

**DECISION OF  
NORTH SYDNEY LOCAL PLANNING PANEL  
MEETING HELD ON 19 JULY 2023**

**PLANNING PROPOSAL ITEM 1**

<b>PP No:</b>	2/23
<b>ADDRESS:</b>	601 Pacific Highway, St Leonards
<b>PROPOSAL:</b>	To amend North Sydney Local Environmental Plan 2013 as follows: <ul style="list-style-type: none"> <li>• Increase the maximum height of buildings limit from 49m to 276.5 RL (equivalent to 189m);</li> <li>• Introduce a maximum floor space ratio (FSR) of 20:1</li> </ul>
<b>REPORT BY NAME:</b>	Element Environment (on behalf of North Sydney Council)
<b>APPLICANT:</b>	Stockland Development Pty Ltd

## 2 Written Submissions

### Registered to Speak:

<b>Submitters</b>	<b>Applicant/Representatives</b>
Zoe Liu - resident	Graeme Collins - Development Director, Stockland - Applicant
Mark Bartel - resident	Stephen White – Director, Urbis Planning consultant
	Ryan Crabbe - Arup, Structural engineer
	Michele McSharry - Architectus Architect
	Lulu Woods - Senior Development Manager, Stockland
	Caroline Choy - Project Director, Stockland
	Jennie Buchanan - NSW Planning Manager, Stockland
	Rob Battersby - Urbis (Observing Only)

### Background

The Panel members have undertaken independent site inspections prior to the meeting and had the benefit of written submissions; submissions heard at the public meeting; and the detailed assessment report.

The proponent and their consultants for the Planning Proposal also addressed the Panel and presented an amended concept that included reduced height of the podium and a reduction in the overall height of the building.

The Panel advised the meeting that if the Planning Proposal is supported by the Council to proceed to Gateway, then a draft Local Environmental Plan is required to be placed on public exhibition for a period of 42 days with a formal consultation process.

### Panel Recommendation

The Panel has considered all the material before it and this includes the St Leonards Strategy 2036 prepared by the Department. This Strategy provides an overall framework and guidelines and identifies the subject site for a commercial building to

provide employment for the centre with potentially a 42 storey and 20:1 floor space ratio for the site. The current building on the site is a multi storey commercial offices.

Council's independent consultants prepared an Assessment Report for the Panel's consideration and recommended the concept proposed by the Proponent be reduced in its overall height to respect the height transition in the Strategy. It was also recommended the podium be reduced by one level in accordance with the DCP for the centre.

The Panel has considered the Proponent's amended heights tabled at the meeting, however, considers the overall height and podium heights should be reduced in accordance with the Assessment Report to provide the necessary transition in overall height as envisaged by the 2036 Strategy, and reduce overshadowing impacts and the podium height reduced to provide a better urban design outcome.

The Panel considers that the plant room can be adequately accommodated within the maximum overall height limit of RL 259, (equivalent to 171 metres), noting that this could require a reduction in gross floor area, and a reduction in the height of the architectural element. The Panel considers the reduced height to be consistent with the 2036 Strategy with other anticipated heights of buildings within the immediate context.

Similarly, as discussed above, the Panel concurs with the Report that the podium be reduced to 4 and 5 storeys with a maximum height of 20.5 metres.

The Panel is of the view that the FSR of 20:1, is a maximum and this clearly may not be achievable for the subject site given the need to accommodate all the planning considerations and consequential impacts on the St Leonards Centre.

The Panel considers, in the absence of a design competition for this highly prominent site, that a draft site specific DCP be prepared and exhibited simultaneously with the draft LEP. This will provide greater certainty of the built form and public realm outcomes.

The Panel is supportive of commercial development to achieve employment targets required in the LGA, and on this basis the Panel recommends to the Council that the Planning Proposal with the above amendments proceed to Gateway.

By way of comment, the Panel notes the potential development uplift of the Planning Proposal and considers that the Proponent and the Council may wish to pursue the opportunity for a VPA to deliver public/community benefits.

Voting was as follows:

<b>Panel Member</b>	<b>Yes</b>	<b>No</b>	<b>Community Representative</b>	<b>Yes</b>	<b>No</b>
Jan Murrell	Y		Lindsey Dey	Y	
Helen Lochhead	Y				
Grant Christmas	Y				





**NSLPP MEETING HELD ON 19/07/2023**

**Attachments:**

1. Planning Proposal
2. Urban Design Report/Concept Design

**ADDRESS/WARD:** 601 Pacific Highway, St Leonards

**PROPOSAL No:** PP2/23

**PROPOSAL:** To amend North Sydney Local Environmental Plan 2013 as follows:

- Increase the maximum height of buildings limit from 49m to 276.5 RL (equivalent to 189m);
- Introduce a maximum floor space ratio (FSR) of 20:1

**OWNER:** Stockland Development Pty Ltd

**APPLICANT:** Stockland Development Pty Ltd

**AUTHOR:** Paris Wojcik and Haley Rich of Element Environment (on behalf of North Sydney Council)

**DATE OF REPORT:** 26 June 2023

**DATE LODGED:** 19 January 2023

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## EXECUTIVE SUMMARY

On 19 January 2023, Council received a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (*NSLEP 2013*) as it relates to land at 601 Pacific Highway, St Leonards. The site is located within the area covered by the St Leonards and Crows Nest 2036 Plan, adopted by the Department of Planning and Environment in August 2020. It is accompanied by a s9.1 Ministerial Direction which requires planning decisions be made consistent with the 2036 Plan.

The Planning Proposal seeks to amend *NSLEP 2013* as it relates to the subject site as follows:

- Increase the maximum building height control from 49m to RL276.5 (equivalent to 189m); and
- Impose a maximum floor space ratio (FSR) of 20:1.

The intent of the proposal is to facilitate the delivery a 42-storey commercial building with a part 5-storey and part 6-storey podium and 36-storey tower above. The indicative reference scheme includes 56,348 sqm of commercial office floor space; 408 sqm of retail floor space and 128 car spaces over 4 basement levels.

Having completed an assessment of the Planning Proposal against the provisions of the *2036 Plan* and relevant Regional, District and Local Plans, it is found that the requested maximum building height is considered excessive for the number of storeys as envisaged under the *2036 Plan* and will result in a greater level of impact (overshadowing and visual) than necessary.

The requested podium height is also considered excessive and is inconsistent with the maximum street wall height under the *2036 Plan* and North Sydney Development Control Plan (*NSDCP 2013*).

To ensure future development on the site is consistent with the number of storeys stipulated under the *2036 Plan*, it is recommended the Planning Proposal and supporting concept design be amended to a maximum building height of RL259 (equivalent to 171m) and a maximum street wall height of between 4 and 5 storeys.

Subject to the above amendments, it is recommended that the Planning Proposal be supported to proceed to a Gateway Determination.

## LOCATION MAP



## 1. DESCRIPTION OF PROPOSAL

The subject Planning Proposal (PP2/23) seeks to amend NSLEP 2013 as it relates to land at 601 Pacific Highway, St Leonards (the site) as follows:

- Increase the maximum building height control from 49m to 276.5 RL (equivalent to 189m);
- Impose a maximum FSR of 20:1;

The primary objective of the Planning Proposal as described by the applicant is:

*“To amend the maximum building height and FSR controls that apply to the site to enable built form density uplift and facilitate a commercial development outcome. The proposed change to built form controls will deliver a contextually appropriate building form as envisaged by the 2036 Plan.”*

The accompanying indicative concept design includes a 42-storey commercial development with a part 5-storey and part 6-storey podium and 36-storey tower above; comprising 56,348 sqm of commercial office floor space; 408 sqm of retail floor space; and 128 car spaces over 4 basement levels.

A summary of the key design elements is provided in Table 1.

<b>TABLE 1: Key design elements</b>	
<b>Land Uses</b>	Commercial (office and retail)
<b>Building Height</b>	Max. 188.75m (RL276.25), inclusive architectural roof features but with a predominant height of 178.49m (RL265.990) to the top of the plant room structure at the rooftop.
<b>Floor Space Ratio (FSR)</b>	20:1
<b>Gross Floor Area (GFA)</b>	56,754 sqm (total) <ul style="list-style-type: none"><li>• 56,348 sqm commercial (office) GFA</li><li>• 406 sqm retail GFA</li></ul>
<b>Built Form</b>	42 storeys (total) <ul style="list-style-type: none"><li>• 5/6 storey podium (retail and office)</li><li>• 36-storey tower (office)</li></ul>
<b>Ground Level Setbacks</b>	Pacific Highway (south): 3m Mitchell Street Plaza (east): 5m Atchison Street (north): Nil No.617 Pacific Highway (west): Nil
<b>Level 1 Setbacks</b>	Pacific Highway (south): Nil Mitchell Street Plaza (east): 5m Atchison Street (north): Nil No.617 Pacific Highway (west): Nil
<b>Upper Podium Setbacks (Levels 1 - 5)</b>	Pacific Highway (south): Nil Mitchell Street Plaza (east): 5m Atchison Street (north): Nil No.617 Pacific Highway (west): Nil

<b>Tower Setbacks (Above podium)</b>	Pacific Highway (south): 3m Mitchell Street (east): 3m Atchison Street (north): 3m: 617 Pacific Highway (west): 12m
<b>Car Parking</b>	128 car spaces across 4 basement levels.

The Planning Proposal is accompanied by an indicative concept design prepared by Architectus, refer to Figure 1 for an artist's perspective of the supporting concept design.



**FIGURE 1: Artist's impression of the indicative concept design, viewed from the Pacific Highway, looking north-west**

## **2. PANEL REFERRAL**

On 23 February 2018, the Minister for Planning released a section 9.1 Direction which outlines the instances when a Planning Proposal must be referred to a Local Planning Panel for advice prior to a council determining whether that Planning Proposal should be forwarded to the Department of Planning and Environment (DPE) for the purposes of seeking a Gateway Determination.

All Planning Proposals are required to be referred to the Local Planning Panel, unless they meet any of the following exemptions:

- the correction of an obvious error in a local environmental plan;
- matters that are of a consequential, transitional, machinery or other minor nature; or
- matters that Council's General Manager considers will not have any significant adverse impact on the environment or adjacent land.

The Planning Proposal does not meet any of the exemption criteria and therefore must be referred to the Local Planning Panel for advice prior to Council making any determination on the matter.

## **3. BACKGROUND**

### **3.1 Planning Proposal 4/18 (Refused)**

On 27 June 2018, a Planning Proposal (PP4/18) was lodged by Stockland Trust Management Limited to amend NSLEP 2013 as it relates to 601 Pacific Highway. The Planning Proposal sought to amend NSLEP as follows:

- *Amend the Land Zoning Map from B3 Commercial Core to B4 Mixed Use to permit residential uses;*
- *Increase the maximum Height of Buildings (HOB) from 49 metres to 212 metres;*
- *Establish a site-specific minimum non-residential floor space ratio control of 3.9:1; and*
- *Establish a site-specific maximum overall floor space ratio control of 20:1.*

It was envisaged the proposed amendment would deliver a 65-storey mixed use building comprising a total 56,870 sqm GFA, with 11,174 sqm of non-residential floor space and 45,696 sqm of residential floor space, including 516 residential apartments and 255 car spaces across 5 basement levels.

A detailed assessment of the Planning Proposal was completed and referred to the North Sydney Local Planning Panel (NSLPP) for its consideration on 26 September 2018. Consistent with the recommendations of the Council officer's assessment report, the NSLPP recommended that Council not support the progression of the proposal to a Gateway Determination based on the view that it would be premature to make a decision prior to the release of the St Leonards and Crows Nest Draft 2036 Plan (*previously known as Land Use and Implementation Plan or LUIIP*) and undermine the future direction of strategic planning in the area. The *Draft 2036 Plan* was released by the Department of Planning and Environment (DPE) on 15 October 2018 and was not available at the time of the NSLPP's consideration of the Planning Proposal.

On 29 October 2018, Council resolved not to support the Planning Proposal proceeding to Gateway Determination for the reasons outlined in the Council officer's assessment report.

On 4 December 2018, the Applicant submitted a Rezoning Review Request with the DPE. The rezoning review request was heard by the Sydney North Planning Panel (SNPP) on 15 March 2019, where it recommended that the Planning Proposal should not be submitted for a Gateway Determination as it had not demonstrated strategic merit. The SNPP found the Planning Proposal was inconsistent with the strategic plans relating to the site, including the land use and certain 'significant site' principles under the *Draft 2036 Plan*. The SNPP accepted that the site has the capacity for some uplift, however the proposal was premature having regard to the strategic planning work that was not yet completed for the St Leonards Crows Nest Precinct.

### 3.2 Pre-Lodgement Discussions

On 11 October 2022, a Scoping Proposal was submitted to Council by Urbis on behalf of the landowner which provided an overview of the Planning Proposal including supporting concept design, outlined the strategic and site-specific merits of the proposal and identified preliminary environmental considerations.

On 14 November 2022, a pre-lodgement meeting was held between Council staff and the landowner's project team. Council raised various issues in relation to building height, podium height, setbacks, FSR and tower floorplate area, tower floorplate layout, ground level activation, Mitchell Street Plaza integration, driveway access and location, and wind tunnelling impacts. The applicant was also invited to consider entering into a Voluntary Planning Agreement (VPA) to contribute towards the provision of much needed local infrastructure in the precinct.

On 19 January 2023, the subject Planning Proposal was lodged with Council which included a response to the issues raised by Council during the pre-lodgement meeting (refer to Attachment 1 - Table 2 in the Applicant's Planning Proposal).

## 4. DETAIL

### 4.1 Applicant

The Planning Proposal was lodged by Stockland Development Pty Ltd. Owner's consent has been obtained from all landowners.

### 4.2 Site Description

The subject site comprises a single allotment of land. The legal property description and existing development is outlined in Table 2.

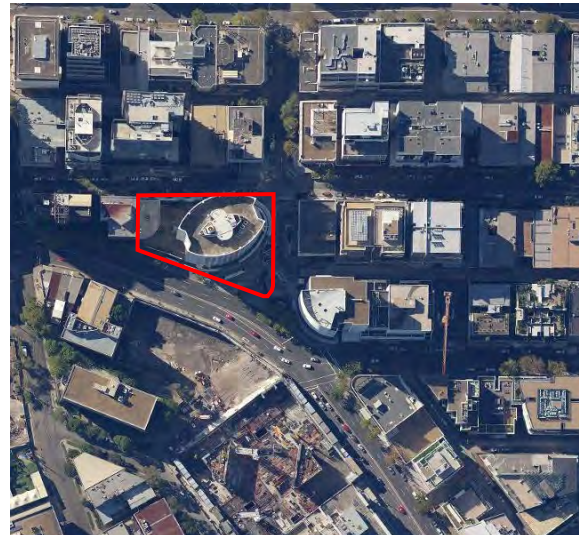
<b>TABLE 2: Property Description</b>		
<b>Property Description</b>	<b>Legal Description</b>	<b>Existing development</b>
601 Pacific Highway, St Leonards	Lot 71, DP 749690	14-storey commercial building



The subject site is bound by Atchison Street to the north, the Pacific Highway to the south, Mitchell Street Plaza to the east and No. 617 Pacific Highway to the west and has a total area of 2,843.63m<sup>2</sup>. The site is irregular in shape with a frontage of approximately 71m to the Pacific Highway, 70m to Atchison Street and 53m to Mitchell Street. The land generally falls in a south-westerly direction from its north-eastern corner down to its south-western corner. There is an approximate 2.6m fall from east to west along the Pacific Highway frontage; 3.7m fall from east to west along the Atchison Street frontage; and 2.2m fall from north to south along the Mitchell Street frontage.



**FIGURE 2: Subject Site**



**FIGURE 3: Aerial Photo**



**FIGURE 4: View of subject site from corner Atchison Street and Mitchell Plaza, looking south-west.**



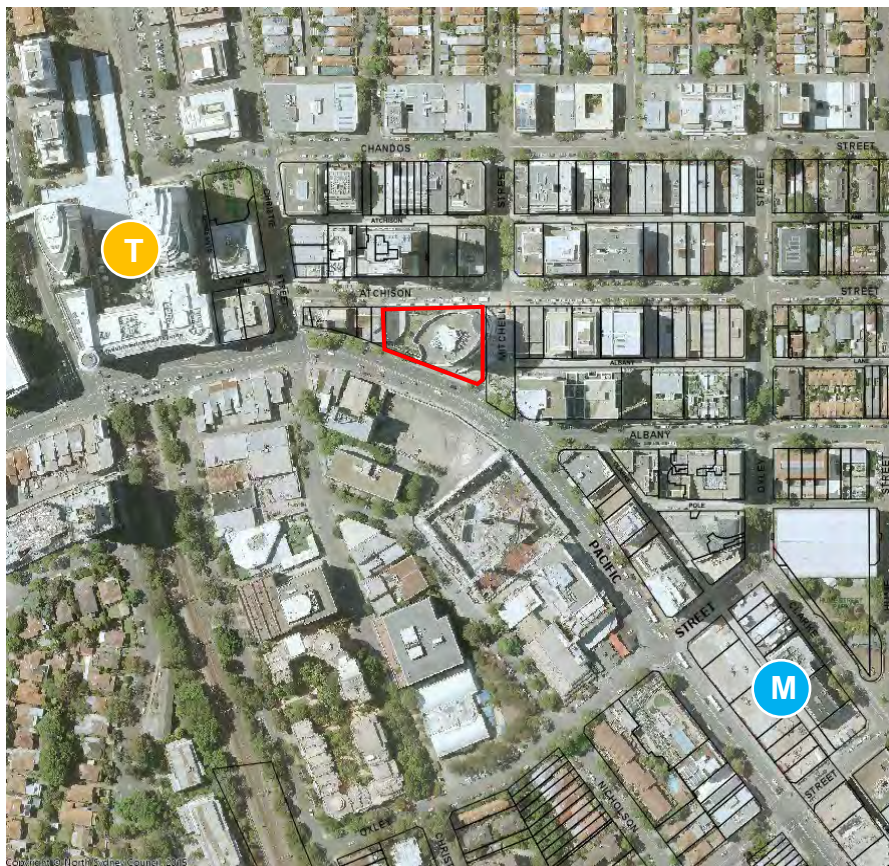
**FIGURE 5: View of subject site looking north-west at the subject site along the Pacific Highway frontage**






### 4.3 Local Context

The subject site is centrally located in the St Leonards and Crows Nest Precinct. St Leonards is identified a 'Strategic Centre' under the Greater Sydney Region Plan – *A Metropolis of Three Cities* and the North District Plan. The area is undergoing significant change from an older style commercial precinct to a contemporary mixed-use area incorporating commercial and residential land uses, in tall tower building forms.

