage height, however, is consistent with the 3m setbacks proposed for the site (refer to Section 8.0).

Objective or criteria	Consistency of planning proposal
Acknowledge key views and vistas such as key long-distance vistas which offer sky views, and vistas where a building may terminate the view.	Consistent The proposal is not located at the terminus of a key view. However, the proposal will be a part of the St Leonards skyline and will be visible from surrounding areas and is designed to be an attractive, elegant addition to the skyline.
Avoid a monolithic street wall effect through the distribution of higher buildings.	Consistent The proposal has sufficient separation from other potential tall tower sites in the area, such that a monolithic street wall affect will not be created.
Transition heights from high rise areas down towards existing lower scale areas, including areas not proposed for height changes, and Willoughby Road.	Not relevant The site is within 300m of both stations and within the area nominated for tall towers. The site is not located in a transition area.

7.2.2 Q3a. Does the proposal have strategic merit?

The Lane Cove LEP was gazetted in 2009 and as such is now 11 years old. Since gazettal of the Lane Cove LEP in 2009, the following major changes to the strategic context of the site have occurred:

- The *Greater Sydney Region Plan* and the North District Plan were released which identified a need to strategic employment growth and investment in strategic centres close to transport. Also identified was the growth of the St Leonards Centre and job targets between 54,000 – 63,500 by 2036.
- The draft St Leonards and Crows Nest 2036 Plan was released in 2018, which clearly identifies the site as being suitable for uplift and future high-density commercial redevelopment;
- The announcement of the Sydney Metro, providing a second train station (Crows Nest Station) within walking distance (300 m) of the site;
- The evolution of character and scale of development at St Leonards with a number of planning proposals introducing a mix of high density uses in the St Leonards precinct, further demonstrating the changing context of the area;
- Job forecasts released by DPIE in October 2016 (and included in the District Plan) identify that St Leonards should leverage off the Sydney Metro Station at Crows Nest to deliver additional employment capacity (between 54,00-63,500 jobs) to 2036; and
- The declining demand for office space in St Leonards over the past 16 years is a significant factor in the viability of stand-alone commercial development on this site and others in the area, which has only begun to shift towards a window of time for viability.

For the reasons outlined above, the planning proposal has clear strategic merit and responds to a number of significant changes in the strategic planning context of the site, that the current LEP controls from 2009 do not respond to.

7.2.3 Q3b. Does the proposal have site-specific merit?

Having regard to the following:

- the natural environment (including known significant environmental values, resources or hazards); and
- the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

The proposal is considered to have site-specific merit for the following reasons:

- It represents a single land holding within an urban environment that is not affected by any significant environmental constraints ;
- It is located in direct proximity to St Leonards Train Station and the future Sydney Metro Station;
- It can be readily serviced by utilities and infrastructure to support the proposed use and density;
- Local, district and State-level policy see the development of St Leonards as a Strategic Centre with and strong commercial precinct and the proposal will assist in meeting this vision;
- The proposal will not generate additional overshadowing to Newlands Park during the draft control time;
- A high-quality design solution is proposed that is capable of achieving a high-quality design;
- Vehicular access and servicing can be achieved in an acceptable manner;
- The site is well supported by health (e.g. Royal North Shore) and education (e.g. TAFE NSW), within a short distance by walking, car or public transport; and
- The proposal and associated indicative development concept will not result in an unacceptable adverse impact on the local road network.

In summary, the Planning Proposal will enable the development of a commercial tower which will contribute to the expansion of employment generating commercial floor space within St Leonards. This is consistent with the relevant State and local planning framework and is commensurate with existing and planned infrastructure surrounding the site.

Development under the proposed controls is suitable to the characteristics and accessibility of the site and the surrounding public domain. This Planning Proposal achieves the assessment criteria as it demonstrates both strategic merit and site-specific merit. Therefore, it is considered that this Planning Proposal meets the Strategic Merit Test.

7.2.4 Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Lane Cove Strategic Planning Statement

The Lane Cove Local Strategic Planning Statement (**LSPS**) was endorsed by Council and the Greater Sydney Commission in March 2020. It includes a number of Planning Priorities that when read together supports the renewal of the site for higher density commercial purposes given its location within the St Leonards Core. These include:

- **Planning Priority 1:** Provide, maintain, and upgrade infrastructure to meet changing community needs and accommodate future growth.
- **Planning Priority 6:** Create and renew public spaces and facilities to improve our community's quality of life.
- **Planning Priority 7:** Facilitate location of a diverse range of retail, commercial and industrial businesses in Lane Cove.
- **Planning Priority 11:** Improve the management of energy, water, and waste resources

Under **Planning Priority 7**, Council has identified the following on-going and short-term actions:

- The need for standalone commercial office space (p42);
- Achieve a balance between the designated commercial core and residential development in the St Leonards Strategic Centre to manage the impact of residential development in not crowding out commercial activity; and
- Collaborate with DPIE to refine and finalise the Draft 2036 Plan with a development phasing plan, to achieve co-ordinated and well managed jobs and housing growth.

At page 42 Council state:

... a world class commercial tenant MasterCard has now established a technology hub in an existing commercial office building in St Leonards, highlighting the need for standalone commercial office space.

Council's targeted approach to expansion, involved leaving the remainder of the B3 Commercial Core area in Lane Cove LGA as currently zoned, avoiding isolation of commercial sites. Further, these pilot projects were to be monitored in terms of their effectiveness in stimulating the commercial sector in advance of any consideration of similar rezonings. Council's pilot project approach and recent construction approvals provide overwhelming evidence that stand alone commercial development is now viable and may potentially become more viable as a result of Crows Nest Metro Station according to the Draft 2036 Plan findings.

This statement is identified at Planning Priority 7 and is reflective of Council's desire to maximise viable opportunities for commercial development within the Core, which could otherwise be reduced by mixed-use or residential development.

The proposal is completely commercial in nature and therefore aligns to Council's desire to protect and maximise commercial floor space within the commercial core where it is strategically appropriate. The features of the proposal (large contiguous floor plates, 6 Star Building and NABERS rating and high-end end of trip facilities) will maximise the commercial offering of the site, which will help to create a distinct and flagship commercial tower to the St

Leonards Market. The goal is to attract blue chip office tenants or corporate headquarter tenants, and set an example for future commercial development in the Lane Cove LGA.

Under Planning Priority 11, Council aims to reduce carbon emissions and support a pathway towards net-zero carbon emissions through initiatives such as efficient building standards (amongst other things). The proposal will achieve a high sustainability standard, including 6 Star Greenstar, 5 Star NABERS energy, and 4 Star Water.

Liveable Lane Cove 2036

Liveable Lane Cove 2036 is Council's Community Strategic Plan and includes goals, objectives and strategies being worked towards by the community to improve the liveability of Lane Cove. Each goal, objective and strategy is grouped under one of the following themes:

- Our Society;
- Our Built Environment and Our Natural Environment;
- Our Culture;
- Our Local Economy; and
- Our Council.

The proposal is consistent with the following objectives of Liveable Lane Cove 2036:

- Objective 10: *Transport & Mobility*. The proposal encourages the use of public transport, reducing environmental and social impacts associated with car dependence. A Green Travel Plan forms part of the Traffic and Transport Assessment (refer to **Appendix C**) and sets out the strategy to encourage and manage sustainable transport to and from the site.
- Objective 21: *Developing Business Precincts*. The proposal will support the diversity of business types within the LGA, including potentially blue chip office tenants or corporate headquarter tenants.
- Objective 22: *Sustainable Business Practices*. The proposal will comprise sustainable practice relating to water and energy use and will deliver a highly sustainable commercial tower. It will have minimum targets of a 6 Star Green Star rating, 5.5 Star NABERS Energy rating and 4 Star NABERS Water rating.

St Leonards Strategy

The St Leonards Strategy was prepared in 2006 by Willoughby, Lane Cove and North Sydney Councils and had four main purposes:

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

The St Leonards Strategy recommended a 'strategic growth' scenario to achieve the increase in workspace required to accommodate the 8,000 additional jobs in St Leonards targeted by the (then) Draft Inner North Subregional Strategy. The Strategy identified the site as presenting a key opportunity for commercial development, with the site located in the centre's Southern Business District. On this basis, the proposal remains consistent with the Strategy and provides a land-use consistent with the long term intended outcome for the site.

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

Yes.

An assessment of the Planning Proposal against relevant State Environmental Planning Policies (**SEPPs**) is set out in **Table 5**

Table 5 – Consistency with applicable SEPPs

Heading	Comment
<i>State Environmental Planning Policy No 55 – Remediation of Land</i>	SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It specifically requires consideration when rezoning land and in determining development applications, and requires that remediation work meets certain standards and notification requirements. An assessment of contamination would be undertaken as part of any future DA for the site.
<i>State Environmental Planning Policy No 64—Advertising and Signage</i>	Not relevant to proposed amendment. May be relevant to future DAs.
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	Not applicable to the proposed amendment. It may apply to future development on the site.
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	Division 17 of the Infrastructure SEPP will apply to a future proposal as it will exceed 10,000 sqm of commercial floor space. Any application for development will need to be referred to the RMS (now TfNSW) as traffic generating development.
<i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</i>	The site is located on land in the Sydney Harbour Catchment which is land to which the Sydney Regional Environmental Plan applies. The site is not zoned under the Plan and is not located in the foreshore and waterway area. Of consideration is clause 26 of Division 2 and the views to Sydney Harbour. A Visual Impact Assessment (Appendix B) has determined that the proposal will generate an acceptable view impacts and will not impact views to and from the harbour.

7.2.6 Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes.

An assessment of the Planning Proposal against applicable section 9.1 Directions is set out in **Table 6** below.

Table 6 – Consistency with section 9.1 directions

Ministerial Direction	Consistent			Comment
	Yes	No	N/A	
1. Employment and Resources				
1.1 Business and Industrial Zones	✓			<p>In accordance with the objectives of the direction, this planning proposal will facilitate:</p> <ul style="list-style-type: none">• Employment growth on an established site, appropriate to its context.• The retention of the site for employment purposes by intending to redevelop it for commercial purposes; and• Provide a land use (commercial) which directly supports the primary commercial functions of St Leonards.
1.2 Rural Zones			✓	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries			✓	Not applicable
1.4 Oyster Aquaculture			✓	Not applicable
1.5 Rural Lands			✓	Not applicable
2. Environment and Heritage				
2.1 Environment Protection Zones			✓	Not applicable
2.2 Coastal Protection			✓	Not applicable

Ministerial Direction	Consistent			Comment
2.3 Heritage Conservation	✓			The objective of section 9.1 direction 2.3 is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. There are no listed heritage items on the site of this planning proposal or surrounding the site which would be affected by the Planning Proposal. The site is also not located within a heritage conservation area.
2.4 Recreation Vehicle Areas			✓	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs			✓	Not applicable
3. Housing, Infrastructure and Urban Development				
3.1 Residential zones			✓	Not applicable
3.2 Caravan Parks and Manufactured Home Estates			✓	Not applicable
3.3 Home Occupations			✓	Not applicable
3.4 Integrating Land Use and Transport	✓			The planning proposal will take advantage of the site's strategic context within St Leonards, providing new employment in a highly accessible transport location.
3.5 Development Near Regulated Airports and Defence Airfields			✓	Not applicable
3.6 Shooting Ranges			✓	Not applicable
4. Hazard and Risk				
4.1 Acid Sulphate Soils	✓			In accordance with Lane Cove LEP 2009, the site is not classified as containing Acid Sulfate Soils. At the time of any future development application, the need for an Acid Sulfate Soils Assessment will be addressed.
4.2 Mine Subsidence and Unstable Land			✓	Not applicable
4.3 Flood Prone Land	✓			Preliminary assessment indicates that the site is not flood affected. Detailed flood assessment will be undertaken with the detailed DA for the site.
4.4 Planning for Bushfire Protection			✓	Not applicable
5. Regional Planning				
5.1 Implementation of Regional Strategies			✓	Not applicable
5.2 Sydney Drinking Water Catchments			✓	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway North Coast			✓	Not applicable
5.8 Second Sydney Airport: Badgerys Creek			✓	Not applicable
5.9 North West Rail Link Corridor Strategy			✓	Not applicable
5.10 Implementation of Regional Plans	✓			The planning proposal is consistent with the Regional and District Plan.
5.11 Development of Aboriginal Land Council land			✓	Not applicable
6. Local Plan Making				
6.1 Approval and Referral requirements			✓	No new concurrence provisions are required.

Ministerial Direction	Consistent		Comment
6.2 Reserving Land for Public Purposes		✓	No new road reservation is proposed.
6.3 Site Specific Provisions	✓		The Planning Proposal will not result in any unnecessarily restrictive site-specific planning controls.
7. Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney	✓		The planning proposal will assist in the implementation of the Greater Sydney Region Plan and is consistent with the objectives of the Plan. Refer to Section 7.0 for further details.
7.2 Implementation of Greater Macarthur Land Release Investigation		✓	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy		✓	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan		✓	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		✓	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan		✓	Not applicable
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor		✓	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan		✓	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan		✓	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct		✓	Not applicable

7.3 Environmental, Social and Economic Impacts

7.3.1 Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The Planning Proposal is unlikely to result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's urban location. The site is devoid of any significant vegetation.

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

A detailed assessment of the environmental effects as a result of the Planning Proposal is identified in **Section 8.0** of this justification report. Relevant management measures are identified where appropriate and, on this basis, no unacceptable impacts are likely to result from the Planning Proposal or future development on the site.

7.3.3 Q9. Has the Planning Proposal adequately addressed any social and economic impacts?

Yes. Refer to **Section 8.0** of this justification report. The social and economic impacts will be positive.