St Leonards Railway Station is located approximately 350m to the west of the site, which provides regular services to the south to North Sydney and Sydney CBD, and to the north to Chatswood, Macquarie Park and Hornsby. The future Crows Nest Metro Station is located approximately 400m to the south-east of the site. Anticipated to open in 2024, Sydney Metro will provide high-frequency services to the regional network including Chatswood (4 minutes) and Barangaroo (8 minutes).



**FIGURE 6:**  
**Local context**

-  Subject Site
-  St Leonards Train Station
-  Crows Nest Metro Station

The subject site is adjoined by the following:

- **To the north**, on the opposite side of Atchison Street, is a 6-storey commercial office building (22-24 Atchison Street), a 3-storey commercial building (18-20 Atchison Street) and a 34-storey recently constructed mixed-use building known as 'Quest/Air' Apartments (6-16 Atchison Street).
- **To the east**, is Mitchell Street Plaza, which includes a green breathable wall, island planters, pedestrian benches, an open lawn area, a shared pedestrian / vehicle zone (10km per hour) and a St Leonards Gateway feature. On the opposite side of Mitchell Street Plaza is a 5-storey commercial office building.

- **To the south**, is the Pacific Highway, a State classified road. On the opposite side of the road within the Lane Cove LGA is 500 & 504-520 Pacific Highway known as the 'The Landmark' development comprising a 44-storey mixed use building, which is currently under construction. Further south-west at 472-494 Pacific Highway is St Leonards Square which contains a mixed-use development comprising a new public plaza, a retail, recreation and leisure precinct, and two residential towers of 28 and 36 storeys.
- **To the west**, on the adjacent site at 617 Pacific Highway is a 7-storey commercial office building and 621 Pacific Highway is an 11-storey commercial building. These properties are subject to an approved planning proposal as an amalgamated site to facilitate a future mixed-use development including residential uses up to 180m (50 storeys) in height, a maximum FSR of 25.4:1 and a minimum non-residential FSR of 4.7:1.

## 5. Current Planning Provisions

The following subsections identify the relevant principal planning instruments that apply to the subject site.

### 5.1 NSLEP 2013

*NSLEP 2013* was made on 2 August 2013 through its publication on the NSW legislation website and came into force on the 13 September 2013. The principal planning provisions relating to the subject site under *NSLEP 2013* are as follows:

- Zoned *E2 Commercial Centre* (refer to Figure 7);
- A maximum building height of 49m (refer to Figure 8);



**FIGURE 7: NSLEP 2013 Zoning Map extract**  
The subject site is zoned E2 Commercial Centre

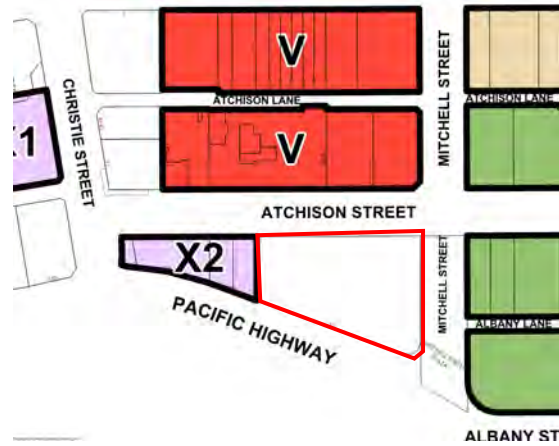


**FIGURE 8: NSLEP 2013 Height of Buildings Map extract**  
The subject site has a maximum height of 49m



**FIGURE 9: NSLEP 2013 Floor Space Ratio Map extract**

*The subject site does not currently have a FSR control*



**FIGURE 10: NSLEP 2013 Non-Residential Floor Space Ratio Map extract**

*The subject site does not currently have a minimum non-residential FSR control*

## 6. Proposed Amendment to NSLEP 2013

The Planning Proposal seeks to achieve its objectives and intended outcomes by amending *NSLEP 2013* as follows:

- Amending the Height of Buildings Map from 49m to RL276.5 (approximately 189m);
- Amending the FSR Map to introduce a maximum FSR of 20:1;

The Planning Proposal anticipates that the Maps to *NSLEP 2013* would be amended similar to those depicted in Figures 11 and 12. It should be noted that the mapping amendments as lodged do not comply with the DPE's "*Standard Technical Requirements for Spatial Data Maps*" and will need to be amended prior to forwarding the Planning Proposal to a Gateway Determination.





**FIGURE 11: Proposed amendment to the Height of Buildings Map – Sheet HOB\_001**



# North Sydney Local Environmental Plan 2013

## Height of Buildings Map - Sheet HOB\_001

### Maximum Building Height (m)

A	1	T2	26
B	8.5	U1	30
K	10	U2	33
L	11	W1	40
M	12	W2	42
N1	13	X	49
N2	14.5	Y	50
O1	15	Z	56
O2	16	AD	132
Q1	19, 15	AF	180
Q2	20	Area 1	Refer to Clause 4.3A
R	21	Area 2	Refer to Clause 4.3A(2A)
S	24	Area 3	Refer to Clause 4.3A(2B)
T1	25		

### Maximum Building Height (RL m)

	0 - 20
	21 - 40
	41 - 60
	61 - 80
	81 - 100
	101 - 120
	121 - 140
	141 - 160
	161 - 180
	181 - 200
	200 +



**FIGURE 12: Proposed amendment to the Maximum Floor Space Ratio Map – Sheet FSR\_001 (source: Applicant's Planning Proposal)**



# North Sydney Local Environmental Plan 2013

## Floor Space Ratio Map - Sheet FSR\_001

### Maximum Floor Space Ratio (n:1)

N	1
S	1.85
W	3.5
X	4.27
Z	5.6
RA1	6
RA2	6.1
RA3	6.3
RA4	6.4
RA5	6.6
RA6	7
RA7	7.5
RA8	11.5
RA9	18
RA10	25.4

## **7. POLICY & STRATEGIC CONTEXT**

### **7.1 Greater Sydney Regional Plan**

In March 2018, the NSW Government released *A Metropolis of Three Cities – Greater Sydney Region Plan* (Region Plan). It provides a long-term vision and plan to accommodate Sydney's anticipated population growth of 1.7 million people and deliver 817,000 new jobs and 725,000 new dwellings by 2036.

*A Metropolis of Three Cities* is built on the vision of three cities – Western Parkland City, Central City and Eastern Harbour City – where residents can live within 30 minutes of their jobs, education and health facilities, services and great places. It sets out the framework for five districts within Greater Sydney, of which the North Sydney LGA is part of the North District. The District Plans, consistent with the Regional Plan, were released at the same time as the Regional Plan.

St Leonards is identified a 'Strategic Centre' and part of the '*Eastern Economic Corridor*' under the Regional Plan. The St Leonards/Crows Nest area is also identified a '*Planned Precinct*.' The NSW Department of Planning and Environment (DPE) is responsible for land use and infrastructure planning and delivery within Planned Precincts.

### **7.2 North District Plan**

In March 2018, the NSW Government released the North District Plan, which covers the LGAs of North Sydney, Hornsby, Ku-ring-gai, Ryde, Hunter Hill, Lane Cove, Willoughby, Mosman and Northern Beaches.

St Leonards is identified one of the North Districts '*Strategic Centre's*' and contributes to one of the State's greatest economic assets – the '*Eastern Economic Corridor*'. St Leonards is also identified as a '*Health and Education Precinct*' and is classified as one of the top ten 'office precincts' in Greater Sydney. Specifically, '*Planning Priority N8 - Eastern Economic Corridor is better connected and more competitive*', aims to enhance transport connectivity to and within the Eastern Economic Corridor and grow investment, business opportunities and jobs within strategic centres.

Key actions relevant to St Leonards include;

- *Leverage from the new Sydney Metro Station at Crows Nest to deliver additional employment capacity;*
- *Grow jobs in the centre;*
- *Reduce the impact of vehicle movements on pedestrian and cyclist accessibility;*
- *Deliver new high quality open space, upgrade public areas and establish collaborative place-making initiatives; and*
- *promote synergies between the Royal North Shore Hospital and other health and education-related activities, in partnership with NSW Health (p. 24, North District Plan).*

The North District Plan sets the following jobs targets, as outlined in Table 3 below:

**TABLE 3: Job targets as identified in the North District Plan**

<b>Jobs Target</b>	<b>North Sydney CBD</b>	<b>St Leonards/Crows Nest</b>
20 year (2016 –2036)	+15-600-21,1000 new jobs	+6,900-16,400 new jobs

Following the directions from the Greater Sydney Commission (GSC), North Sydney Council has put in place its Local Housing Strategy (LHS) and the Local Strategic Planning Statement (LSPS) which form part of the hierarchy of plans and provides alignment with the North District Plan.

### 7.3 St Leonards and Crows Nest 2036 Plan (2036 Plan)

In July 2016, the Minister for Planning announced the DPE would undertake a strategic planning investigation into the Crows Nest, St Leonards and Artarmon industrial areas (refer to Figure 13).



**FIGURE 13: St Leonards and Crows Nest Planned Precinct (2036 Plan, p.2)**

On 29 August 2020, the DPE released the finalised *St Leonards and Crows Nest 2036 Plan (2036 Plan)*. The *2036 Plan* aims to deliver significant residential and employment growth including capacity for an additional 16,500 new jobs and 6,683 new homes within the precinct.

The *2036 Plan* identifies desired building heights, density (FSR), employment (non-residential FSR), land use, overshadowing and building setback controls. It is also accompanied by a Special Infrastructure Contribution (SIC) scheme, which pools funds across the precinct to help provide regional open space and infrastructure upgrades to support growth in the precinct. The SIC however does not apply to commercial development and as such does not apply to this Planning Proposal. However, section 7.11 contributions under Council's Local Infrastructure Contributions Plan (2020) continue to apply and will be levied with any future DA.

The site-specific land use, height and density provisions set out in the *2036 Plan* for the subject site are as follows:

- B3 Commercial Core zone (now referred to as E2 Commercial Centre under Recent Employment Zone Reform)
- A maximum building height of 42-storeys
- An overall FSR of 20:1

- A minimum non-residential FSR of 20:1
- Street wall height of 5 storeys
- Setbacks:
  - 5m to Mitchell Street Plaza
  - 0m setback to Atchison Street
  - 1m reverse setback to Pacific Highway

The *2036 Plan* is implemented under section 9.1 of the *Environmental Planning & Assessment Act (EP&A Act) 1979*. The supporting Ministerial Direction requires planning proposals for land within the precinct to be consistent with the *2036 Plan*.

Council's *St Leonards/Crows Nest Planning Study – Precincts 2 & 3 (2015)* also envisaged the delivery of a commercial building on the subject site (*B3 – Commercial Core zone*) and identified it as a 'tall building site' which is defined as developments over 18 storeys in height.

#### **7.4 Local Strategic Planning Statement (LSPS)**

The North Sydney LSPS was adopted by Council on 25 November 2019, and subsequently assured by the Greater Sydney Commission (GSC) on 20 March 2020.

One of the key roles of the *LSPS* is to draw together, in one document, the priorities and actions for future land use planning, and present an overall land use vision for the North Sydney LGA for the next 20 years. The *LSPS* is required to be consistent with the Region Plan and North District Plan and provide a clear line-of-sight between the key strategic priorities identified at the regional and district level and the local and neighbourhood level.

The LSPS incorporates the North Sydney Local Housing Strategy (*LHS*) and *2036 Plan* into the strategic planning framework and links its implementation to the planning priorities under the North District Plan and the objectives of the Region Plan.

The LSPS identifies a jobs target of between 2,620-4,470 new jobs to be delivered by 2036 in the St Leonards area.

### **8. ASSESSMENT**

#### **8.1 Planning Proposal Structure**

The Planning Proposal is considered to be in general accordance with the requirements of section 3.33 of the *EP&A Act 1979* and the DPE's '*Local Environmental Plan Making Guideline*' (LEP Making Guideline) published in September 2022. The Planning Proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed Local Environmental Plan;
- An explanation of the provisions that are to be included in the proposed Local Environmental Plan;
- Justification of the proposal's strategic and site specific merit;
- Identification of associated mapping amendments;
- Details of the community consultation that is to be undertaken in relation to the Planning Proposal;
- A project timeline identifying how the planning proposal is to be implemented, should it progress.

## 8.2 Need for the Planning Proposal

A key objective of the planning proposal is to implement the planning framework identified in the *2036 Plan*. The Plan states that changes to a site's existing statutory planning controls will be required to allow development to occur in accordance with the Plan. It explains that it is the responsibility of each relevant council to progress Planning Proposals and give effect to the provisions of the *2036 Plan*.

## 8.3 Assessment Criteria

Part 3 of the LEP Making Guideline (September 2022) outlines the criteria for assessing Planning Proposals. For a Planning Proposal to be supported to proceed to a Gateway Determination it must demonstrate:

- **Strategic merit** – alignment with the NSW strategic planning framework (i.e. the relevant District Plan, Corridor/Precinct Plan and LSPS); and
- **Site-specific merit** – give regard and assess impacts to the natural environment; existing and likely future uses in the vicinity; and services and infrastructure that will be available to meet the demands arising from the proposal.

Planning Proposals are also required to be consistent with applicable State Environmental Planning Policies (SEPPs) and section 9.1 Ministerial Directions.

As discussed in section 9.3 of this report, the prevailing relevant Corridor/Precinct Plan applying to the subject site is the *2036 Plan*. Council must therefore be satisfied that the provisions of the Planning Proposal are consistent with the *2036 Plan*.

The Planning Proposal and accompanying studies go to some effort to test the indicative concept design and demonstrate the implications of the proposed uplift in height and density in relation to overshadowing, wind and traffic impacts. Council must be satisfied that the potential impacts arising from the Planning Proposal are not significantly different to those envisaged under the *2036 Plan*, as reflected in the Plan's built form controls and urban design principles, and the Plan's Vision, Objectives and Actions.

## 8.4 Proposed Building Height

The *2036 Plan* identifies a maximum potential building height of 42 storeys for the subject site. The Planning Proposal is seeking to increase the maximum height control from 49m (under *NSLEP 2013*) to RL276.5 (equivalent to 189m) to accommodate a 42-storey commercial office building on the site.

It is noted that there is a discrepancy in overall maximum building height throughout the Applicant's documentation. The Applicant's Planning Proposal Report requests a maximum building height of RL 276.5 (equivalent to 189m), whereas the concept design within the Applicant's Urban Design Report illustrates a maximum building height of RL 276.250 (equivalent to 188.75m).

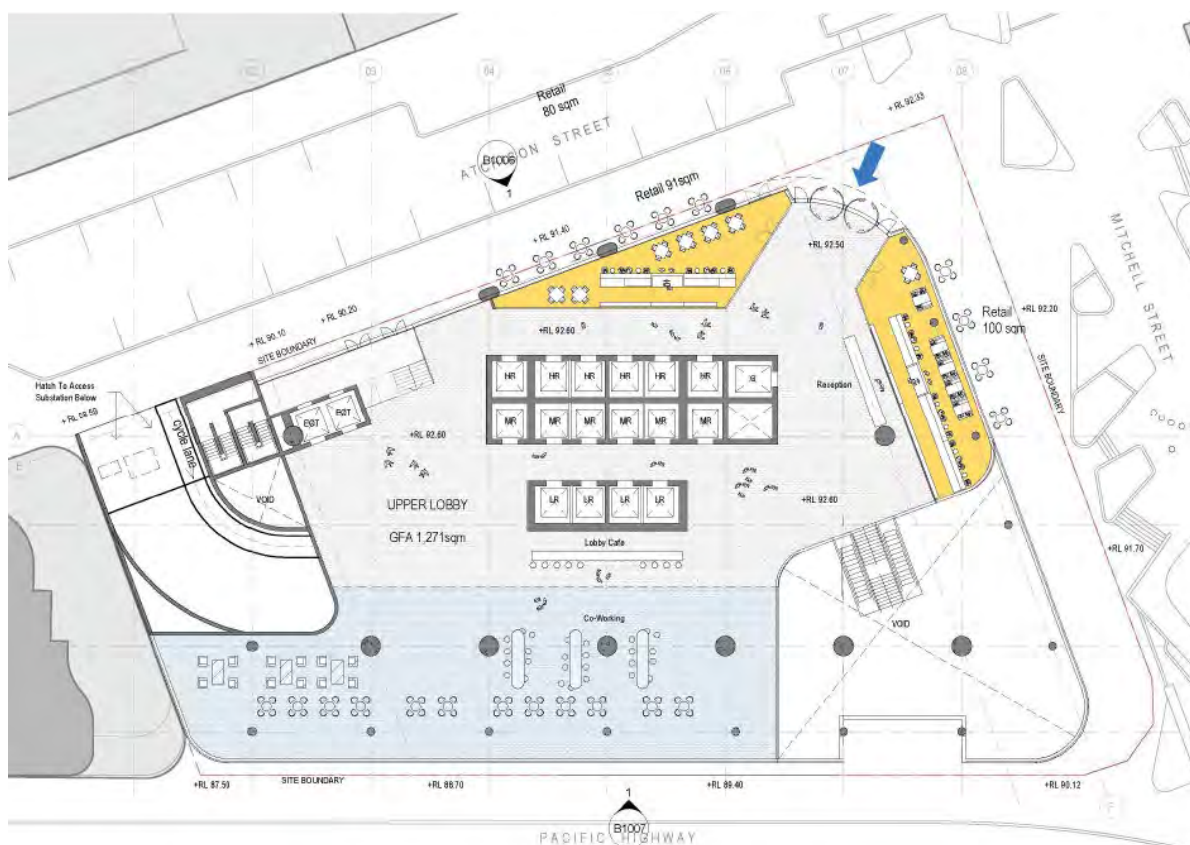


Figure 14 illustrates the Applicant's indicative concept design with a building height of RL265.990 (equivalent to 178.49m) measured to the top of the roof, inclusive of an 8m high plant room structure and 9.64m clearance above the top-level plant room. An additional allowance of 10.26m is also sought above RL 265.990 for what appears to be for the purposes of an architectural roof feature, which represents a significant height increase above the 42 storey height building height limit under the *2036 Plan*.