7.4 State and Commonwealth Interests

7.4.1 Q10. Is there adequate public infrastructure for the Planning Proposal?

The proposal will see the delivery of a commercial development on the site. Given the site's location, it is expected that the site's infrastructure is capable of accommodating, or can be augmented to accommodate, such development. It will be subject to contributions to support the provision of infrastructure arising from the development.

The proposal will provide new publicly accessible open space together with an activated lane and through-site link. It will also provide extra patronage for the existing public transport network, will take advantage of the future Crows Nest Metro.

7.4.2 Q11. What are the views of State or Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth public authorities will be known when formal consultation has occurred in accordance with the Gateway determination of the Planning Proposal.

8.0 Environmental Assessment

This section provides an environmental assessment of the proposal planning controls and the building envelope, and the indicative development that those controls are capable of accommodating.

8.1 Economic impacts

An Economic Assessment has been prepared by Ethos Urban (refer to **Appendix D**). It identifies that the proposal will have a positive economic impact. Specifically, it indicates that:

- The site is extremely well positioned, in a high profile and easily accessible location that would be ideal for commercial office uses, benefitting from easy access to both existing and future major transport infrastructure. St Leonards is planned to continue to support employment growth, particularly in knowledge intensive industries and health and education uses - both sectors can be occupiers of the proposed building.
- The proposal would satisfy a range of government strategies, including benefitting from the future Crows Nest Metro Station, while also enhancing employment opportunities within St Leonards. The future development of the site will capitalise on investment in the Metro Station by increasing the density of activity and number of jobs in proximity to this station, which will deliver on the vision of integrated land use and transport planning, and a '30-minute city', where jobs, services and amenity are easily accessible.
- St Leonards and the broader Crows Nest precinct is projected to grow substantially both in terms of residential but also employment capacity. While there are a large number of residential and mixed-use projects in the area currently, there are few commercial projects. Some +4,500 jobs are proposed to be accommodated within the St Leonards core precinct, and around +15,000 overall in St Leonards and Crows Nest.
- A review of commercial office floorspace in St Leonards indicates that only around one-third of office stock is considered prime grade (premium and A-grade quality), with the remaining two-thirds of office stock in the market being secondary grade quality. In other nearby commercial office precincts the provision of prime grade stock is higher, with markets such as Macquarie Park and Chatswood at 75% and 60%, respectively. In the North Sydney CBD, this proportion is similar to St Leonards/Crows Nest; however, will increase towards a 50:50 split in the coming years based on known developments. This highlights the requirement for St Leonards/Crows Nest to improve the quality of the commercial office floorspace in order for the locality to remain attractive to new and existing occupiers.
- In the past 12 months, demand or net absorption has been focused on secondary grade office space, with limited demand for prime stock. This is largely due to the limited availability of prime office space in St Leonards/Crows Nest, particularly for contiguous floors, which is resulting in tenants choosing high-quality secondary floorspace as a result.
- Recent development in St Leonards is typically mixed use, with a primary focus on residential and retail, and a smaller consideration for commercial office space. At present, there is only a limited amount of commercial stock in the immediate pipeline for St Leonards. However, it should be noted that this upcoming stock forms part of mixed-use projects, and that with the exception of the subject site, there are currently no developments occurring or earmarked in St Leonards that are predominately a commercial use.
- Existing commercial office floorspace within the St Leonards and Crows Nest region is dated and in need of revitalisation in order to remain relevant to modern tenant requirements and to ensure St Leonards competes effectively with other suburban commercial office markets in Sydney in the future.
- The proposal would result in a significant economic and community benefit to the local and regional community. This includes the investment of some \$150 million during the construction of the project, which is highly valuable in the current subdued economic conditions. Furthermore, the project will generate some 760 jobs (both directly and indirectly) during the construction stage of the project.
- On an ongoing basis, the development is projected to support almost 3,500 workers on completion and at full occupancy. These ongoing workers would contribute in excess of \$450 million in value added economic activity each year.

- Additional benefits resulting from the project include improved activation, community amenity and pedestrian access between St Leonards and Crows Nest as well as providing for the requirements of existing and future commercial occupiers in this part of Sydney.
- The proposal would provide for growth in a commercial development but including retail floorspace, that is well suited to the site over the longer term. The project would enhance the activation and vibrancy of St Leonards and the surrounding area, while supporting the growth and evolution of St Leonards as a key destination on the Lower North Shore of Sydney.

8.2 Built form and urban design

8.2.1 Tower form in skyline / context

The proposed controls accommodate a tall and slender building envelope which can fit within the existing and emerging skyline context of St Leonards which is a strategic centre. The envelope is located within a high-density area and is surrounded by existing and future tall buildings. On this basis, the proposed envelope is not considered to be isolated or overly prominent within its context (refer to **Figure 30**).

In addition, the following matters support the appropriateness of the envelope height proposed:

- The height proposed has been tested to ensure it provides an appropriate environmental outcome. Compared to a future development available to the site under the Draft 2036 Plan, it will still provide a positive urban design outcome and will not cause adverse impacts to the public domain especially in relation to solar access to Newlands Park;
- The height is still contextually appropriate and will conform to the transition of height anticipated to surround the site under the Draft 2036 Plan. It will support the gradual transition of height from the Pacific Highway to existing adjoining tall development (refer to **Figure 31**).
- The site is located in an area of St Leonards specifically identified to accommodate additional height and is representative of the tower context intended for the immediate locality under the Draft 2036 Plan. The proposed height is consistent with Council's desire to maximise commercial floor space within the St Leonards Core, where it is strategically appropriate. It will also enhance jobs in a Strategic Centre and leverage off the new Sydney Metro Station at Crows Nest, consistent with the North District Plan.
- The proposed height provides an acceptable visual impact from the public and private viewpoints within and surrounding the site (refer to the Visual Impact Assessment at **Appendix D**).
- The envelope achieves adequate separation distances and is surrounded by wide streets and adequate tower separation to surrounding towers.
- The envelope is tapered to provide relief to its form. This helps to reduce its perceived scale and mass which in turn helps to reduce its perceived height with other development in the skyline.
- In accordance with the Draft 2036 Plan, the proposed height does not cause additional overshadowing to Newlands Park between 10:00am and 3:00pm.

8.3 Tower separation

The proposed tower setbacks result in an acceptable tower separation to neighbouring sites. The proposal consolidates into a block bounded by streets to the east and west which support good separation. Land directly to the south is zoned commercial in nature and is envisioned to remain commercial in nature into the future under the Draft 2036 Plan.