***FIGURE 14: Indicative Section Plan (Applicant's Urban Design Report, p.80). Note. The maximum building height has been measured from the lowest point of the site, which is RL 87.5 as noted on the Ground Level Floor Plan on p.65 and 66 of the Applicant's Urban Design Report.***

It is acknowledged that there are significant changes in the ground levels across the site which must be carefully considered and addressed when establishing a height limit (including overall maximum building height and podium height) for the site.

As illustrated at Figure 15 below, there is an approximate 2.6m fall from east to west along the Pacific Highway frontage; 3.7m fall from east to west along the Atchison Street frontage; and 2.2m fall from north to south along the Mitchell Street frontage.



**FIGURE 15: Indicative Ground Floor Plan (Applicant's Urban Design Report, p.66)**

Whilst the proposed 42 storeys building height is consistent with the 2036 Plan, an overall building height of 189m for a 42 storey building is considered excessive, as it could potentially result in a future development with more than 42 storeys. It is noted that Council must identify height in metres, not storeys, in its LEP.

The excessive building height is not supported for the following reasons:

- The floor to floor heights of the podium as shown in the indicative concept design are greater than required and could be reduced;
- The additional height sought above the top level plant room, for plantroom clearance and an architectural roof feature, could potentially result in additional developable floor area and a development that is greater than 42 storeys; and
- The proposed maximum building height is inconsistent with the height and transition principles of the 2036 Plan.

### Comparison of other recently approved / under construction commercial buildings

The Applicant's concept design proposes floor to floor heights ranging 3.35m-7.35m for the ground level, 4m for the podium levels (Levels 1-5) and 3.75m for the tower levels (Levels 8 – 23, and 25-40). Three plant levels are also proposed, measured at 6m (low level plantroom at Level 7), 6m (mid-level plant room at Level 24) and 8m (top level plant room at Level 41). The above floor to floor heights result in an overall building height of 168.85m, measured to the top of the roof inclusive of the 8m top level plant room, but exclusive of the additional 19.9m (i.e. 9.64m clearance + 10.26m architectural roof feature).

The Applicant's Planning Proposal and supporting documentation provides some rationale for the proposed floor to floor heights, which states that they are appropriate in order to achieve PCA A-Grade quality commercial accommodation and to accommodate relevant mechanical system selection. Refer to pgs. 4-6 of the Applicant's Planning Proposal, as well as the Floor Heights Letter, prepared by Arup, dated 8 December 2023 and the Pre-lodgement Meeting Response, prepared by Architectus, dated 20 January 2023.

Whilst the intention to develop a PCA A-Grade commercial building is supported, a comparison of other recently approved and constructed premium commercial development in North Sydney LGA has been undertaken. Refer to Table 4 below.

<b>TABLE 4: Comparison of commercial development building heights in North Sydney LGA</b>						
<b>Development</b>	<b>Max Building Height (in metres)</b>	<b>No of storeys</b>	<b>Podium Floor to Floor</b>	<b>Tower Floor to Floor</b>	<b>Plantrooms Floor to Floor</b>	<b>Additional height above the roof level</b>
<b>Subject site</b>						
601 Pacific Highway (the subject Planning Proposal under Assessment*)	RL 276.5 equivalent to 189m	42 storeys (part 5/6 storey podium and 36 storey tower)	Ground level 3.35m – 7.35m and above ground level 4m  (Total 25.1m)	All tower levels at 3.75m  (Total 124m)	Three plant rooms at 6m, 6m and 8m  (Total 20m)	19.9m  (Total 19.9m)
<b>Other recently approved / completed commercial buildings in North Sydney LGA</b>						
Victoria Cross OSD, North Sydney (DA Approved and Under construction)	170.25m	42 storeys (4 storey podium and 38 storey tower)	Ground level 3.85m and above ground level 3.1m, 3.4m and 5.6m	Generally, 3.75m for tower levels (32 storeys) except for three levels at 4.3m, 4.05m and 3.95m	Three plant rooms including 5.9m, 7.1m and 6.7m	2.3m
110-112 Walker Street (DA Approved)	RL 283.85m (equivalent to 222.35m)	53 storeys	Ground level 4 and above ground 3.8m	Tower levels between 3.6m-3.7m	Two levels of plant at 3.7m and 8.250	2.7m (glazed roof feature)
1 Denison Street North Sydney (DA Approved / Completed)	158.35m	39 storeys (4 storey podium and 35 storey tower)	Between 4 and 4.68m	3.75m	Four plant rooms at 2.78m, 3.52m, 4m and 6m	4m

Recommended for compliant 42 storey building						
<b>601 Pacific Highway</b>	RL 259 (equivalent to 171m)	42 storeys (5 storey podium and 37 storey tower)	Ground level 4.5m-6.7m and 3.7m above ground level  (Total 20.5m)	3.75m  (Total 127.5m)	Three plant rooms at 6m, 6m and 8m  (Total 20m)	3m  (Allowance up to 3m)

\*Note. In the Applicant's written correspondence dated 09 June 2023, the Applicant has requested to reduce the building height to RL 268 (180.5m). No amended documentation has been submitted and as such, this assessment has been undertaken based on the Applicant's original Planning Proposal as submitted on 19 January 2023.

The Applicant's proposed floor heights of 3.75m for the tower and the plant room levels ranging from 6-8m do not appear to be unreasonable when compared to other recently approved / constructed commercial buildings. However, the proposed floor to floor heights for the podium are greater than required to be provided for commercial spaces (typically 3.7m) and could be reduced. This is discussed in further detail in section 8.7.1 of this report.

Additionally, the height proposed (19.9m) for top level plantroom clearance and architectural roof feature is much greater than the roof level allowances of comparable commercial developments. Refer to Table 4.

The Applicant's planning proposal states that the plant structure above the roof is:

*'an architectural feature that conceals the building maintenance unit (plant and lift overrun) and demonstrates a consistent stepping to lower levels reflecting the solar envelope angle' (pg.6 of the Applicant's Planning Proposal, prepared by Urbis)*

AND

*'the plantroom and roof are designed as an architectural feature that will add to the St Leonards skyline. The roof has been designed to provide character to the building and to the skyline. The roof design is an integral part of the overall building design, and the rooftop plant room is contained in a single structure such that it is not perceptible from any point on the ground floor' (pgs.9-10 of the Applicant's Planning Proposal, prepared by Urbis).*

In the Applicant's supporting documentation to the Planning Proposal, further justification is provided for the height of the top level plant room, which states:

#### Roof top plantroom

*'This is effectively two plantroom levels as we have tanks and ventilation plant at low level with cooling towers and heat pumps above. The 8m height is already at the minimum level required to fit the two levels of services equipment. There is a 3m minimum requirement for the ventilation plant to enable ductwork across the floorplate at high level to risers which leaves a 2.1m clear vertical height for access and the air handling unit space beneath. There is also a minimum 5m clear height required for cooling towers above (incl deck/structure) which is already restricting us to slimline units (we usually ask for 6m+ clear)' (pg.1 of the Applicant's Pre-lodgement Design Response, prepared by Arup, dated 8 December 2022).*

AND

*'The plant room volume for the proposed scheme is also justified for the fact that it should incorporate the lift overrun. It allows access to each stepped landscaped open space on the roof. The required overrun for high rise lift is 9m' (pg.12 of the Applicant's Pre-lodgement Design Response, prepared by Architectus, dated 20 January 2023).*

Despite the above, it is still unclear why the Applicant has requested an additional 9.64m above the 8m top level plant room, as well as an additional 10.26m for what appears to be for the purposes of an architectural roof feature. Refer to Figure 14 above.

It should be noted that the Applicant's indicative concept design represents one way of achieving the height and FSR control changes. At this stage of the planning process, there is no certainty that the additional height sought above the top level plant room will be utilised for the purposes of an architectural roof feature. The increased height could potentially result in a taller building and with a greater overall bulk and scale, and overshadowing, visual and wind impacts than that of a 42 storey building as envisaged under the 2036 Plan.

As such, it is recommended that the additional proposed 19.9m above the plant room level be reduced to 3m, to allow for some flexibility in building design whilst ensuring the final proposed building is no more than 42 storeys in height. Any additional height for architectural roof features may be considered later at a DA stage under a Clause 4.6 Variation to Development Standards or Clause 5.6 Architectural Roof Features of NSLEP 2013.

#### Height and transition principles of the 2036 Plan

The proposed overall maximum building height would also result in a built form outcome that would be taller than the adjacent building at 617-621 Pacific Hwy and would therefore be inconsistent with the height and transition principles of the 2036 Plan.

The building height principle under the 2036 Plan, indicates that areas around the St Leonards Station and Crows Nest Metro Station will feature height peaks and the reduction in height between the two peaks provides an opportunity for solar access to areas to the south of the Pacific Highway.

The adjacent site at 617-621 Pacific Highway is closer to St Leonards Train Station and has an endorsed height of 50 storeys (180 metres under the North Sydney LEP 2013). Following the 2036 Plan principle, the redevelopment of the subject site should, therefore, be lower than the height of the adjoining property.

## Recommendation

Having regard to typical floor to floor heights for commercial spaces (NSDCP 2013) and the floor heights of recently approved premium grade commercial developments, and the podium height requirements and building height and transition principles of the *2036 Plan*, it is recommended that the Planning Proposal be amended to a maximum building height of RL 259 (equivalent to 171m) for the site. The recommended building height is based on reducing the floor to floor heights of the podium levels and reducing the additional height sought above the top level plant room. Refer to Table 4 above. This will ensure that future development will remain consistent with the 42 storey maximum building envisaged for the site under the *2036 Plan* and reduce overshadowing and visual impacts arising from the proposal (refer to commentary below in Section 8.8 and Section 8.10).

### **8.5 Proposed Floor Space Ratio (FSR)**

No specific maximum FSR control currently applies to the site under NSLEP 2013. An FSR of 20:1 is proposed across the site, which equates to approx. 56,872 sqm total GFA and is consistent with that identified in the *2036 Plan*.

The Applicant's indicative design concept proposes 56,754 sqm total GFA, which is compliant with the proposed FSR of 20:1.

It is noted, however, that the proposed mid-rise tower floor plate has applied a GBA-GFA efficiency rate of 78%, which is lower than standard efficiency rates for commercial buildings (typically 80-85%), as per guidance in the Apartment Design Guide (ADG). This suggests that there is some flexibility within the proposed tower floorplate and that it could either be reduced in size (provide increased setbacks) or floorspace from a reduced podium could be reallocated and accommodated. Refer to commentary in Section 8.7.1 below regarding reduced podium height.

Nonetheless, it is recommended that this be further considered at the detailed design stage and adequately addressed as part of any future DA.

### **8.6 Proposed Non-Residential FSR**

Given that the site will remain zoned E2 Commercial Centre zone and residential accommodation is not a permissible within the zone, a minimum non-residential floor space ratio control is not required.

### **8.7 Bulk and scale**

In considering the appropriateness of the planning controls being sought, careful consideration has been given to the likely built form that may result and impacts arising. Council has consistently held (at Planning Proposal stage) that the indicative built form should be able to be comfortably accommodated within an envelope established by the *2036 Plan* and other pertinent site or NSDCP 2013 considerations.

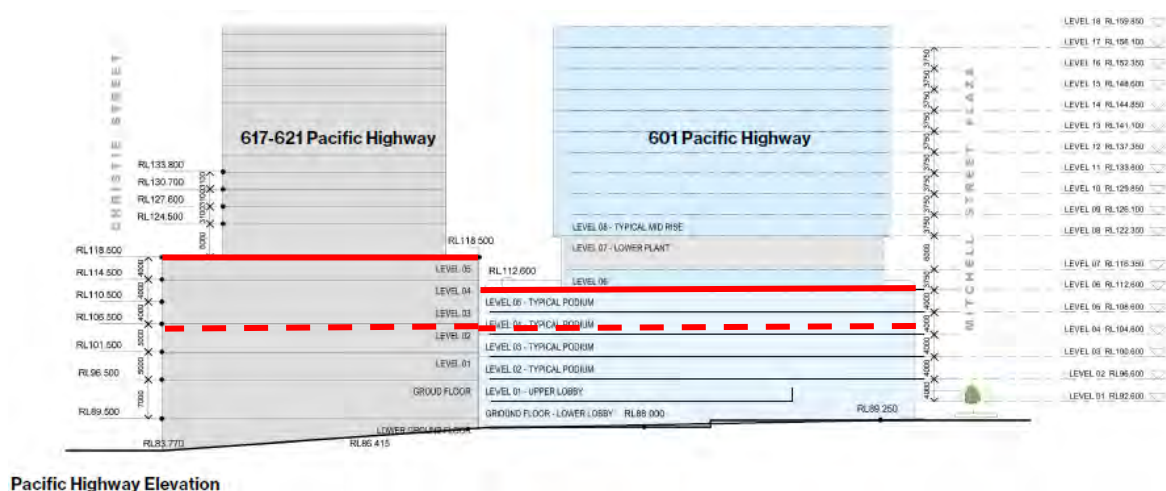
#### **8.7.1 Podium**

The *2036 Plan* nominates a street wall (podium) height of 5-storeys for the subject site to all street frontages.

On 12 December 2022, Council resolved to adopt an amendment to *NSDCP 2013* which introduced built form provisions associated with the implementation of the *2036 Plan*. The amendment came into effect on 6 January 2023, and requires a podium height of 4 storeys for the subject site.

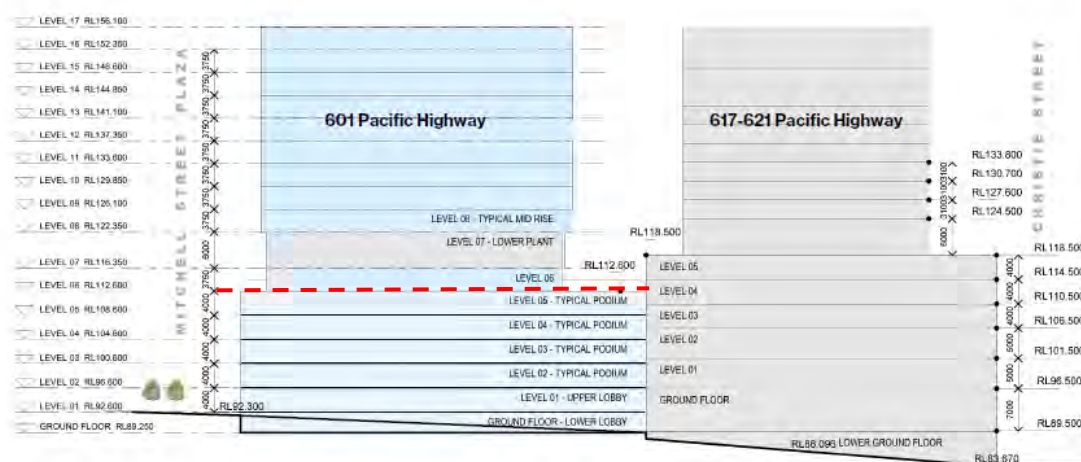
Considering the significant ground level changes across the site, the podium heights are likely to vary at the three street frontages. To provide an appropriate human scale to Mitchell Street Plaza and better contextual response, a 4-storey podium was adopted. This aligns with the podium height requirements under *2036 Plan* for other sites fronting Mitchell Plaza. As such, the intent of *NSDCP 2013* podium height provisions is that a predominant podium height of 4 storeys (15.6m) increasing to a maximum 5 storeys (following the fall across the site) be provided.

The Applicant's supporting concept design presents a 5-storey podium to Mitchell Street Plaza frontage and a 6-storey podium along the Pacific Highway and Atchison Street frontages. This does not comply with the *2036 Plan* or *NSDCP 2013* (refer to Figure 16) and will result in an over scaled podium. Additionally, the proposed floor to heights for the podium (3.35m-7.35m for the ground level and 4m for Levels 1-5) are greater than required and could be reduced.