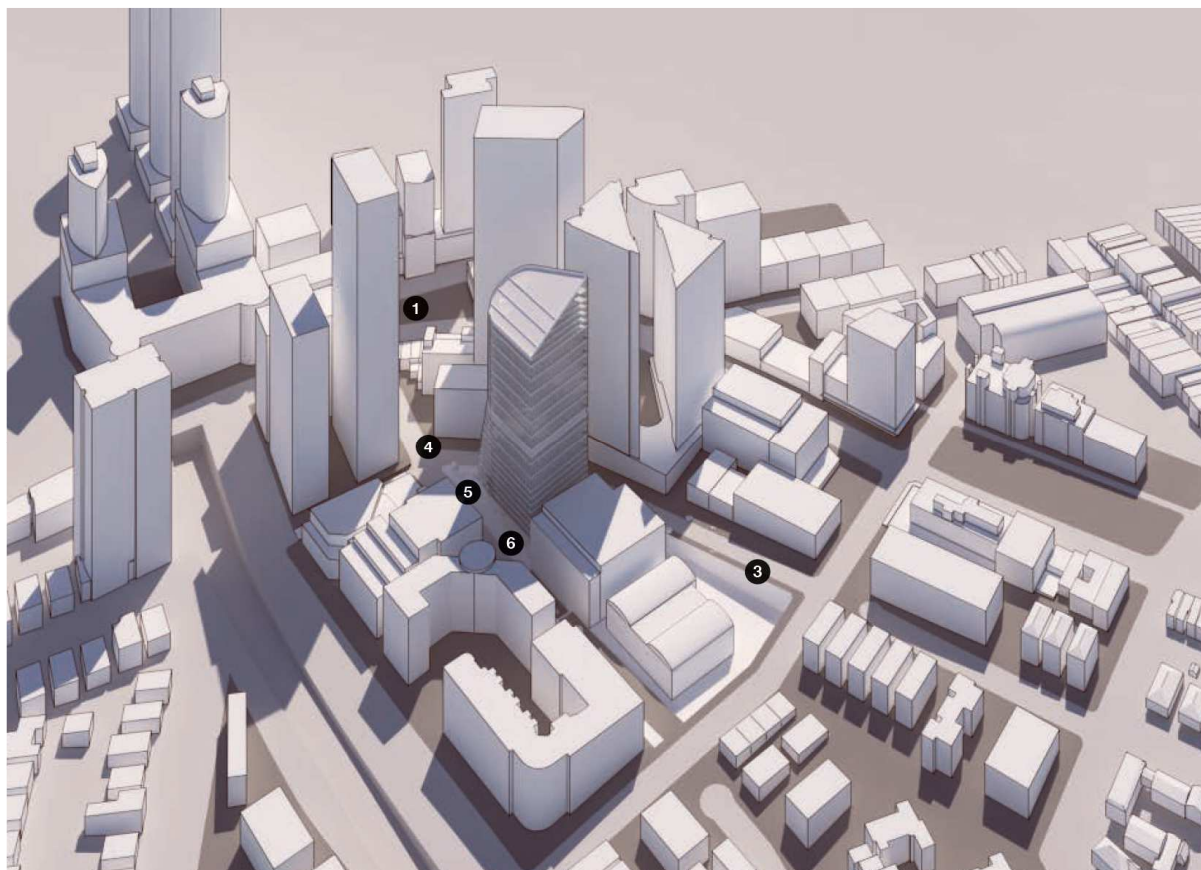


Figure 30 – Tower context of the site

Source: Woods Bagot

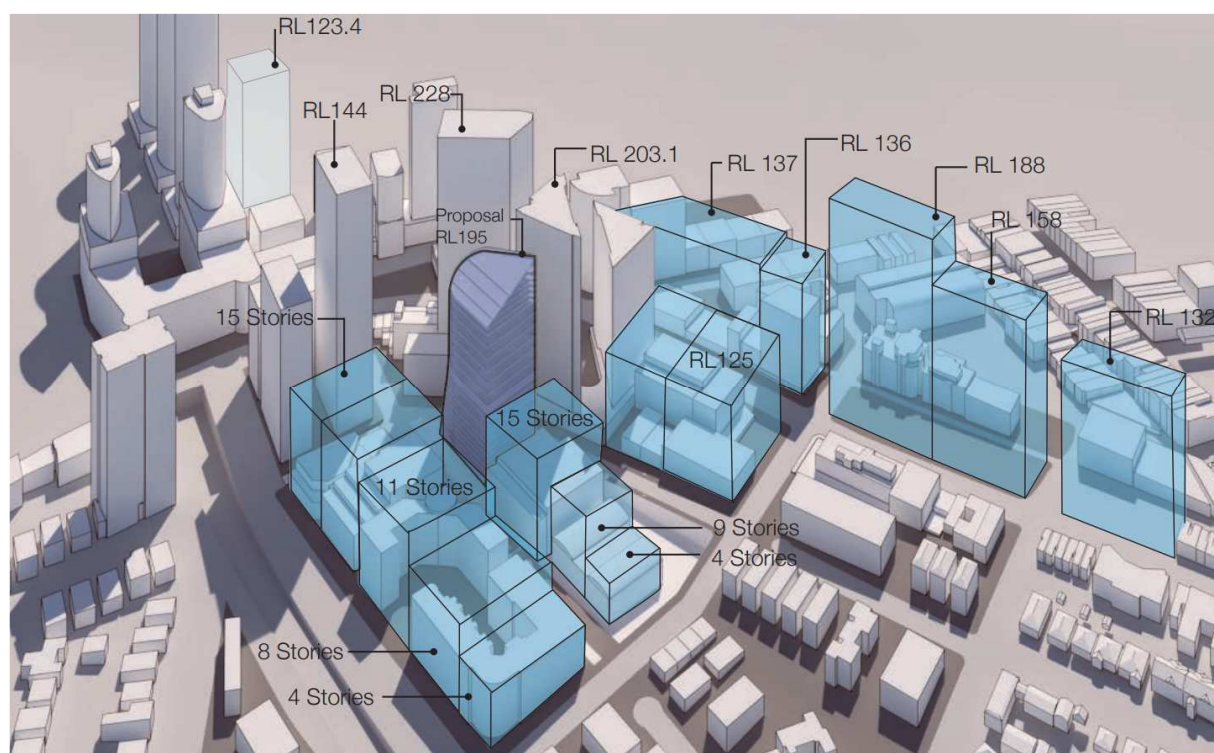


Figure 31 – Heights of surrounding development proposed under the Draft 2036 Plan

Source: Woods Bagot

8.3.1 Podium

The proposed envelope does not provide a traditional-type podium component like that envisioned for the site under the Lane Cove DCP 2010 and or the Draft 2036 Plan. The design intent has been to reduce bulk from the lower components of the envelope and reduce the scale of the envelope from the public domain. Articulation to maximise view sharing from development to the east has also necessitated a narrower form without the squareness and bulk a traditional podium forms.

8.3.2 Setbacks

The setbacks of the proposed envelope above the street frontage height (tower) compared to the street setback controls of the Lane Cove DCP and the Draft 2036 Plan are set out in **Table 7**.