Pacific Highway Elevation

**FIGURE 16: South Elevation Plans – Pacific Highway (Applicant's Pre-lodgement Response, pg.5)**



Atchison Street Elevation

**FIGURE 17: North Elevation Plans – Atchison Street (Applicant's Pre-lodgement Response, pg.5)**

The Applicant's justification for the proposed podium height is that it aligns with the podium height of the proposed adjoining building at 617-621 Pacific Highway and will provide a consistent podium height across the block. However, the podium height for 617 Pacific Highway is also considered excessive for the required 6 storeys under the *NSDCP 2013*. Further, the 617 Pacific Highway proposal is a concept design only and has not been approved. The 2036 Plan does not nominate a maximum street wall height for the 617-621 Pacific Highway. The *NSDCP 2013*, however requires a maximum 6 storey podium height, which accounts for the continued slope along that falls to the west.

### Recommendation

It is recommended that the proposal be redesigned to provide a maximum podium height of 4 storeys in accordance with the *NSDCP*. A podium height of 4 storeys (approximately 15.6m-17.8m) to Mitchell Street is recommended that increases to a maximum of 5 storeys along the Atchison Street and Pacific Highway frontages, following the slope of the site (i.e. up to approximately 19.3m for 5 storeys along Atchison Street and 20.4m for 5 storeys along Pacific Highway when taking into account the ground level changes). These heights assume a ground floor level of 4.5m-6.7m and 3.7m for commercial levels above.

### **8.7.2 Building Setbacks and Separation**

#### Northern elevation (Atchison Street setback)

The Planning Proposal's supporting concept design includes a nil building setback to the site's northern boundary and an additional 3m setback above the podium levels. This is consistent with the setback requirements of the *2036 Plan* and *NSDCP 2013*.

#### Eastern elevation (Mitchell Street Plaza setback)

The Planning Proposal's supporting concept design presents a 5m building setback to the site's eastern boundary (Mitchell Street Plaza) with an additional 3m setback above the podium levels. This is consistent with the setback requirements of the *2036 Plan* and *NSDCP 2013*.

Importantly, the *2036 Plan* envisages "green streets" along Mitchell Street to allow for setbacks with canopy trees. This action has been incorporated into the recently amended *NSDCP 2013* that any basement levels should be consolidated beneath building footprints to enable deep soil planting along the Pacific Highway and identified linear parks along Mitchell Street Plaza.

The proposal seeks to maintain the basement level setbacks established by the existing development on the site. It is observed that the basement parking levels shown on the indicative concept design encroach into the prescribed 5m whole of building setback areas and as a result do not provide sufficient soil depth for street trees within the Mitchell Street Plaza and Pacific Highway setbacks. It is recommended that the proposal provides sufficient setbacks between the basement levels and site boundaries to allow adequate deep soil zones along Mitchell Street and the Pacific Highway to enable planting of canopy trees and contribute to the landscape characters, as per *NSDCP 2013* requirements.

Should the Planning Proposal proceed, this matter can be addressed at a future DA stage.



#### Southern elevation (Pacific Highway setback)

A 3m ground level setback is proposed to the southern boundary along the Pacific Highway and Level 01 and upper podium levels are proposed to be built to the Pacific Highway, as per the reverse setback principle in accordance with the *2036 Plan*. An additional 3m setback is then proposed above the podium levels, consistent with the setback requirements of *2036 Plan* and NSDCP 2013.

#### Western elevation (617 Pacific Highway)

The Planning Proposal indicative concept design includes a nil ground level and podium setback to the western boundary (617 Pacific Highway) and a 12m above podium setback, which is consistent with the requirements of the *2036 Plan* and NSDCP 2013.

The proposal is setback 12m from the western boundary to maintain appropriate building separation to the adjoining site at 617 Pacific Highway. Whilst this is compliant with the minimum ADG building separation requirements consideration for an increased western setback should be considered at a future DA stage to further reduce visual and wind tunnel impacts.

### **8.8 Overshadowing**

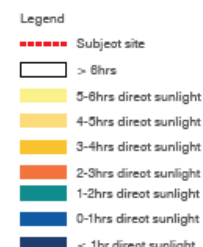
Retaining solar access to public open space, valued streetscapes and residential areas is a key objective of the *2036 Plan*. The "Sustainability" objective of the *2036 Plan* states "*Ensure no additional overshadowing of public open spaces and important places in accordance with solar access controls identified on page 38 of the Plan*".

The *2036 Plan's* solar access controls, relevant to the subject site, require that new development should:

- not produce substantial additional overshadowing to Newlands Park, Hume Street Park and Ernest Place between 10:00am and 3:00pm in mid-winter (21 June);
- not produce substantial additional overshadowing to Mitchell Street, Oxley Street and Willoughby Road between 11:30am and 2:30pm in mid-winter (21 June);
- retain at least 2 hours solar access between 9am-3pm to residential areas inside the precinct boundary in mid-winter;
- retain at least 3 hours between 9am-3pm to heritage conservation areas inside the precinct boundary in mid-winter; and
- consider potential overshadowing impacts for Willoughby Road and Ernest Place at the March and September equinox periods (21 March, 21 September).

The Planning Proposal's indicative concept design is accompanied by a solar access diagram to demonstrate the implications of the proposed uplift in height and density on surrounding residential areas (refer to Figure 18).

### **Overshadowing to surrounding residential areas**



**FIGURE 18: Solar access diagram – 9am – 3pm, 21 June**

Based on the solar access assessment provided by the Applicant, the proposed built form will result in some overshadowing of properties to the south. Whilst the majority of residential properties within the precinct boundary will continue to receive at least 2 hours solar access between 9am-3pm in mid-winter, the solar access diagrams illustrate that there are some north facing apartments at No.500 Pacific Highway which will achieve less than 2 hours solar access between 9am – 3pm in mid-winter and is therefore inconsistent with the *2036 Plan*.

In a dense urban environment, an inevitable degree of overshadowing is expected when redevelopment of the scale envisaged occurs. During the preparation of the *2036 Plan*, it was recognised that, whilst additional height and density may lead to impacts on residential amenity (such as solar access), the concentration of appropriate mixed-use development in close proximity to mass public transport, employment and services would better accommodate significant housing and job growth, than dispersing this growth throughout more sensitive neighbourhoods with lower levels of accessibility.







Without existing shadow diagrams, it is difficult to determine the amount existing sun access the properties at No.500 Pacific Highway currently achieve. This should be further addressed by the Applicant.

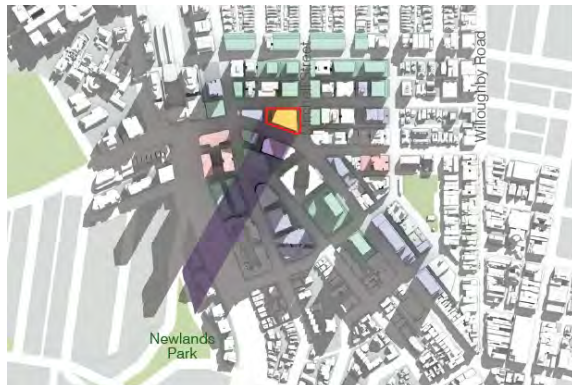
### **Overshadowing to key streets and public open space**

The Applicant has provided shadow diagrams to show the extent of the impact from the proposal on Newlands Park, Ernest Place, Hume Street Park, Willoughby Road, Mitchell Street and Oxley Street during the winter solstice at 21 June (refer to Figures 19 – 26).

Note: The Legend below should be read in conjunction with Figures 19 - 26.

Legend

-  Site boundary
-  Buildings under construction
-  DA Approved/ DA being prepared
-  High Likely development (under LUIIP)
-  601 Pacific highway
-  Shadow path of building envelope at 601 Pacific highway



**FIGURE 19: Overshadow assessment diagram – 10am, 21 June**



**FIGURE 20: Overshadow assessment diagram – 11am, 21 June**



**FIGURE 21: Overshadow assessment diagram – 12pm, 21 June**



**FIGURE 22: Overshadow assessment diagram – 1pm, 21 June**



**FIGURE 23: Overshadow assessment diagram – 2pm, 21 June**



**FIGURE 24: Overshadow assessment diagram – 3pm, 21 June**





**FIGURE 25: Overshadow assessment diagram – 3:30pm, 21 June**



**FIGURE 26: Overshadow assessment diagram – 4:00pm, 21 June**

#### Newlands Park, Hume Street Park and Ernest Place

The shadow diagrams show that the proposal does not create any additional overshadowing to Newlands Park, Hume Street Park or Ernest Place between 10am and 3pm on 21 June and therefore complies with controls under the *2036 Plan*.

#### Oxley Street

The shadow diagrams also show that the proposal does not create any additional overshadowing to Oxley Street, between 11:30am and 2:30pm on 21 June and therefore complies with controls under the *2036 Plan*.

#### Willoughby Road

In the Applicant's Urban Design Report, the shadow diagrams show that there will be some additional overshadowing to Willoughby Road between 2.59 and 3:00pm during mid winter. Refer to Figures 29 – 31.

However, it is noted overshadowing occurs predominately outside the controlled hours required by the *2036 Plan* (i.e. between 11:30am and 2:30pm) and therefore remains consistent with the intended outcomes under the *2036 Plan*.



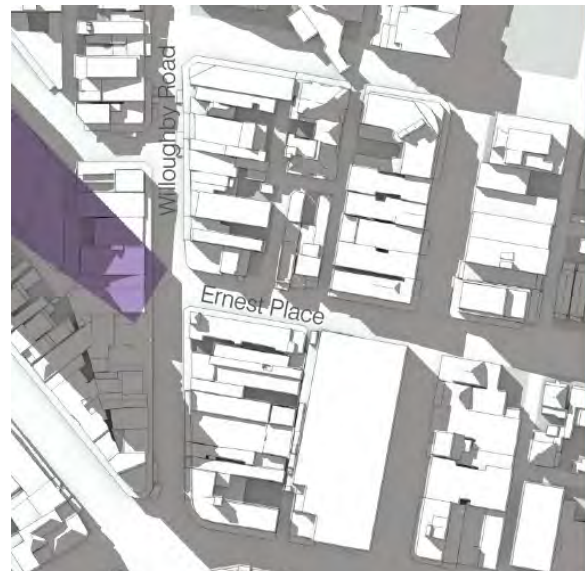
**FIGURE 27: Overshadow assessment diagram – 2pm, 21 June**



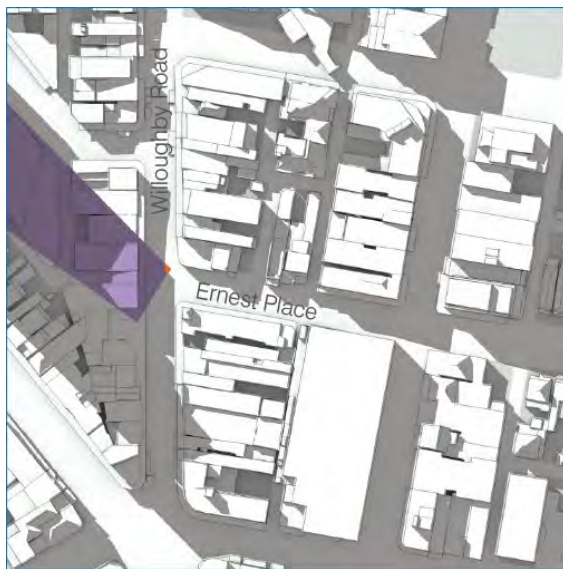
**FIGURE 28: Overshadow assessment diagram – 2:30pm, 21 June**



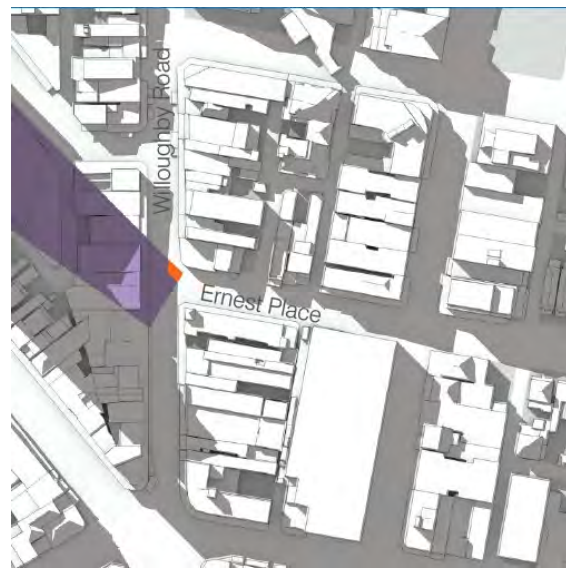
**FIGURE 29: Overshadow assessment diagram – 3pm, 21 June**



**FIGURE 30: Overshadow assessment diagram – 2:58pm, 21 June (zoomed in)**



**FIGURE 31: Overshadow assessment diagram – 2:59pm, 21 June (zoomed in)**



**FIGURE 32: Overshadow assessment diagram – 3pm, 21 June (zoomed in)**

### Mitchell Street

The Applicant has also provided shadow diagrams to show the extent of the impact of the proposal on Mitchell Street Plaza between 10am and 4pm (refer to Figures 33- 40).



Note: The Legend below should be read in conjunction with Figures 33 - 40.



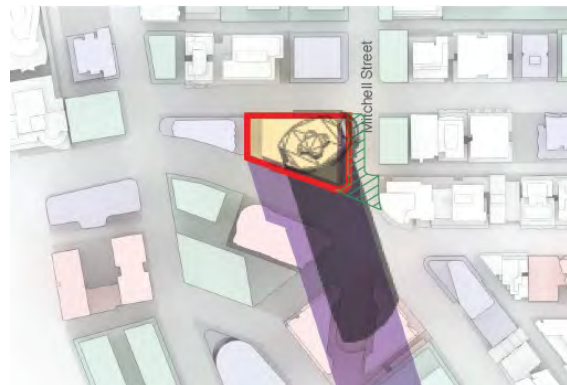
**FIGURE 33: Overshadow assessment diagram – 10am, 21 June**



**FIGURE 34: Overshadow assessment diagram – 11am, 21 June**



**FIGURE 35: Overshadow assessment diagram – 12pm, 21 June**



**FIGURE 36: Overshadow assessment diagram – 1pm, 21 June**



**FIGURE 37: Overshadow assessment diagram – 2pm, 21 June**



**FIGURE 38: Overshadow assessment diagram – 3pm, 21 June**



**FIGURE 39: Overshadow assessment diagram – 3:30pm, 21 June**



**FIGURE 40: Overshadow assessment diagram – 4:00pm, 21 June**

The Applicant's overshadowing diagrams illustrate that Mitchell Street is in shadow under existing conditions. As such, the proposal does not create any additional overshadowing to Mitchell Street Plaza, beyond what is already created by the existing building and is therefore compliant with the *2036 Plan*.

It is noted that the Applicant has not provided overshadowing diagrams during the March and September equinox periods.

Despite the above, the Planning Proposal does create additional overshadowing to residential development to the south and south-east. In the context of excessive height, the additional shadow cast by the planning proposal is resultant of the excessive building height and results in shadow lengths longer than is necessary to accommodate a 42 storey building. A reduction in height would assist in reducing the extent of overshadowing impacts to surrounding residential areas, public open space and important streetscapes.

## **8.9 Public Domain**

The Applicant's Planning Proposal identifies the following opportunities to upgrade the public domain interface (within the site boundary) to the adjoining streetscapes:

- Upgrades to street paving along the Pacific Highway (as per North Sydney Council Public Domain Manual)
- Street tree plantings in planter boxes along the Pacific Highway and Mitchell Street
- Extensions to existing paving layout along the Mitchell Street Plaza to the building edge; and
- Proposed stairs and retaining wall to the north-east corner of the site.

### Mitchell Street Plaza

Under the *2036 Plan*, the intent of the required 5m building setback to Mitchell Plaza and Mitchell Street is to enable additional open space as linear parks along this frontage. The *2036 Plan* envisages additional street tree planting along the Mitchell Street Plaza footpath within the setback zone to create 'green streets' and provide shelter and shade to pedestrians.

According to the Applicant's Landscape Design Report, the proposal provides the opportunity for trees alongside Mitchell Street Plaza in pots or planters only, which is not aligned with the visions and actions of the *2036 Plan*.

In addition, the proposed planter boxes along the Mitchell Street Plaza are built to the property boundary. The design layout does not incorporate the existing Mitchell Street Plaza landscape design or allow for adequate deep soil zones.

The Applicant's justification for the proposed planter boxes is that it is not possible to promote deep soil planting along the Mitchell Street Plaza frontage due to the proposed retention of the existing basement structure.

Should the Planning Proposal proceed, the proposal should provide opportunities for deep soil zones within the Mitchell Street Plaza setback zone to allow for canopy trees, as per the Objectives and Actions of the *2036 Plan*.

#### Ground level activation (Atchison Street and Mitchell Plaza)

In the *2036 Plan*, Atchison Street is identified as an important 'Civic Street' and 'retail heart of St Leonards'. The NSDCP2013 also requires that development along Atchison and Mitchell Streets maximise ground level activation by focusing food and drink premises and retail within a fine grain built form.

The supporting concept design presents opportunities for food and drink or retail tenancies along the Atchison Street and Mitchell Street Plaza frontages. However, the proposed retail shop fronting Mitchell Street Plaza does not have direct access to the plaza and appears only accessible through the lobby.

Should the Planning Proposal proceed, it is recommended that fine grain retail spaces be incorporated in the ground level street frontages facing Atchison Street and Mitchell Street Plaza with direct access to the streets. These detailed design matters could be resolved through the future DA process.

### **8.10 Visual Impact**

The *2036 Plan* requires that new developments consider cumulative impacts on existing areas, including view loss and visual impacts and emphasises the importance of having an appropriate podium height, overall building height and scale.

The Applicant's Urban Design Report contains a visual impact assessment of the indicative concept design, which assesses the likely visual impacts of the Planning Proposal in the context of both surrounding existing and future development.