Table 7 – Comparison of tower setbacks

Setback	Proposed (m)	DCP (m)	Draft 2036 Plan (m)	Compliant (Y/N)
Side building setback (fronting Nicholson Street)	3	6	3	Partial
Side building setback (fronting Christie Street)	3	6	3	Partial
Rear building setback (abutting southern boundary)	3	6	-	Partial

The proposal is consistent with the tower setbacks already considered suitable and recommended by DPIE under the Draft 2036 Plan, demonstrating the proposed setbacks accord with the most recent design testing for the site. The site also provides, given the separation provided by Christie Street and Nicholson Street, an appropriate level of amenity to nearby residential development to the north east.

The proposed setbacks do, however, vary from those which were envisioned for the site under Part D of the Lane Cove DCP 2009 (under Block 4 – The Nicholson Street Precinct) by three metres. However, the DCP is clear on ensuring block plan controls can be applied flexibly based on achievement of control objectives. The proposed envelope is considered consistent with the objectives of the Nicholson Street Precinct as:

- The site represents an amalgamation of seven individual lots under a single ownership. This reduces barriers to development (i.e. fractured ownership structures) and improves the opportunities for development inline with that anticipated for the site's location within the St Leonards Core;
- The proposed envelope irrespective of the smaller setbacks provides activation to Christie Street and Nicholson Street through the provision of public open space and a through-site link;
- The proposed envelope is capable of accommodating a high-quality commercial development sympathetic to the Friedlander Place connection and Christie Street through an articulated form;
- Through an articulated form, supports the continuation of solar access to surrounding residential receivers in Lightgow Street and Canberra Avenue.

The following is also worthy of consideration:

- The proposed form ensures appropriate levels of amenity are maintained to all surrounding streets, with the tower arrangement and proposed tapering ensuring the proposal does not result in an overbearing presence to streets.

8.4 Suitability of Increased Capacity / Density

As detailed previously, the controls and planning envelope were deliberately chosen and thoughtfully designed, tested, and analysed having regard to the various environmental constraints (in particular overshadowing and view sharing) applicable to the site. The result is an FSR achievable within the building envelope, which is the product of urban and architectural design testing and environmental assessment.

This testing established the appropriate maximum building envelope in terms of its key impacts and constraints (overshadowing and view sharing). From there, the building envelope was further refined to be capable of accommodating a tower form appropriate to the market and context of St Leonards and designed in a manner responsive to the site's environmental constraints and its locality.

The approach set out above is a fundamental shift away from the setting of a generic fixed FSR number in isolation of site and locality-specific environmental context and impacts. This approach recognises the limits of the site and its constraints, but also recognises its opportunities in terms of its strategic location in St Leonards and the nature of the site –an amalgamation of lots forming a portion of an entire block at a prominent urban visual axis. This approach also allows an appropriate FSR (irrespective of its numerical value) to be established on a site-specific basis, and which is the product of urban design and environmental testing.

Like touched on above, the physical characteristics of the site and its location also require consideration (an amalgamation of lots forming a portion of an entire block at a prominent urban visual axis). It can support an appropriate commercial development in the dense area of St Leonards intended to facilitate future employment growth and density, unlike any other development that has been proposed in St Leonards (Lane Cove LGA), which relies on Mixed Use and introduction of residential uses to facilitate that development.

The density proposed is directly responsive to the strategic planning framework established by the State and Council for St Leonards. It provides employment floor space where it is proposed to be protected and grown at an intensity commensurate with the capacity of existing and planned infrastructure.

8.4.1 Landscape / Public Domain Concept

A high-quality landscape and public domain outcome is central to achieving the objectives for the proposal. Jemalong and Woods Bagot have developed an overall concept to assist in establishing the key principles to be adopted and developed within the next detailed design phase (refer to **Figure 33**).