It is acknowledged that given the sites prominent location along the Pacific Highway, the future development on the site will be visible from a number of vantage points around the St Leonards centre including the Naremburn Heritage Conservation Area, Holtermann Estate A Conservation Area and Holtermann Estate B heritage conservation areas. Figures 41 - 46 below show visual perspectives provided by the Applicant of the proposal from selected low and medium vantage points.





**FIGURE 41: Falcon Street, Pacific Highway and Willoughby Road**



**FIGURE 42: Shirley Road at Nicholson Street**



**FIGURE 43: Pacific Highway at Greenwich Road**



**FIGURE 44: Pacific Highway at Reserve Road**



**FIGURE 45: Naremburn Park - Station at Dalley's Road**



**FIGURE 46: Willoughby Road and Albany Street**

As a result of the primary controls identified in the 2036 Plan it is acknowledged that there will be some visual impact. However, due to the excessive height proposed, particularly with the additional height above the roof level, the building appears to be more dominant in the skyline to that of its neighbours at 617-621 Pacific Highway, especially when viewed in an arc from north-west to south-east.

As such it is recommended that the height control for the site be limit to RL 259 (equivalent to 171m) to achieve a maximum 42 storey building, which would help reduce the overall visual impact of the development.

Should the Planning Proposal proceed, detailed design development including façade detailing and external materials, colours and finishes will help to further mitigate the visual impact of future built form on the site.

### **8.11 Wind**

The Planning Proposal is accompanied by a Pedestrian Wind Environment Statement (Statement) prepared by Windtech, which assesses the likely impacts of future winds expected within and around the proposed development.

The Statement identifies significant wind tunnelling / velocity impacts and only addresses the general wind effects that are identifiable by visual inspection of the architectural drawings. No wind tunnel testing has been undertaken.

The Statement concludes that the site is capable of accommodating future development aligned with the proposed planning control changes subject to a series of wind mitigation measures i.e. awnings, screens, planting and impermeable balustrades and canopies at elevated outdoor areas.

In the absence of wind tunnel testing to accurately quantify existing and future expected wind speeds, it is unclear whether the suggested mitigation measures will provide an acceptable level of wind comfort and amenity that is compliant with NSDCP 2013.

Due to the nature of the existing wind environment and overall massing of the subject development and complexity of building form, further wind tunnel testing is required to quantify existing and future expected wind speeds in and around the proposed development. These matters can be addressed in greater detail at the future detailed DA stage.

### **8.12 Transport Implications**

*Ministerial Direction 5.1 Integrating Land Use and Transport* seeks to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- a) improving access to housing, jobs and services by walking, cycling and public transport, and*
- b) increasing the choice of available transport and reducing dependence on cars, and*
- c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- d) supporting the efficient and viable operation of public transport services, and*
- e) providing for the efficient movement of freight.*

The increased density on the site supports the patronage of the metro station by co-locating increased job-generating commercial land uses within walking distance of public transport nodes, consistent with Direction 5.1.

## **Traffic generation and car parking**

The subject site directly adjoins Pacific Highway, a classified State Road. Clause 2.119 of *SEPP (Transport and Infrastructure) 2021* requires that developments with a frontage to a classified road be provided with an alternative access where possible, and that the volume and frequency of vehicles to/from the site not impact on the safety, efficiency and ongoing operation of the classified road.

The Planning Proposal maintains vehicular access off Atchison Street for both servicing and commercial tenant vehicles. No vehicular access is proposed along the Pacific Highway. The proposal is consistent with the requirements of the Transport and Infrastructure SEPP.

### Car Parking

Based on the NSDCP2013 parking rates, the following maximum car parking rates apply to the subject site:

<b>TABLE 5: Summary of car parking spaces</b>			
<b>Development</b>	<b>Current NSDCP 2013 Max. car parking rate</b>	<b>Max. car parking spaces under NSDCP 2013</b>	<b>Applicant's Proposed car parking spaces</b>
Retail - Food and Drink Premises (406 sqm)	1 space / 50 sqm GFA	17	-
Commercial (56,348 sqm)	1 space/400 sqm non- residential GFA	141	-
<b>Total</b>		<b>149 car spaces</b>	<b>128 car spaces</b>

The existing 14 storey building on the site currently accommodates a total 158 car spaces across four basement levels. No visitor parking is proposed. The Applicant's indicative concept design proposes a total 128 car spaces over four basement levels (a net reduction of 30 spaces), which is below the maximum amount of car parking allowed under Council's parking provisions (i.e. the St Leonards Precinct 2 & 3 car parking rates under NSDCP 2013) and is therefore capable of complying within the NSDCP 2013 maximum car parking requirements for a commercial development.

### Bicycle Parking

Bicycle parking is provided on Basement Level 1 with supporting end of trip facilities on the Ground Level. A loading dock servicing commercial and retail uses is also provided on Basement Level 1.

### Driveway Access and Location

The proposed driveway access is via Atchison Street, which is considered the most logical location for car access. However, given the high amenity pedestrian environment that is envisioned for Atchison Street, the location and proximity of the proposed driveway with that of the adjoining site at 617-621 Pacific Highway, will create a great expanse of driveway crossing which will undermine the pedestrian amenity objectives and enlivening ambitions for this street.

Following the Pre-Lodgement Meeting, dated 14 November 2022, it was recommended that the Applicant explore opportunities to combine driveway access with the adjoining owner, given the early pre DA stage of the adjoining site. In the Applicant's Planning Proposal, the Applicant notes that due to the significant change in ground levels between the two sites it would compromise the feasibility of a combined vehicle entrance. Whilst this is more a DA issue, it is strongly encouraged that the applicant continue to further explore this issue with the adjoining landowner during any detailed design and subsequent DA stage.

### Traffic Generation

The Planning Proposal is accompanied by a Traffic and Parking Assessment by Arup, which assesses the implications of potential traffic generation of the Planning Proposal.

As previously noted, the indicative concept design proposes to reduce the number of car spaces on site from 158 to 128 car spaces across the four basement levels, which is compliant with the NSDCP 2013 maximum car parking rates.

The Assessment has also assessed the estimated traffic generated by the Planning Proposal and finds that the development will generate in an overall reduction of traffic generation due to an overall reduction in car parking. Given the reduction in vehicle trips compared to the current situation, the impact to the surrounding network is expected to be negligible.

The proposal is also accompanied by a Green Travel Plan (GTP), prepared by Arup which provides an overarching framework to guide the implementation of sustainable travel options and encourage trips by modes other than private vehicles for the proposed commercial development.

Should the Planning Proposal be supported, a more detailed GTP must be developed to accompany any future DA for the proposed commercial development.

## **9. Strategic Merit Assessment**

The proposal is considered to satisfy the following aspects of the strategic merit test:

- does not contradict the ability to achieve the objectives and actions of high-level planning strategies;
- is generally consistent with the provisions of the *St Leonards and Crows Nest* and accompanying *Ministerial Direction 1.13 Implementation of St Leonards and Crows Nest 2036 Plan*; and
- the bulk and scale of any future development on the site, and impacts to the surrounding environment and wider community, can be appropriately mitigated as part of the implementation of appropriate standards within NSDCP 2013 and the development application process.

Further details are provided in the following subsections.

## **9.1 Regional and District Plan consistency**

The Planning Proposal may be considered in general terms to be consistent with the *Greater Sydney Region Plan - 'A Metropolis of Three Cities'* (A Metropolis of Three Cities) and the *North District Plan* to the extent that it provides for additional jobs and commercial floorspace within a highly accessible location and identified Planned Precinct. However, the provision of additional employment on the subject site alone does not satisfy the test of consistency.

A key direction of *A Metropolis of Three Cities* is creating a 'city of great places.' This direction underlines the importance of place-based, design-led planning to improve liveability in urban environments. To deliver high-quality places that engage and connect people and communities, the North District Plan states (on page 45) that: "*planning for the district should integrate site specific planning proposals with precinct-wide place and public domain outcomes through place-based planning.*"

Having completed an assessment of the Planning Proposal against the provisions of the 2036 Plan and relevant Regional, District and Local Plans, it is found that the proposed building height of 189m is considered excessive for a 42-storey building as envisaged for the site under the 2036 Plan and will result in a greater level of impact (overshadowing and visual) than necessary. The proposed podium height is also considered excessive and is inconsistent with the maximum street wall height under the *2036 Plan* and the *NSDCP 2013*.

To ensure the Planning Proposal is consistent with the intended outcomes of the 2036 Plan and NSDCP, namely building height and street wall height controls, the Planning Proposal and supporting concept design will need to be amended to satisfactorily address the recommendations of this report before progressing to the next stage of the plan making process.

## **9.2 St Leonards and Crows Nest 2036 Plan consistency**

Whilst the indicative concept scheme accompanying the Planning Proposal reflects a 42-storey building consistent with the *2036 Plan*, the requested maximum building height of RL276.5 (equivalent to 189m) is considered excessive and could potentially accommodate a commercial building with a greater number of storeys.

As outlined in Section 8.4, to ensure future development on the site is for no more than 42-storeys, it is recommended that the Planning Proposal be amended to a maximum building height of RL 259 (equivalent to 171m), which has been established based on a reduced podium height and reduced height allowance above the top level plant room for architectural roof features. This will ensure that future development will remain consistent with the 2036 Plan's maximum building height of 42 storeys and reduce overshadowing and visual impacts arising from the proposal (refer to commentary in Section 8.8 and Section 8.10).

The proposed part 5 and part 6 storey podium is also inconsistent with the *2036 Plan*. It is acknowledged that due to the varying slope across the site, the future development outcome on the site will result in differing street wall heights along the site boundaries. As such, it is recommended that the podium height be redesigned to between 4 and 5 storeys in accordance with the *2036 Plan* and *NSDCP 2013* (refer to commentary in Section 8.7.1).

### **9.3 Local Strategic Planning Statement consistency**

The Planning Proposal is considered to be consistent with the LSPS to the extent that it will accommodate approximately 3,346 jobs, 56,348 sqm of commercial floorspace and 406 sqm of retail floor space within a highly accessible location. By virtue of the Planning Proposal's consistency with the 2036 Plan, the Planning Proposal is considered to be consistent with the LSPS and will account for approximately 20.27% of jobs to needed to be accommodated in the Precinct by 2036.

### **9.4 St Leonards/Crows Nest Planning Study – Precincts 2 & 3**

As previously outlined, Council's *St Leonards/Crows Nest Planning Study – Precincts 2 & 3 (2015)* envisaged the delivery of a commercial building on the subject site (*B3 – Commercial Core zone*) and identified it as a 'tall building site' which is defined as developments over 18 storeys in height. The Planning Proposal is considered to be consistent with the intent of Council's Study.

### **9.5 State Environmental Planning Policy (SEPP)**

The proposals consistency with applicable SEPP is considered below.

#### SEPP (Transport and Infrastructure) 2021

The subject site directly adjoins a classified State road being the Pacific Highway. Clause 2.118(2) of *SEPP (Transport and Infrastructure) 2021* requires that developments with a frontage to a classified road be provided with an alternative access where possible, and that the volume and frequency of vehicles to/from the site not impact on the safety, efficiency and ongoing operation of the classified road.

The indicative concept design accompanying the Planning Proposal maintains the existing vehicular access off Atchison Street for both servicing and commercial tenant vehicles. No vehicular access is proposed along the Pacific Highway. In addition, due to the overall reduction in car parking spaces from 158 existing car parking spaces to 128 proposed car parking spaces, the traffic generated by the development is anticipated to reduce by 8 trips in the AM and 6 trips in the PM. Given the reduction in vehicle trips, the impact to the surrounding road network is expected to be negligible.

### **9.6 Section 9.1 Ministerial Directions**

Section 9.1 of the EP&A Act 1979 enables the Minister for Planning to issue directions regarding the content of Planning Proposals. Each Planning Proposal must identify the applicable section 9.1 Directions and demonstrate how they are consistent with that Direction.

The Planning Proposal is considered to be generally consistent with all relevant Ministerial Directions, with the exception of *Direction 4.4 – Remediation of Contaminated Land*.

#### Direction 4.4 – Remediation of Contaminated Land

Direction 4.4 states that a Planning Proposal authority must not include land in a zone that would permit a change of use unless it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which the zone permits.

The Planning Proposal is accompanied by a Preliminary Site Investigation (PSI) report prepared by Golder Associates Pty Ltd. The report identified an underground storage tank (UST) located in the lowest basement level, which is used to store diesel fuel for the backup power generator at the site. The report found the risk for impacted groundwater or vapour intrusion to Site occupants has been assessed as low and suitable for ongoing commercial use.

Council's Environmental Health officer has also reviewed the PSI report and is satisfied that the site can be made suitable for its proposed use, subject to the implementation of the report's recommendations, these include:

- *The UST below the lowest basement slab should be decommissioned in accordance with regulatory requirements prior to future development.*
- *As the proposed redevelopment includes enlarging the basement at the Site the development and implementation of an unexpected finds protocol (UFP) would facilitate the management of the potential contamination sources. Such a document would allow for the management of potential contamination during construction works.*
- *Post demolition of the structure and exposure of underlying bedrock, soils and groundwater, further examination can be undertaken by a suitably qualified professional in the form of a detailed site investigation or unexpected finds protocol and any contamination noted can be addressed and the site made suitable as necessary.*

## **10. Site-specific Merit Assessment**

The proposals consistency with the site-specific merit criteria is considered below.

### **10.1 Environmental Impacts**

The proposed increase in height and density on the site will result in a degree of overshadowing, wind, visual and traffic impacts. It is recognised, however, that the precinct is undergoing significant change. The St Leonards and Crows Nest area is identified a 'strategic centre' and 'Planned Precinct' through a suite of high-level planning documents, including the Greater Sydney Region Plan and the North District Plan. There is an opportunity to renew, activate and manage growth within the precinct through the delivery of the objectives and outcomes as outlined within the *2036 Plan*.

An assessment of the Planning Proposal indicates that an improved built form scale and height transition could be achieved on the site that better meets the objectives and intended outcomes of the *2026 Plan* and further minimises impacts to the surrounding area.

As noted in Section 9.2, a reduction in overall maximum building height, including a reduced podium height is recommended before progressing to the next stage of the plan making process. This will ensure future development will remain consistent with the *2036 Plan* and allow for an improved built form outcome including a consistent podium height for the block and an appropriate contextual response along the Pacific Highway.

As outlined in sections 8.8, 8.10 and 8.11 of this report, overshadowing, wind, visual and traffic impacts arising from the Planning Proposal have been addressed by the Applicant. The Planning Proposal demonstrates that the site is capable of accommodating the indicative concept design and that associated impacts (overshadowing, wind, visual and traffic) can be appropriately mitigated subject to further detail design at a future DA stage.

Whilst further refinement is required with respect to the deep soil and basement setback zones, and enhancement of retail frontages to allow direct access along Atchison Street and Mitchell Street Plaza, it is acknowledged that the proposal could further address these issues at the future DA stage.

## **10.2 Social Impacts**

The Planning Proposal, if progressed would result in the creation of new commercial offices and retail uses, including the creation of approximately 3,346 jobs. Future development on the site is likely to attract significant investment growth and business activity, and contribute significantly to the North District employment generation targets.

Notwithstanding, this considerable proposed increase in density on the subject site is likely to place additional demand on existing services and facilities. Payment of applicable section 7.11 local infrastructure contributions will help alleviate potential impacts on existing local infrastructure. It is noted that Special Infrastructure Contribution (SIC) does not apply to commercial development and therefore does not apply to the subject Planning Proposal.

The proposal also provides the opportunity to provide activated street frontages and help meet the objectives of the *2036 Plan*.

## **10.3 Economic Impacts**

If the proposal proceeds it would result in the opportunity to provide approximately 3,346 jobs on the site as a result of the proposed (56,348m<sup>2</sup> commercial and 406m<sup>2</sup> retail floor space). Future development aligned with the Planning Proposal would result in substantial direct economic benefits during the construction stage and the ongoing operation of the building.

The quantum of commercial floor space proposed for the site is consistent with the requirements of the *2036 Plan* and *LSPS* and will attract significant investment growth and business activity and contribute employment generation and job diversity.

## **10.4 Adequacy of Public Infrastructure**

The site is located in proximity to existing and proposed transport infrastructure, including existing road connections and high-frequency public transport. The site is in a locality that would allow future workers and visitors to capitalise on the wide range of infrastructure and services available and planned within the area.

Consultation would be required with utility providers at the future DA stage to ensure that sufficient capacity exists in water, sewer, gas, telecommunications and other utility services.

There is likely to be adequate services and infrastructure in the area to accommodate the proposed increases in demand, alternatively the Applicant will be required to pay for any upgrades required.



## SUBMISSIONS

There are no statutory requirements to publicly exhibit a Planning Proposal before the issuance of a Gateway Determination. However, Council sometimes receives submissions in response to planning proposals which have been lodged but not determined for the purposes of seeking a Gateway Determination. The generation of submissions at this stage of the planning process, arise from the community becoming aware of their lodgement through Council's application tracking webpage and on-site signage.

At the time of reporting, three (3) submissions had been received. Concerns were raised with respect to the proposed increase in height and density, and overall scale and impact of the proposed development including overshadowing, building separation, wind impacts, traffic congestion, as well as noise and air quality impacts during construction.

These issues have been largely addressed in this report, with the exception of noise and air quality impacts during construction. It is recommended the Planning Proposal be revised to address the recommendations of this report and provide a response to submissions before progressing to the next stage of the plan making process. If the proposal proceeds to Gateway Determination the community will be formally consulted about the draft planning proposal and invited to comment.