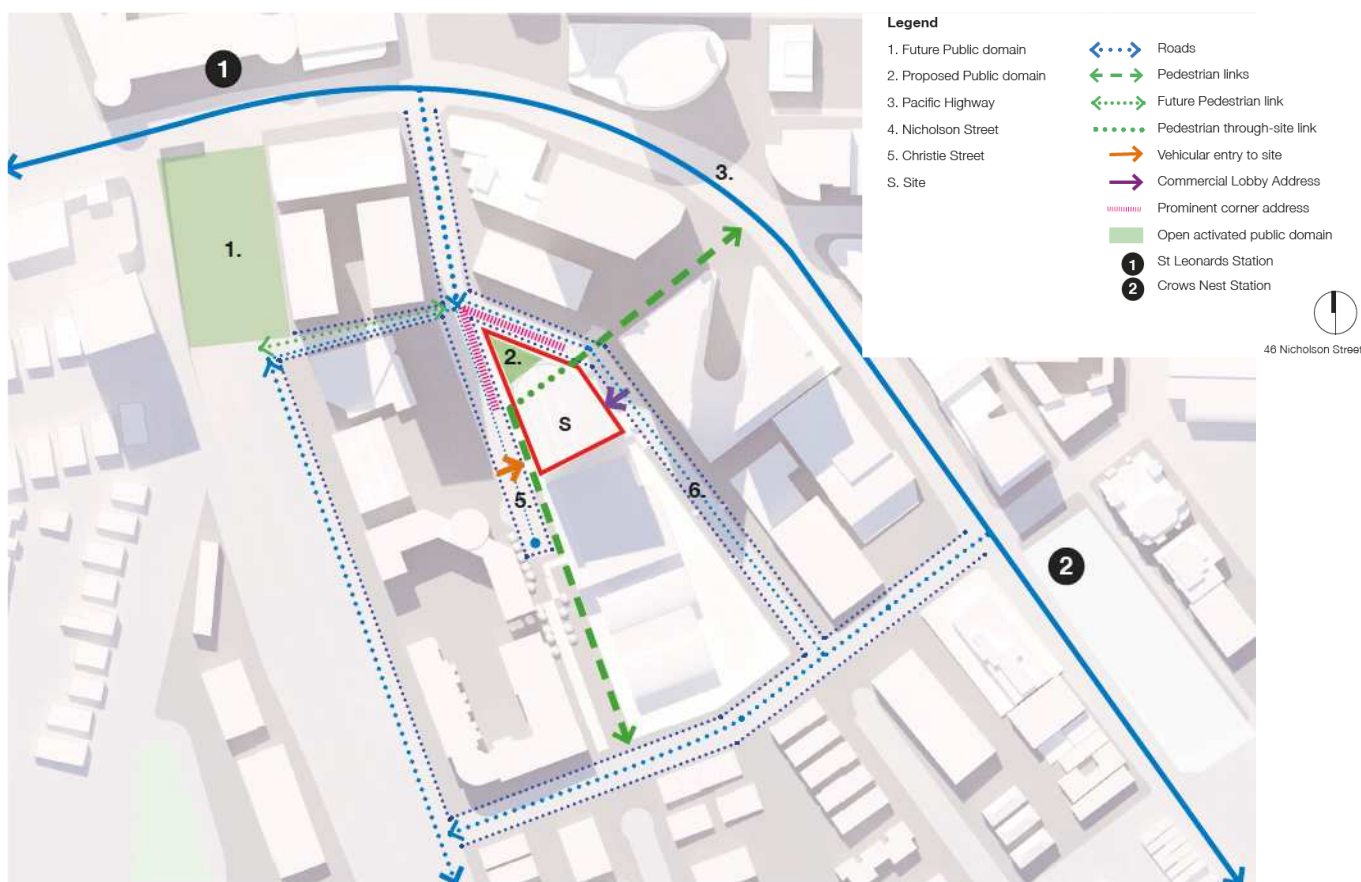


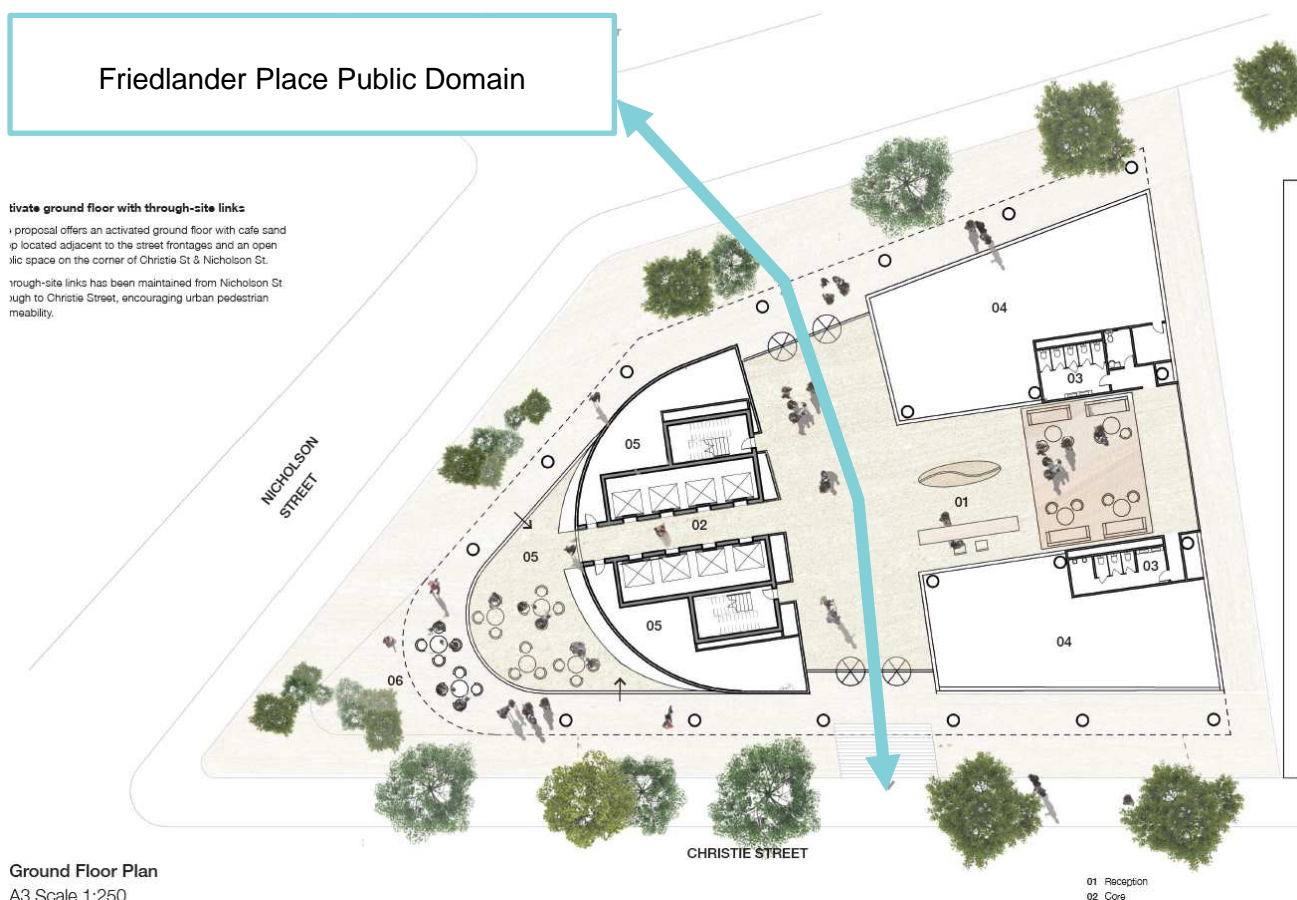
Figure 32 Public Domain Design Principles

Source: Woods Bagot

Included in **Appendix A** is a concept plan prepared by Woods Bagot for the ground plane, with key features identified including:

- A through-site link connecting Christie Street to Nicholson Street;
- Active ground plane;
- Ground floor retail;
- An extension of the recent investment in public domain at Friedlander Place with new open space at the corner of Nicholson Street and Christie Street; and
- Open public space on the corner of Christie and Nicholson Street.

15 Proposed Scheme



8.5 Overshadowing and solar access

Woods Bagot has assessed the impact to solar access generated by the proposed envelope (refer to **Appendix A**). The matters for consideration are (refer to **Figure 34**).

- Newlands Park. Under the Draft 2036 Plan, the Park is proposed to be protected from shadow after 10:00am mid-winter as per the draft controls;
- Surrounding residential receivers. Under the Lane Cove DCP 2010, commercial development seeks not to reduce sunlight to dwellings in the adjacent or same zone below a minimum of 3 hours of sunlight on a portion of the windows of the habitable rooms between 9:00am and 3:00pm on 21 June. In this instance consideration is given to:
 - Existing residents along Oxley Street;
 - Existing residents along Lithgow Street; and
 - Existing residents along Canberra Street.

The analysis indicates that the proposed envelope will not have any overshadowing impacts on Newlands Park and the shadow will not shadow the park after 10am. There will also be no impact to existing residents west of Canberra Avenue. The majority of residents east of Newlands Park and south of Oxley Street also receive a minimum of three hours of sun between 9:00am and 3:00pm in winter.