## CONCLUSION

The Planning Proposal (2/23) seeks to amend NSLEP 2013 as it relates to land at 601 Pacific Highway as follows:

- Increase the maximum height of buildings limit from 45m to RL276.5 (equivalent to 187.25m); and
- Introduce a maximum floor space ratio of 20:1

The proposal is accompanied by an indicative concept design to demonstrate how the site could be developed to the requested height and density controls.

Pursuant to Ministerial Direction 7.11 to section 9.1 of the EP&A Act 1979, Council is required to assess the planning proposal for its consistency against the provisions of the *St Leonards and Crows Nest 2036 Plan*.

Whilst the Planning Proposal is generally consistent with the *2036 Plan*, in terms of the number of storeys, the requested maximum building height of RL276.5 (equivalent to 189m) is considered greater than that required to deliver a 42 storey commercial building on the site. The additional height is not supported as it could result in a commercial building greater than 42 storeys, and a greater level of impact (overshadowing, visual) than necessary and is contrary to the design principles and intended outcomes of the *2036 Plan*. As such, it is recommended that the maximum building height be reduced to RL 259 (equivalent to 171m), which would provide sufficient height for a 42 storey commercial A-grade building with associated plant structures.

In addition, the proposed part 5 and part 6 storey podium is not supported as it does not comply with the *2036 Plan* and *NSDCP 2013*. As such it is recommended that the street wall height be redesigned to between 4 and 5 storeys (as detailed in Section 8.7.1).

## **RECOMMENDATION**

For the reasons outlined in this report, it is recommended that the Local Planning Panel support the Planning Proposal being forwarded to the DPE seeking a request for a Gateway Determination subject to the Planning Proposal and supporting concept design being amended to:

- a maximum building height of RL 259 (equivalent to 171m); and
- a maximum street wall height of between 4 and 5 storeys.

It is also recommended that the Applicant's indicative concept design scheme be amended in accordance with other recommendations of this report, prior to being forwarded for a Gateway Determination.

Paris Wojcik of Element Environment  
**CONSULTANT PLANNER**

Haley Rich of Element Environment  
**CONSULTANT PLANNER**

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Reviewed by:  
Neal McCarry of North Sydney Council  
**ACTING MANAGER, STRATEGIC PLANNING**

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# PLANNING PROPOSAL

601 Pacific Highway,  
St Leonards

**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director	Stephen White
Senior Consultant	Rob Battersby
Project Code	P0028339
Report Number	Final

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# CONTENTS

<b>Executive Summary.....</b>	<b>1</b>
<b>1. Introduction .....</b>	<b>3</b>
1.1. Overview .....	3
1.2. Accompanying Documentation .....	3
1.3. Pre-Lodgement Consultation .....	4
<b>2. Site &amp; Surrounding Context .....</b>	<b>15</b>
2.1. The Site .....	15
2.2. Surrounding Context .....	15
2.3. Wider Context .....	18
2.4. Surrounding Road, Rail, and Bus Network .....	18
2.5. Photographic Review .....	19
<b>3. Existing Statutory Planning Context.....</b>	<b>20</b>
3.1. North Sydney Local Environmental Plan 2013 .....	20
<b>4. Indicative Development Outcome .....</b>	<b>23</b>
4.1. Indicative Concept Proposal .....	23
4.2. indicative Concept Design Principles.....	25
4.3. Building Massing and Key Design Elements .....	27
4.4. Landscaping and Public Domain .....	31
<b>5. Planning Proposal Assessment .....</b>	<b>35</b>
<b>6. Part 1 – Objectives &amp; Intended Outcomes.....</b>	<b>36</b>
6.1. Objectives .....	36
6.2. Intended Outcomes.....	36
<b>7. Part 2 – Explanation of Provisions .....</b>	<b>37</b>
7.1. Land to which the Plan will apply .....	37
7.2. Proposed LEP Amendments .....	37
<b>8. Part 3 – Justification .....</b>	<b>38</b>
8.1. Need for the Planning Proposal .....	38
8.2. Relationship to Strategic Planning Framework.....	48
8.3. Environmental, Social, and Economic Impacts .....	60
8.4. State and Commonwealth Interests.....	72
<b>9. Part 4 - Mapping .....</b>	<b>73</b>
<b>10. Part 5 - Community Consultation .....</b>	<b>75</b>
<b>11. Part 6 - Project Timeline .....</b>	<b>76</b>
<b>12. Conclusion.....</b>	<b>77</b>
<b>13. Disclaimer .....</b>	<b>78</b>

## FIGURES

Figure 1 Site Location.....	15
Figure 2 Surrounding Context .....	16
Figure 3 Site Photography .....	19

Figure 4 NSLEP 2013 Zoning Map.....	20
Figure 5 NSLEP 2013 Building Height Map .....	21
Figure 6 NSLEP 2013 Floor Space Ratio Map.....	22
Figure 7 Artist Impression.....	23
Figure 8 Typical Basement Level Layout .....	27
Figure 9 Lower Lobby Plan.....	28
Figure 10 Upper Lobby Plan.....	29
Figure 11 Typical Podium Floor Plate .....	29
Figure 12 Typical High Rise Commercial Level Layout.....	30
Figure 13 Typical Terrace Level Layout .....	31
Figure 14 Ground Plane Public Activation.....	32
Figure 15 Level 06 Garden Terrace .....	33
Figure 16 Typical Roof Terrace .....	34
Figure 17 2036 Plan Vision .....	38
Figure 18 Concept Building Envelope within Adjacent Development Context.....	61
Figure 19 Indicative Podium Design.....	62
Figure 20 Photomontages of Indicative Concept Proposal .....	64
Figure 21 Solar Access to Newlands Park and Ernest Place.....	67
Figure 22 Solar Access to Mitchell Street.....	68
Figure 23 Solar Access to Residential Areas and Heritage Conservation Areas.....	68
Figure 24 Amended Height of Buildings Map – Sheet HOB_001 .....	73
Figure 25 Amended Maximum Floor Space Ratio – Sheet FSR_001.....	74

## PICTURES

Picture 1 Mitchell Street Plaza (looking north).....	19
Picture 2 Existing building (looking south-east).....	19
Picture 3 St Leonards Square (looking south).....	19
Picture 4 Pacific Highway (looking west).....	19
Picture 5 Existing building (looking southwest) .....	19
Picture 6 Quest apartments (looking northwest) .....	19
Picture 7 Lobby view from Pacific Highway, looking north, with Mitchell Street Plaza to the right .....	62
Picture 8 Atchison Street corner looking west with Mitchell Street Plaza to the left .....	62
Picture 9 Falcon Street, Pacific Highway and Willoughby Road .....	64
Picture 10 Shirley Road at Nicholson Street .....	64
Picture 11 Pacific Highway at Greenwich Road .....	64
Picture 12 Pacific Highway at Reserve Road.....	64
Picture 13 Naremburn Park - Station at Dalleys Road .....	64
Picture 14 Willoughby Road and Albany Street .....	64

## TABLES

Table 1 Planning Proposal Documentation .....	3
Table 2 Applicant Response to Pre-Lodgement Meeting.....	4
Table 3 Surrounding Development Context .....	17
Table 4 B3 Zone Objectives and Permissibility .....	20
Table 5 Indicative Concept Proposal.....	25
Table 6 Achieving the outcomes of the St Leonards and Crows Nest 2036 Plan.....	39
Table 7 Consistency with North Sydney LSPS .....	43
Table 8 Consistency with St Leonards / Crows Nest 2015 Planning Study .....	44
Table 9 Guide for Preparing Proposals Assessment Criteria.....	48



Table 10 Assessment against Greater Sydney Region Plan .....	49
Table 11 Assessment against the North District Plan .....	51
Table 12 Consistency with State Environmental Planning Policies .....	54
Table 13 Assessment against Section 9.1 Directions .....	55
Table 14 Solar Impact Assessment.....	66
Table 15 Project Timeline .....	76

# EXECUTIVE SUMMARY

## Overview

This planning report has been prepared on behalf of Stockland Development Pty Ltd (**Stockland**) to initiate the preparation of an amendment to the North Sydney Local Environmental Plan 2013 (**NSLEP 2013**).

The amendment relates to 601 Pacific Highway, St Leonards (Lot 71 in Deposited Plan 749690) (**the site**).

The intended outcome of this Planning Proposal is to amend the NSLEP 2013 planning controls as follows:

- Establish a site-specific building height control, with maximum building height of RL276.5; and
- Establish a site-specific floor space ratio (FSR) control, with a maximum FSR of 20:1.

The Planning Proposal is informed by and consistent with the vision, objectives and built form guidance within the St Leonards and Crows Nest 2036 Plan (**2036 Plan**).

This report is prepared to assist North Sydney Council (**Council**) with amendments to NSLEP 2013 for the site in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**).

## Strategic Planning Background

In May 2015, North Sydney Council endorsed a strategic review of its planning framework for the St Leonards and Crows Nest area (the St Leonards/Crows Nest Planning Study – Precincts 2 and 3) (**the 2015 Planning Study**). The site was included in Precinct 2 of the study area and identified as a ‘tall tower’ site.

On 7 July 2016, the NSW Department of Planning and Environment (**DPE**) formally commenced a strategic planning investigation of St Leonards, Crows Nest, and the Artarmon industrial area. Accordingly, on 1 June 2017 St Leonards and Crows Nest was declared a “planned precinct”.

On 29 August 2020, the NSW Government finalised the planning package for St Leonards and Crows Nest. This contained the final St Leonards and Crows Nest 2036 Plan (**the 2036 Plan**), the Special Infrastructure Contribution (**SIC**) Determination, St Leonards and Crows Nest Local Character Statement, St Leonards and Crows Nest Green Plan, Urban Design Study, and other supporting documents and legislative amendments.

The site is identified within a cluster of high-density commercial and mixed-use developments along Pacific Highway between St Leonards Station and Crows Nest Metro Station. The site is earmarked for increased density and as suitable for transit-oriented development to take advantage of increased accessibility to jobs.

## Intended Statutory Planning Outcomes

This Planning Proposal has been prepared to amend the statutory planning controls that apply to the site through a site-specific amendment to NSLEP to enable future redevelopment at this prominent location.

This Planning Proposal is informed by an indicative concept proposal which establishes a building envelope and footprint for a future development proposal. The key components of the indicative concept proposal are:

- 42 storey commercial tower;
- Four levels of basement car parking below ground level;
- Lower ground floor retail and commercial uses (including café / bar, retail premises, and reception area);
- Upper ground floor (upper lobby, potential for co-working spaces, and café); and
- Upper tower levels for commercial offices (including plant levels and communal terrace gardens).

The indicative concept proposal can be achieved by amending the NSLEP as it relates to the site as follows:

- Amend NSLEP 2013 *Height of Buildings Map* to provide for a maximum building height of RL276.5;
- Amend NSLEP 2013 *Maximum Floor Space Ratio Map* to provide a maximum floor space ratio (**FSR**) control of 20:1.

This Planning Proposal seeks to unlock the potential of a strategically-located landholding and facilitate transit-oriented commercial office development in a location earmarked for density uplift in the 2036 Plan.

## Planning, Community, and Public Domain Outcomes

The Planning Proposal would facilitate the following key planning outcomes and community benefits:

- **Consistent with State Government policy which supports growth in St Leonards:** Future development will accommodate a range of commercial land uses in a major strategic centre that is well serviced by public transport. It will generate new employment opportunities within walking distance of major employment, retail, health and education facilities, and excellent public transport connectivity.
- **Increased and diversified employment opportunities:** The high amenity and contemporary office accommodation will facilitate commercial activity and business with flexible floorplates and tenancies.
- **Job creation:** Future development has the potential to create approximately 3,346 full time jobs.
- **Improved pedestrian access and connectivity:** The proposal provides opportunities for improved pedestrian circulation and connectivity throughout the St Leonards centre through the establishment of site connections with adjacent properties and enhanced integration with the surrounding footpath network, Mitchell Street Plaza, and key transport nodes such as St Leonards train station.
- **Landmark tower and building envelope:** The indicative concept proposal envisages a commercial tower that has a slender and articulated form. The design maximises separation from adjoining development in order to allow for view sharing and minimise the effect of 'tower crowding'. The ground floor provides activation and engagement with the public domain with clearly defined building entries.
- **Public domain enhancement:** The proposal provides significant potential to deliver meaningful public domain enhancements and activation along the Pacific Highway, Mitchell Street, and Atchison Street.
- **Solar amenity:** The proposal preserves solar access to key public open spaces, surrounding residential areas, and heritage conservation areas.
- **Mitchell Street Plaza enhancements:** The proposal presents opportunities to deliver a dynamic interface to the Mitchell Street Plaza, with lobby entries and outdoor dining activity contributing to its role as a focal point for the precinct.
- **Atchison Street activation day and night:** New retail uses to the Atchison Street frontage will create opportunities for outdoor / sunlit alfresco dining and other ground plane activations (such as pop-up installations). Public domain activation will complement the principal commercial office use, encourage pedestrian activity, and reinforce Atchison Street as a vibrant day and night dining precinct.

A detailed analysis of the site and its surrounding context and the prevailing State and local planning policy demonstrates that there is clear strategic and site-specific planning merit to the Planning Proposal. It is recommended that this Planning Proposal be considered by Council and that Council resolve to forward it to DPE for Gateway Determination in accordance with the EP&A Act to prepare the amended NSLEP 2013.

# 1. INTRODUCTION

## 1.1. OVERVIEW

This Planning Proposal has been prepared by Urbis on behalf of Stockland Development Pty Ltd (**the applicant**) to initiate the preparation of a Local Environmental Plan to amend the statutory planning controls that apply to the land at 601 Pacific Highway, St Leonards (Lot 71 in Deposited Plan 749690) (**the site**) under North Sydney Local Environmental Plan 2013 (**NSLEP 2013**).

The Planning Proposal is informed by and consistent with the vision, objectives and built form guidance within the St Leonards and Crows Nest 2036 Plan (**2036 Plan**).

The proposal seeks to amend the built form planning controls that apply to the site under NSLEP 2013 to facilitate a high density mixed-use development on the site. The proposed amendments are as follows:

- Increase the applicable maximum building height development standard to RL276.5; and
- Increase the maximum floor space ratio (**FSR**) development standard to 20:1.

The site is currently zoned B3 Commercial Core under NSLEP 2013. No change to this zoning is proposed.

The Planning Proposal has been prepared in accordance with the provisions of Section 3.33 of the Environmental Planning and Assessment Act 1979 (**EP&A Act**).

It has been prepared having regard to the relevant guidelines prepared by the NSW Department of Planning and Environment (**DPE**) including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

## 1.2. ACCOMPANYING DOCUMENTATION

The Planning Proposal is accompanied by the following consultant documentation that provides a comprehensive analysis of the site opportunities and constraints.

Table 1 Planning Proposal Documentation

Document	Consultant	Appendix
Urban Design Report	Architectus	A
Landscape Concept Report	Oculus	B
Preliminary Site Investigation	Golder Associates Pty Ltd	C
Geotechnical Desktop Report	Arup	D
Structural Engineering Report	Arup	E
Traffic Impact Assessment (+ Green Travel Plan)	Arup	F
Wind Environment Statement	WindTech	G
Aeronautical Assessment	Avlaw Consulting	H
Council's Pre-Lodgement Minutes	North Sydney Council	I
Pre-Lodgement Design Response	Architectus & Arup	J

### 1.3. PRE-LODGEEMENT CONSULTATION


On 11 October 2022, Urbis submitted a Scoping Proposal to Council. The intent of the Scoping Proposal was to provide an overview of the Planning Proposal, outline the strategic and site-specific merits, and identify preliminary environmental considerations for pre-lodgement consultation with Council. The Scoping Proposal provided a high-level overview of the existing strategic and statutory policy context of the site and presented the proposed vision for the Planning Proposal, supported by a Concept Urban Design prepared by Architectus. The Scoping Proposal was prepared in accordance with Attachment A of the *Local Environmental Plan Making Guideline*, published by DPE in December 2021.

A pre-lodgement meeting was held on 14 November 2022, attended by the applicant and representatives of the applicant's project team and Council officers (Marcelo Occhiuzzi, Neal McCarry, Jing Li, and Jim Davies). The applicant received Council's pre-lodgement meeting minutes on 24 November 2022 (at **Appendix I**).

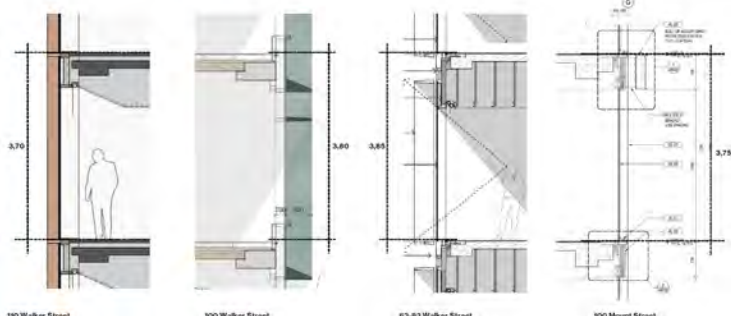
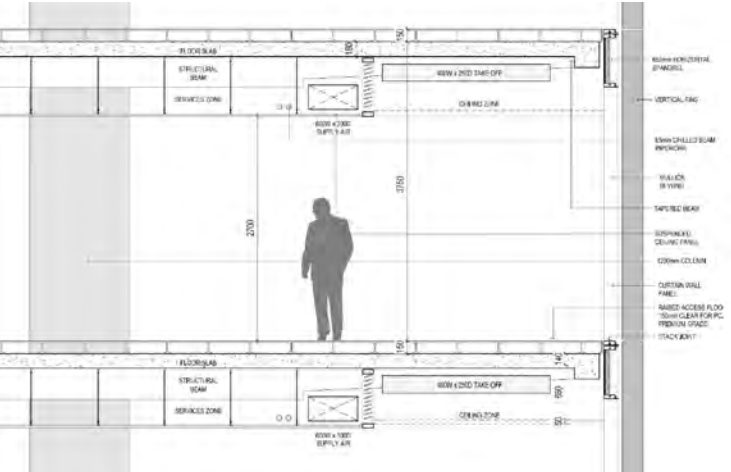
**Table 2** below identifies the matters raised in the meeting minutes and the applicant's response. Further detail is provided in the Pre-Lodgement Meeting Response Report prepared by Architectus (**Appendix J**).

Table 2 Applicant Response to Pre-Lodgement Meeting

Council Comment	Applicant Response
<b>2.1 FSR</b>	
<i>Given that the site will remain zoned B3 Commercial Core zone, the minimum non-residential floor space ratio will not be required. If imposed, this will lead to a situation where the exact FSR will need to be complied with otherwise, a clause 4.6 variation will be required, either for more floor space than outlined in the maximum total FSR or less floor space than identified in the minimum non-residential FSR.</i>	The Planning Proposal retains the site's existing B3 zoning and proposes a maximum FSR of 20:1. The Planning Proposal does not propose any additional land uses (including residential land uses). Accordingly, as noted in Council's meeting minutes, it is not necessary to apply to the site a non-residential FSR equivalent to the maximum FSR given that the B3 Zone prohibits residential uses.
<b>2.2 Building Height</b>	
<p><i>Height is a sensitive issue in the precinct and one that requires careful management in terms of visual impact, solar access and relationship to other development. The following is observed:</i></p> <ul style="list-style-type: none"> <li><i>The three plant levels are proposed as 8m, 6m and 6m in height which provide for a more generous plant room height than may otherwise be expected.</i></li> </ul>	<p>The plant area has been allocated that is appropriate to achieve PCA-A grade level of servicing. Arup has provided the following statements to detail the proposed heights of the three plant levels.</p> <p><u>Roof Top Plantroom</u></p> <p>This is effectively two plantroom levels as it has tanks and ventilation plant at low level with cooling towers and heat pumps above. The 8m height is already at the minimum level required to fit the two levels of services equipment. The plant is required to be stacked as there is insufficient room on the rooftop to accommodate a single level of plant. There is a 3m minimum requirement for the ventilation plant to enable ductwork across the floorplate at high level to risers which leaves a 2.1m clear vertical height for access and the air handling unit space beneath. There is also a minimum 5m clear height required for cooling towers above (including deck / structure) which already restricts to slimline units (typically this is 6m+ clear).</p> <p><u>Mid-Level Plantroom</u></p> <p>The key equipment item informing the 5.4m clear minimum height requirement is the upper chamber substation. Ausgrid's standard</p>

Council Comment	Applicant Response
	<p>(NS113) mandates 4.2m clear height (3.2m for the substation and 1m for the cabling/trench) and there is a requirement to hoist the transformers to ground level for replacement, at which height this requires a lifting beam / drum depth of circa 1.2m. Additionally at this plantroom level, it is proposed to have double stacking equipment for the other half of the floor plate with ventilation plant on top of chilled water plant and switch rooms. Allowing for structure above, 6m is the most reasonable lowest height (ideally it is a 6m clear height).</p> <p><u>Low Level Plantroom</u></p> <p>This level is for ventilation plant and there is a need for a degree of flexibility to accommodate kitchen exhaust treatment systems, which could require 5m clear to include maintenance and duct crossovers. For this reason, a 6m floor-to-floor height is required for this level.</p>
<ul style="list-style-type: none"> <li>The proposed 4m floor to floor height for the commercial storeys at podium levels is greater than the minimum 3.6m non-residential level requirement in the NSDCP 2013.</li> </ul>	<p>The floor-to-floor heights for the podium levels are appropriate to achieve PCA A-grade quality office accommodation. The podium floors have less access to daylight and are larger in size than the tower. In order to gain adequate daylight, the floor plates require more floor-to-floor height than upper floors. It is common for floor-to-floor height of 4m at podium levels. As Council notes, 3.6m is a minimum level, thus the concept is compliant with the DCP.</p> <p>The Pre-Lodgement Meeting Response Report (at <b>Appendix J</b>) contains a typical podium floor section detail diagram, as below.</p> 
<ul style="list-style-type: none"> <li>The proposed 3.75m floor to floor height for the commercial storeys at tower level is greater than the minimum 3.6m non-residential level requirement in the NSDCP 2013.</li> </ul>	<p>The floor-to-floor heights are appropriate in order to achieve PCA A-grade quality office accommodation. Floor-to-floor height for typical A and Premium grade office floors is 3.75m to 3.85m in order to a minimum 2.7m ceiling and accommodate a 150mm raised floor depending on the core location, floor plate size, and mechanical system selection. A floor-to-floor lower than 3.75m would limit the mechanical system selection and restrict the flexibility for a commercial office floor.</p>



Council Comment	Applicant Response
	<p>The proposed 3.75m floor-to-floor heights is appropriate based on likely structure sizing and is comparable to other recently approved and constructed commercial buildings in the North Sydney LGA.</p> <p>As stated above, the proposed floor to floor heights are marginally greater than the DCP minimum control and thus comply with the DCP.</p> <p>The Pre-Lodgement Meeting Response Report identifies building heights for comparable commercial buildings in the LGA, as follows.</p>  <p>The Pre-Lodgement Meeting Response Report contains a typical commercial floor section detail diagram, as below.</p> 
<ul style="list-style-type: none"> <li>▪ The proposed roof has a 9.65m high structure, which represents a significant height increase above the 42 storey built form. It is unclear what uses are proposed at the roof top level.</li> <li>▪ Above the roof structure, the proposed 187.25m building height includes a void envelope which is 10.51m in height.</li> </ul>	<p>The structure is an architectural feature that conceals the building maintenance unit (plant and lift overrun) and demonstrates a consistent stepping to lower levels reflecting the solar envelope angle.</p>
<p>A reduction in height between the two peaks provides an opportunity for solar access for areas to the south of the Pacific Highway. The adjacent 617-621 Pacific Highway site is closer to St Leonards Railway Station with an endorsed height of 50 storeys (180m</p>	<p>The built form controls in the 2036 Plan are established by clear urban design principles of:</p> <ul style="list-style-type: none"> <li>- Density located close to the rail and metro stations, with taller buildings within 150-200m of either station with height transitioning down to surrounding areas; and</li> </ul>

Council Comment	Applicant Response
<p><i>under the North Sydney LEP 2013). Following the 2036 Plan principle, the redevelopment of the subject site should be lower than 617-621 Pacific Highway.</i></p>	<p>- Focus of height in the 'knuckle area' within the commercial core.</p> <p>The principle for a reduction in height between the two peaks in order to provide opportunities for solar access is achieved in part by the staggering of proposed building heights along the Pacific Highway.</p> <p>It is clear that the principle is thus about concentrating density in small clusters, rather than the urban design principles directing the need for a particular building to be the dominant or higher building.</p> <p>The proposed building height will sit comfortably in the context of the cluster of towers in the St Leonards centre skyline. The built form reinforces the site's location at the topographical high point of the 'knuckle area' identified in the 2036 Plan as a concentrated cluster of high-density development fronting the Pacific Highway between St Leonards station and the new Crows Nest Metro Station.</p> <p>Furthermore, the following should be recognised when comparing the future building heights with the adjoining development:</p> <ul style="list-style-type: none"> <li>▪ For a 50 storey residential building compared to a 42 storey commercial building, the higher relative floor to floor heights for the commercial tower will mean the actual height will be taller compared to a 42 storey residential tower; and</li> <li>▪ The subject site lies on significantly elevated land compared to the adjoining site and that clearly contributes to the relative height relationship between the future buildings.</li> </ul>

### 2.3 Podium Heights

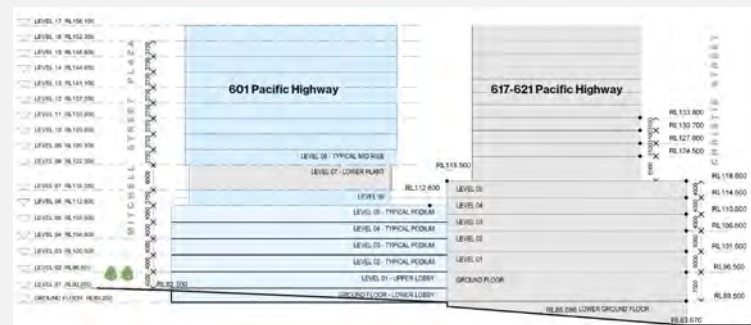
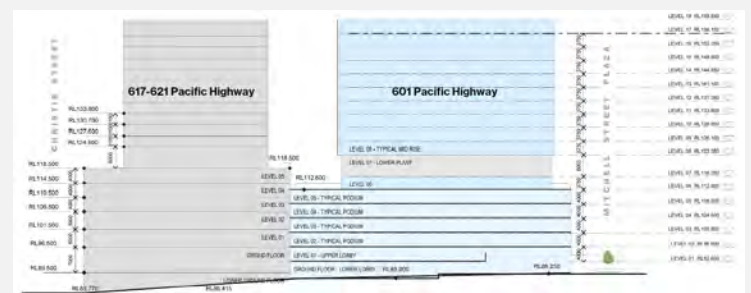
<p><i>The indicative built form includes a 6 storey podium height fronting Pacific Highway, and a 5 storey podium height fronting Atchison Street, which does not comply with the 2036 Plan and the NSDCP 2013.</i></p> <p><i>Within the same block, the 617-621 Pacific Highway site is adjacent to the subject site to the west, which has a 6 storey podium height control fronting Pacific Highway under the NSDCP 2013. The maximum existing ground level difference between the two sites along Pacific Highway is 7m, which is equivalent to approximately 2 storeys. As this block only contains these two sites, and Pacific Highway is a major street frontage, it is important to have a consistent podium height for this block to provide a good contextual response along Pacific Highway.</i></p> <p><i>It is recommended that a 4 storey podium height is applied to Atchison Street, Mitchell</i></p>	<p>The 2036 Plan incorporates specific built form parameters for the subject site that have been informed by detailed urban design analysis. It is considered that the built form parameters of the 2036 Plan prevail to the extent of any inconsistency with the DCP 2013 particularly given the terms of the Section 9.1 Ministerial Direction.</p> <p>The indicative concept proposal has been designed to achieve compliance with the 2036 Plan podium street wall heights controls. However, the site's topographical conditions do not allow strict compliance with the five storey street wall height. The varied podium height is a direct response to the gradient, which falls from the north-east by 2.5 metres to the south and 3.5 metres to the west. This is long accepted urban design response to site conditions.</p> <p>Notwithstanding the minor variance, at the site's most visible and prominent frontage to the intersection of Atchison Street and Mitchell Street, the podium expression establishes a five storey street wall height. This is consistent with the 2036 Plan and establishes a consistent podium datum line that aligns to the prevailing streetscape in the surrounding locality.</p> <p>The Pre-Lodgement Meeting Response Report includes the following elevations to indicate that the indicative concept proposal achieves an</p>
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**Council Comment**

Plaza and the majority of the Pacific Highway frontages. Where the site is adjacent to 617-621 Pacific Highway, a 5 storey podium height can be considered to address the site level difference. In addition, the proposed podium height should reflect general floor to floor height to avoid an oversized podium.

**Applicant Response**

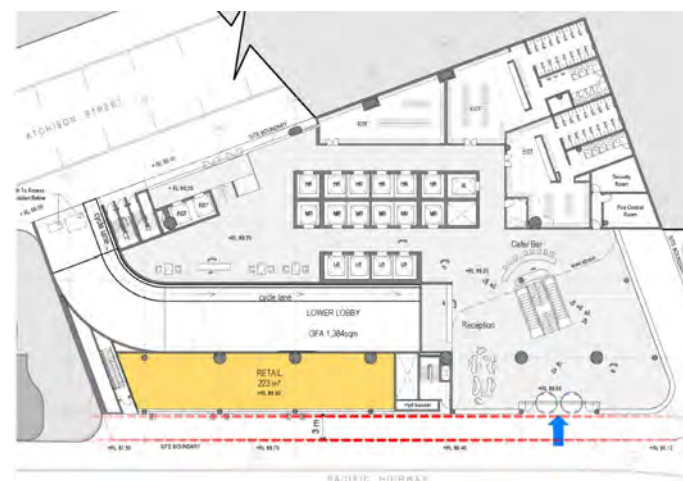
appropriate contextual response in terms of podium datum lines along the Pacific Highway and to the Atchison Street frontage.



Atchison Street ElevationPacific Highway Elevation**2.4 Setback**

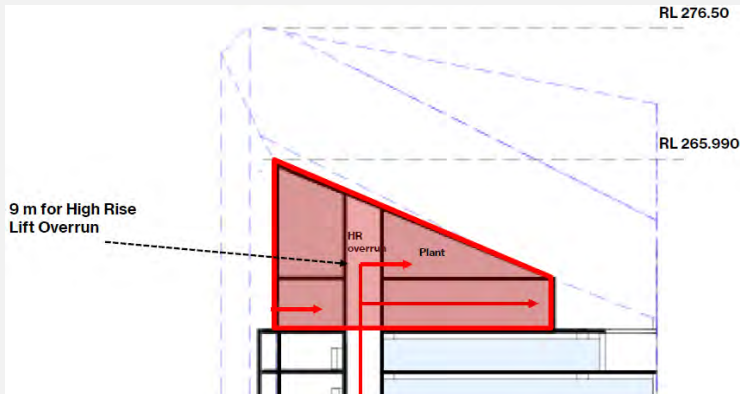
The proposal provides a mix of 3m and 0m setbacks at ground level to the Pacific Highway, which does not comply with the 2036 Plan and the NSDCP 2013. The 3m setback is consistently applied along the Pacific Highway and adherence to this is required in future documentation. This will provide a better pedestrian experience along this stretch of the Pacific Highway. Colonnades should also be avoided in this zone to create a barrier free pedestrian environment.

The ground floor setback along Pacific Highway to comply with the minimum requirements in the 2036 Plan and NSDCP 2013.

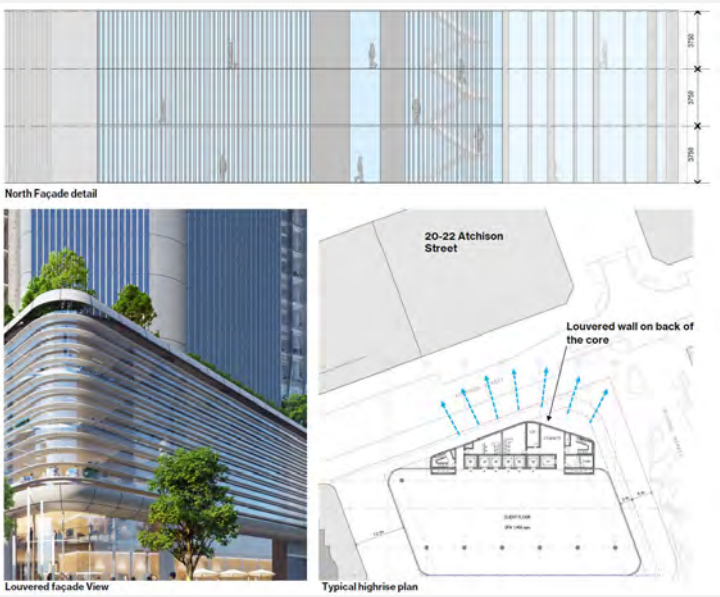

The indicative concept proposal has been modified to comply with the setback requirements of the 2036 Plan and DCP. The lower ground floor has been revised by removing all podium architectural features, hydrant booster value, and the columns from the 3m setback zone. These revisions provide a more generous and continuous footpath along the Pacific Highway. They also provide continuous weather protection and amenity along this portion of the Pacific Highway which overall results in a superior outcome and more friendly pedestrian experience along the Pacific Highway. The Pre-Lodgement Meeting Response Report contains the revised ground floor plan, as below.