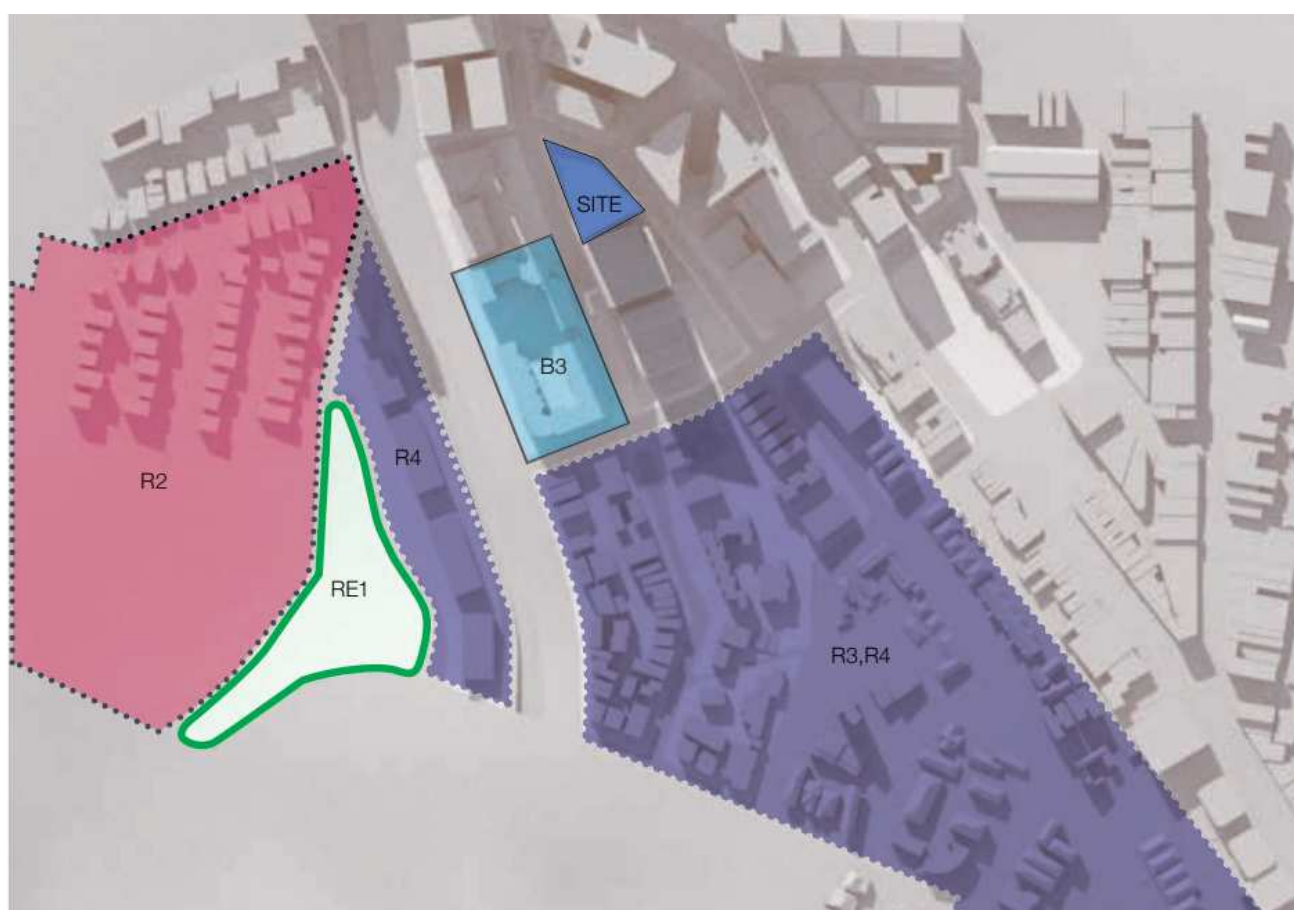


Figure 34 – Areas of consideration

Source: Woods Bagot

The proposed envelope will cast some additional shadow to the existing residential development south of Oxley Street, and along Lithgow Street and Canberra Avenue. The level of impact has been comparatively assessed against the impact generated if the site were to be developed under the Draft 2036 Plan controls (being up to a height of 18 storeys). Detailed solar access analysis diagrams are provided in **Appendix A**. In summary however, the following is noted.

- Existing residential development west of Canberra Avenue receive 3 hours of solar access mid-winter. It is noted that the proposal is contained within the shadow cast by existing development throughout the morning;
- Existing residential development along Lithgow Street (east of the railway line) is subject to minor additional overshadowing between 9:00am and 12:00pm (refer to **Figure 35 - Figure 37**). The residential building is located on land zoned B3 Commercial Core and is within the St Leonards CBD. It is noted that the building is overshadowed primarily by existing development on the Pacific Highway and surrounding development. The proposal will overall result in improvements to shadows compared to the shadow cast by the 2036 Plan envelope in some areas. Overall, the proposal will result in less than 30 minutes shadow around 11am with the shadow moving fast across the large site. Beyond midday, the proposal does not cause additional shadow, allowing a minimum of three hours to be achieved.
- The slender tower will result in a fast-moving shadow that will enable 3 hours sunlight to be achieved for residences south of Oxley Street.

Overall, the proposal will result in limited new shadowing compared to the 2036 Plan envelope. 3 hours sunlight is maintained to surrounding residential zoned areas in accordance with the DCP.

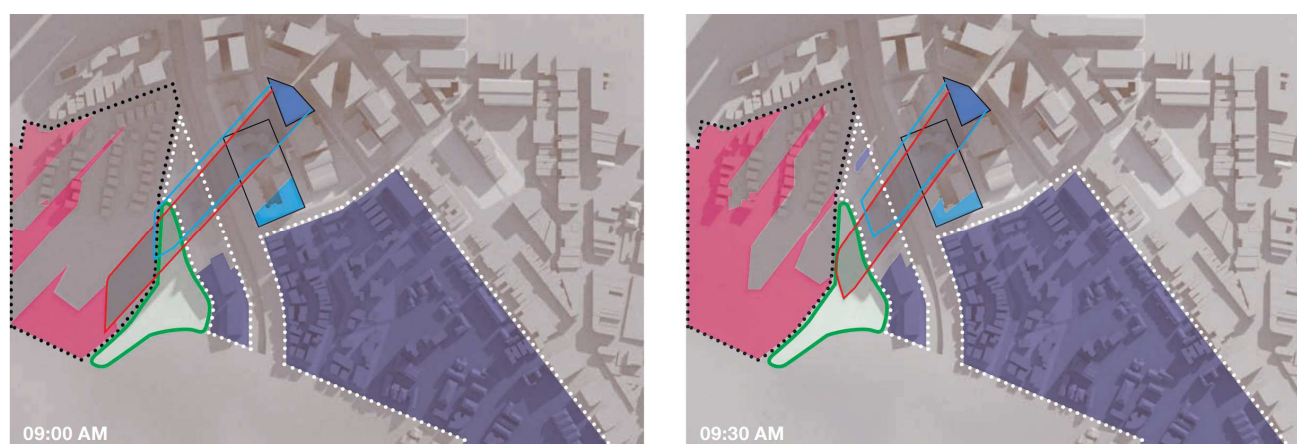


Figure 35 – Shadow cast between 9:00am – 9:30am

Source: Woods Bagot



Figure 36 – Shadow cast between 10:00am – 10:30am

Source: Woods Bagot



Figure 37 – Shadow cast between 12:00pm – 12:30pm

Source: Woods Bagot

8.6 View analysis

Ethos Urban has prepared a Visual Impact Assessment (**VIA**) of the proposed envelope (refer to **Appendix D**). The intent of the VIA is to identify, describe and assess the appropriateness of the potential visual impact associated with the proposed envelope on surrounding private views (504 Pacific Highway and 486 Pacific Highway) within the visual catchment on the site.

The VIA found that overall visual impact of the proposal is acceptable on a balance of considerations. In particular, the proposal is consistent with key planning instruments that seek to promote the St Leonards Strategic Centre as a key location for investment, jobs, and employment. While it is acknowledged that there is a change to the visual context as a result of the proposal, this is reasonable considering the design of the proposal and the long-established role and planning intent for view sharing and the resultant views that are retained to a variety of contexts.

8.7 Traffic and parking

An assessment of the traffic and parking implications of the proposal (in particular the indicative design scheme) has been undertaken by JMT Consulting (refer to **Appendix C**). A further detailed traffic, access and parking assessment will occur as part of any future detailed DA for the redevelopment of the site. The assessment has had due regard to surrounding development in the planning and development stage.

8.7.1 Traffic generation and movement

The proposal is anticipated to generate up to 124 vehicle trips in the AM and PM peak hours. This increase in traffic is not considered to generate an adverse impact on the surrounding road network, and the analysis shows that there is capacity in the local street network with intersection performance remaining at a good level of service.

8.7.2 Car parking

The parking provision of the site under the Lane Cove DCP is identified in **Table 8**. Also identified for comparative purposes are the car parking rates for land within the St Leonards Commercial Core which fall under the North Sydney LGA. Given the ancillary nature of the retail component, the retail floor space is not proposed to generate additional parking demand.

Table 8 – Proposed parking allocation

Land use	Lane Cove DCP		North Sydney DCP		Proposal	
Commercial office (36,684 sqm)	Rate	No. of spaces	Rate	No. of spaces	Rate	No. of spaces
	1 space per 100sqm GFA	367	1 space per 400 sqm GFA	92	1 space per 300 sqm GFA	122

Source: JMT Consulting

The proposal seeks to accommodate a total of 122 spaces which is below the Lane Cove DCP requirement of 367 car spaces. However, JMT consider this shortfall in car parking acceptable for the following reasons:

- The proposal will not generate the full parking demand envisioned by the Lane Cove DCP. This is due to the site's location within the commercial core and its location within five minutes walking distances of St Leonards Train Station, the future Crows Nest Metro Station, and several high frequency bus stops;
- The Lane Cove DCP rates were established before the announcement of the Metro Station at Crows Nest. Public transport accessibility will (in the future) significantly improve since the parking rates were first introduced;
- The quantum of parking proposed (122) sits inside the range of parking (92-367) considered suitable for development inside St Leonards Commercial core;
- A lower quantum of parking (as proposed) will support reduced traffic movements and less congestion to the surrounding road network; and
- Managed car parking is consistent with the policy direction in the Lane Cove LSPS in relation to managing traffic movements and encouraging public transport for future development inside St Leonards.

8.7.3 Bicycle parking

Under the Lane Cove DCP 2010, a total of 198 bicycles spaces would be required based on the commercial and retail uses proposed. The location and design of these spaces on the site is yet to be determined and will be accommodated during detailed design. It is intended to provide bicycle spaces in line with the requirements of the DCP.

8.8 Amenity, safety and security in the public domain

The proposal provides for active uses along all adjoining streets, lanes and through-site links. This activation together with the creation of new publicly accessible open spaces will:

- Result in a significant improvement to the amenity and quality of the public domain;
- Generate increased pedestrian activity and interaction;
- Increase safety and security in the surrounding public domain; and
- Provide good opportunities for the integration of public art and site interpretation.

8.8.1 Improved accessibility and legibility of through site links

The proposal supports provision of active uses and the creation of new, open and accessible connections within and through the site, linking up with the surrounding street/laneway network. These features will improve pedestrian and disabled access and the legibility of the surrounding access network. The proposal will also directly link to recent investment in the new Friedlander Place public domain and will generally improve connections to the north of the site.

9.0 Part 4 – Mapping

The proposed mapping amendments to the Lane Cove LEP 2009 are provided at **Appendix E**, and include:

- Amendments to the Height of Buildings Map; and
- Amendments to the Floor Space Ratio Map.

10.0 Part 5 – Community Consultation

Community consultation will be conducted in accordance with Section 3.34 and Schedule 1 of EP&A Act and A Guide to Preparing Planning Proposals. Generally speaking, the Gateway determination will require consultation to occur with the community. Feedback collected during that consultation period will be addressed at the appropriate time.

11.0 Part 6 – Indicative Project Timeline

Below is an indicative timeline for this planning proposal.

Submission of planning proposal	July 2020
Reporting of planning proposal to Council for endorsement	October 2020
Referral to Minister for Gateway Determination	November 2020
Date of Gateway determination	February 2020
Commencement and completion of public exhibition	May 2021
Government agency consultation (pre/post-exhibition as required by Gateway determination)	May 2021
Timeframe for consideration of submissions	July / August 2021
Reporting of exhibition back to Council for endorsement	September 2021
Finalisation of the LEP	October 2021
Anticipated date Relevant Planning Authority (RPA) will make the plan	November / December 2021
Anticipated date RPA will forward to the DPIE for notification	November / December 2021

12.0 Conclusion

This report has been prepared by Ethos Urban to support a Planning Proposal to Lane Cove Council, seeking amendments to the *Lane Cove Local Environmental Plan 2009* to facilitate the commercial redevelopment of 46 Nicholson Street, St Leonards for an A-Grade premium office tower up to a height of RL 198.6m and an FSR of 16.45:1.

The Planning Proposal is underpinned by a vision to deliver an innovative and first-class tower project which will contribute to the continued commercial growth of St Leonards as an eminent Strategic Centre.

More specifically, this Planning Proposal will establish the planning framework to facilitate:

- An environmentally sustainable office tower capable of providing market-specific, in-demand A grade commercial floor space, which will support significant employment growth in St Leonards;
- A destination at ground level, by leveraging off the site's scale and length of frontage to provide a completely new and invigorated street level outcome, supporting fine-grain activation and permeability;
- A high standard of architectural design, and provide a recognisable and high-quality contribution to the St Leonards skyline, reinforcing St Leonards status as a Strategic Centre within the Eastern Economic Corridor; and
- Sustainability initiatives of the highest level, supporting the improved environmental performance of commercial development in St Leonards.

This Planning Proposal demonstrates that it can suitably accommodate Jemalong's vision for a commercial tower project, whilst also ensuring environmental impacts and respecting the amenity of surrounding development (especially in relation to solar access and view sharing), streets, and valued public spaces. This supports the site-specific merit of the Planning Proposal. More broadly, this report outlines that the Planning Proposal has demonstrable strategic merit and is in alignment with the actions and intended outcomes of the strategic planning framework established by the State and Lane Cove Council.

For these reasons, we have no hesitation in recommending this Planning Proposal for Gateway Determination.