Ground Floor Plan

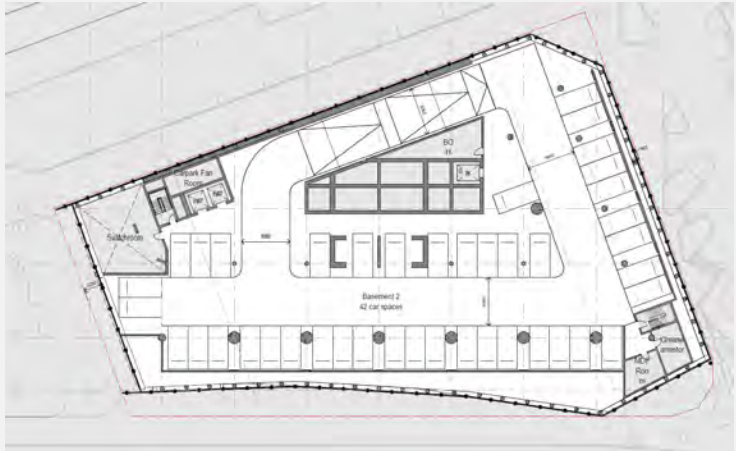
Council Comment	Applicant Response
<b>2.5 FSR and Tower Floorplate Area</b>	
<p>On the indicative floor plans of the typical mid-rise and high-rise levels, the GFA calculation includes the office areas, but excludes the toilet, kitchenette, and corridor areas. This appears to be an error (see diagram below). The correct GFA would increase per commercial tower level, and as a result, the overall FSR would exceed the proposed 20:1.</p> <p>It is recommended that the applicant reviews the calculation of GFA with particular regard to inclusion of toilet, kitchenette and corridor areas and recalculate FSR as required.</p>	<p>The Pre-Lodgement Meeting Response Report includes diagrams to identify the GFA for the typical mid-rise floors and typical high-rise floors. These diagrams confirm the accuracy of the GFA calculations and confirm the GFA includes toilets, kitchenettes, and corridors.</p> <p><u>Typical Mid-Rise Floor</u></p>  <p><u>Typical High-Rise Floor</u></p>  <p>The Pre-Lodgement Meeting Response Report details the requirement for the three plant levels, summarised as follows.</p> <p><u>Top Plant Room</u></p> <p>This is effectively two plant rooms. On the lower level it is necessary to accommodate tanks and ventilation plant, with cooling towers and heat pumps on the level above, hence 8m is not considered a generous dimension for the top plantroom. The ventilation plan requires 3m clear minimum, necessary for duct works across the floorplate at high level to risers, plus 2.1m clear for access per unit space beneath. The top level requires 5m for cooling towers (for deck / structure). The plant room volume is required to incorporate lift overrun. It allows access to each stepped landscaped open space on the roof. The required lift overrun for a high rise lift is 9m.</p> <p>The plantroom and roof are designed as an architectural feature that will add to the St Leonards skyline. The roof has been designed to provide character to the building and to the skyline. The roof design is</p>

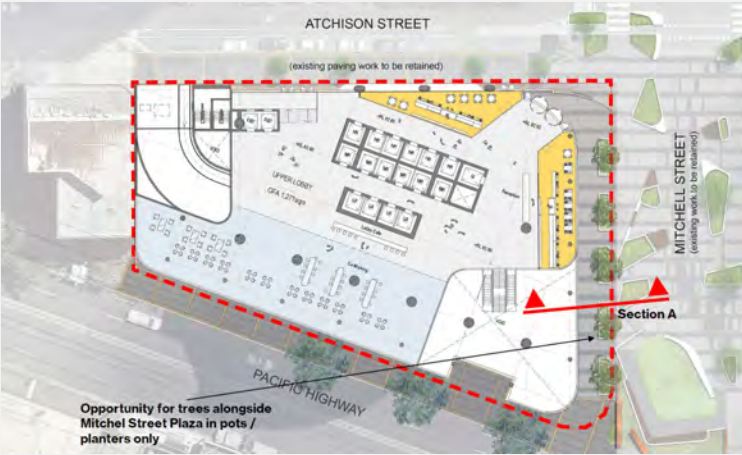
Council Comment	Applicant Response
	<p>an integral part of the overall building design, and the rooftop plant room is contained in a single structure such that it is not perceptible from any point on the ground floor.</p>  <p><u>Mid-Level Plantroom</u></p> <p>The key component for the mid plant room height is the upper chamber substation as Ausgrid's standard (NS113) mandates 4.2m clear height (3.2m for the substation and 1m for the cabling/trench). In addition there is a requirement to hoist the transformers to ground level for replacement, which at this height requires a lifting beam / drum depth of circa 1.2m. At this level, the plant rooms are proposed as double stacked for the other half of the floor plate by having ventilation plant on top of chilled water plant and switch rooms.</p> <p><u>Level Plantroom</u></p> <p>The purpose of the low level plant room is to accommodate ventilation plant. The necessary equipment (air handing units and duct work) requires a minimum 5m clearance (maintenance and duct crossovers). Subsequently it is necessary to consider the floor structure (slab, beams, and raised floors). For this reason, a 6m floor to floor height is adequate for the low level plant room.</p>
<b>2.6 Tower Floorplate Layout</b>	
<p><i>It is recommended that the orientation of the services and hence "blank wall" treatment of the tower be reconsidered to provide a tower façade with windows fronting the main pedestrian environments of the Mitchell Street Plaza and Atchison Street.</i></p>	<p>The north façade treatment is part of the general façade treatment for the tower which concept provides an elegant vertical expression delivering a floor-to-ceiling window solution providing view access to the city below and maximizes daylight deep into the floor.</p> <p>The design of the north façade proposes a simple conceptual approach that requires solid portions to help protecting the privacy of the building to the north (20-22 Atchison Street). The Pre-Lodgement Meeting Response Report contains diagrams to show the proposed design of the north façade with an appropriate proportion between vertical louvers and glazing. This façade treatment protects privacy and passively shades the tower (reducing solar heat gain and energy consumption). It also avoids creating a solid and sterile wall.</p> <p>The north façade is envisaged as a careful, active, and dynamic element of the tower that balances privacy, performance, views, and</p>



Council Comment	Applicant Response
	<p>activation to the adjacent urban environment. It is considered essential to deliver a great tower outcome for St. Leonards.</p> <p><u>North Façade Detailing and Façade View</u></p>  <p>The drawings show a detailed view of the building's facade with vertical louvers, a perspective view of the building's curved facade, and a site plan showing the building's location relative to Atchison Street and Mitchell Street.</p>
<p><b>2.7 Ground Level Activation</b></p> <p><i>The proposed ground level design includes large lobbies fronting Atchison Street, Mitchell Plaza and the eastern corner of the Pacific Highway. It does not provide opportunities for fine grain retail activities along Atchison Street and Mitchell Plaza. The Atchison Street elevation from the driveway to several metres from the corner of Mitchell Street, are hostile to the enlivening objectives of Atchison Street and improved pedestrian amenity.</i></p> <p><i>It is recommended that fine grain retail spaces should be explored along the ground level street frontages facing Atchison Street and Mitchell Street Plaza.</i></p>	<p>The design has been revised to respond to Council's direction for Atchison Street which is envisaged as a "Civic high Street" with high degree of activation at ground level. The amendments, include food and drinks or retail tenancies will activate the precinct to Atchison Street and Mitchell Street Plaza. These tenancies directly address the public domain and ensure lively and activated street frontages which are flexible in terms of area and can operate as food and beverage or retail spaces. The spaces can also be fragmented in smaller scale tenancies to provide a more diverse offering to the public.</p> <p><u>Upper Ground Floor</u></p>  <p>The site plan highlights yellow-shaded areas along Atchison Street and Mitchell Street Plaza, indicating potential for ground-level activation. It also shows the building's footprint, parking areas, and surrounding streets.</p>
<p><b>2.8 Mitchell Street Plaza</b></p> <p><i>According to the landscape ground level plan, the proposal does not include any</i></p>	<p>The introduction of trees is envisaged in order to create "green streets" as envisaged in the 2036 Plan. Council has encouraged densifying</p>



Council Comment	Applicant Response
<p>street trees in the setback zone along Mitchell Street Plaza. Instead, the setback zone incorporates hard paving.</p> <p>In addition, the proposed basement levels are built to the boundary along Mitchell Plaza without a 5m setback. This arrangement will limit the opportunities for street trees in the setback zone.</p>	<p>biophilia in the Mitchell Street Plaza, in particular on the western side of the subject site (601 Pacific Highway) frontage through the introduction of deep soil planting in the 5m setback zone.</p> <p>The indicative concept proposal retains the existing car park structure. The Pre-Lodgement Meeting Response Report includes a diagram to illustrate the extent of the existing car park compared with the site area. This area does not allow sufficient area for deep soil planting therefore alternative landscape solutions are considered.</p> <p><u>Extent of Existing Basement</u></p>  <p><u>Extent of Proposed Basement</u></p> 
<p>Tree lined linear parks along Mitchell Street and Mitchell Plaza are important features of the 2036 Plan. The basement levels are required to be located beneath the building footprint to allow for adequate deep soil zones.</p>	<p>The proposal has been revised to accommodate trees along Mitchell Street Plaza to promote a “greener” space. This design revision provides shade, amenity, and a more aesthetically pleasant urban environment for pedestrians. However, it is not possible to promote deep soil planting on Mitchell Street Plaza frontage due to the existing basement structure which is to be retained. The Pre-Lodgement Meeting Response Report includes the diagram to depict options for new planting along Mitchell Street Plaza in pots or planters.</p>

Council Comment	Applicant Response
	<p><u>Upper Ground Floor Landscape Plan</u></p> 
<p><b>2.9 Driveway Access and Location</b></p>	
<p><i>The driveway access via Atchison Street is the logical location for car access. Given the high amenity pedestrian environment that is envisioned for Atchison Street, the location and proximity of the proposed driveway with that of the adjoining site at 617-621 Pacific Highway, will create a great expanse of driveway crossing which will undermine the pedestrian amenity objectives and enlivening ambitions for this street.</i></p> <p><i>Efforts should be made to combine driveway access with the adjoining owner, given the early pre DA stage of that site.</i></p>	<p>The site at 617-621 Pacific Highway is under separate land ownership and subject to separate planning controls and an independent planning approval pathway. Future development (if it occurs) at 617-621 Pacific Highway will be progressed pursuant to the new planning controls that apply under an approved planning proposal. Further, there is significant change in ground levels between the two sites, compromising the feasibility of a combined vehicle entrance. In terms of development delivery, commercial feasibility, and design outcomes, it is considered unreasonable and impractical to combine the driveway access with the adjoining site at 617-621 Pacific Highway.</p> <p>The location and design of the entry / exit driveway to Atchison Street is eminently reasonable for an access and urban design perspective in that it retains the existing vehicle point arrangement, allowing access to the basement level car park, service areas, and loading docks. The proposed driveway to Atchison Street also includes a designated cycle lane that leads to the basement level.</p>
<p><b>2.10 Wind Modelling</b></p>	
<p><i>The 18m separation between the potential future development of the subject site and the adjoining development at 617-621 Pacific Highway may give rise to wind tunnelling/velocity issues given the potential respective heights of these proposals. A study identifying wind impacts of these development and strategies to mitigate and reduce any impacts particularly in the context of pedestrian comfort at the ground plane, should be included with a planning proposal submission.</i></p>	<p>As detailed in <b>Section 8.3.5</b>, the Planning Proposal is accompanied by a Pedestrian Wind Environment Statement prepared by Windtech Consultants (at <b>Appendix G</b>). This assesses the likely impacts of the indicative concept building envelope on the local wind environment that affects pedestrians in the proposed outdoor areas and communal open spaces. Comprehensive wind tunnel testing and assessment of the pedestrian wind environment associated with a detailed proposal will be provided with a future development application for the site.</p> <p>The Pedestrian Wind Environment Statement concludes that, subject to implementation of recommendations contained within, the site is capable of accommodating a future development aligned with the Planning Proposal and relevant wind controls and considerations.</p>

Council Comment	Applicant Response
<b>3. Voluntary Planning Agreement</b>	
<p><i>The State Infrastructure Contribution (SIC) that is applicable in the 2036 Plan precinct, does not apply to commercial development. In the context of a very significant increase in development potential being foreshadowed for the site as part of the 2036 Plan, the applicant is strongly encouraged to consider entering into a voluntary planning agreement towards the provision of much needed local infrastructure for the precinct.</i></p>	<p>Council correctly states that the 2036 Plan incorporated a clear plan to impose a special infrastructure contribution (<b>SIC</b>) to support state and regional infrastructure needs arising from the growth of housing.</p> <p>The applicant will be subject to local contributions at the DA stage.</p> <p>Given this context, it is considered that the proposal results in a net community benefit and thus does not warrant a special VPA offer to Council. Substantial community benefits that will be delivered include:</p> <ul style="list-style-type: none"> <li>▪ Direct economic benefits and the creation of additional employment opportunities, during the phases of construction, marketing, fitout, and ongoing operation.</li> <li>▪ New A-grade commercial office accommodation and easily identifiable and permeable ground level retail uses. Future uses will encourage the patronage of the locality and establish a landmark location to strengthen the realisation of St Leonards as a highly desirable place to live, work and play.</li> <li>▪ Public domain activation and streetscape upgrades along Atchison Street, Mitchell Street Plaza, and the Pacific Highway interfaces.</li> </ul>



## 2. SITE & SURROUNDING CONTEXT

### 2.1. THE SITE

The Planning Proposal relates to 601 Pacific Highway, St Leonards, within North Sydney Local Government Area (LGA). The site is approximately 4.5 km north of the Sydney CBD, 3 km from the North Sydney CBD, and within close proximity to the commercial centres of St Leonards, Chatswood, and Macquarie Park.

The site has a primary (south-facing) frontage to the Pacific Highway and secondary frontages to Mitchell Street (to the east) and Atchison Street (to the north) (see **Figure 1**).

The site comprises a single allotment (Lot 71 in DP 749690) with a total area of 2,840 sqm (approximate).

The site is currently occupied by a 14-storey commercial office building, with ground and plaza level retail land uses, and four basement parking levels (accommodating 158 spaces).

Figure 1 Site Location



Source: Urbis

### 2.2. SURROUNDING CONTEXT

#### 2.2.1. Immediate Context

The site occupies a prominent location on the corner of the Pacific Highway and Mitchell Street, with a secondary frontage to Atchison Street. The site is located in the heart of St Leonards within convenient walking distance of the facilities and services available within the St Leonards rail precinct (see **Figure 2**).

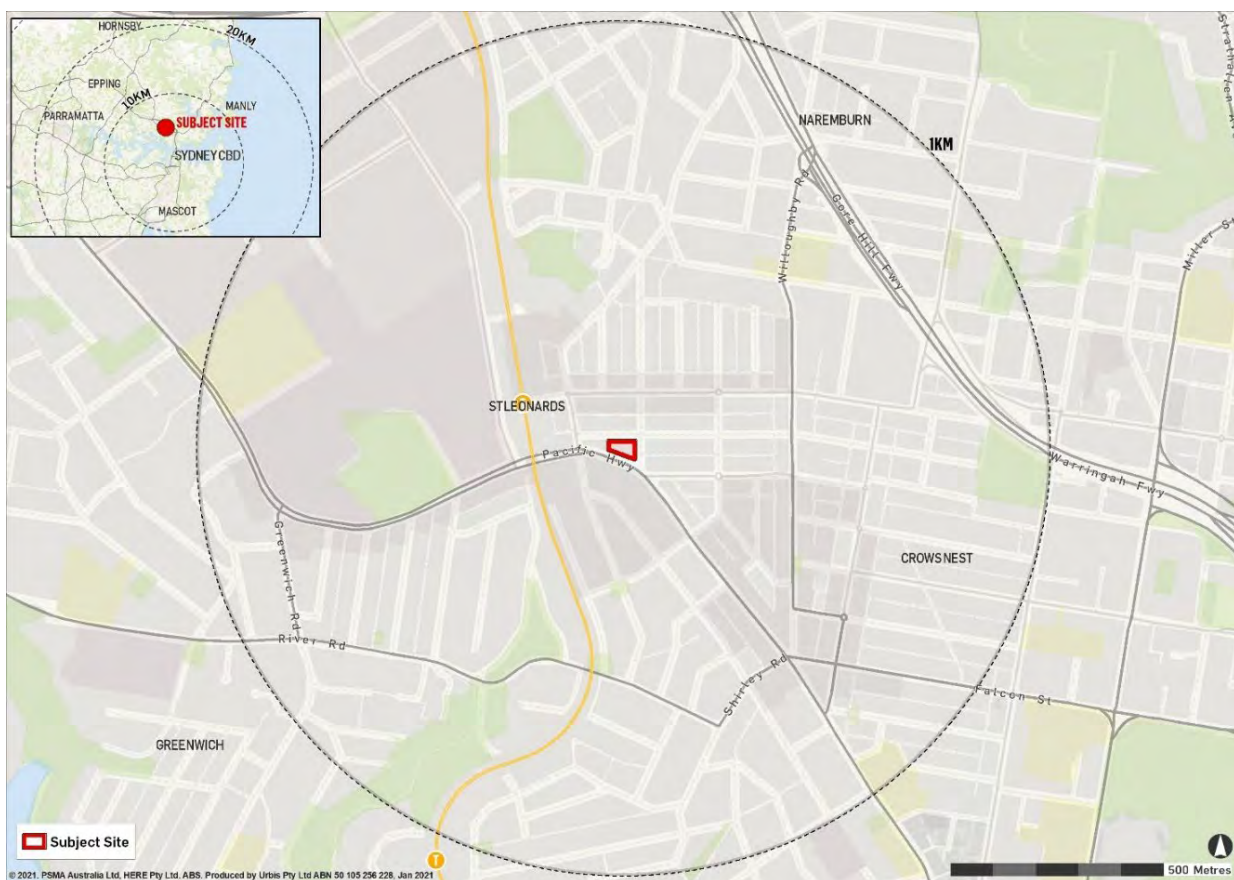
The area is well advanced in its transition from an older style commercial precinct to a thriving mixed-use area incorporating commercial and residential land uses, in tall tower building forms. This transition is facilitated by ongoing construction activity, recent development approvals, and further planning proposals.

The immediate surrounds include a range of building forms which are predominantly medium and high rise commercial and multi-storey mixed-use residential buildings.

The surrounding area is described as follows:

- **North:** The site is bounded by to the north by Atchison Street, a one way street (east bound) within a road reserve of approximately 20 metres. The road has recently been the subject of public domain improvement works undertaken by Council. On the immediate opposite side of Atchison Street is:
  - 22-24 Atchison Street (a six storey commercial office building);
  - 18-20 Atchison Street (a three-storey commercial building); and
  - 6-16 Atchison Street (a 34 storey mixed-use Quest /Air Apartment development).
- **East:** The site is bounded to the east by the Mitchell Street Plaza, which has been subject to public domain upgrades and embellishments works undertaken by Council. The recently completed public plaza incorporates a green (breathable) wall, island planters, pedestrian benches, an open lawn area (for passive recreation and relaxation), a shared pedestrian / vehicle zone (10km per hour), and a 'St Leonards Gateway' feature. Beyond Mitchell Street Plaza is a 5 storey commercial office building.
- **South:** The site is bounded to the south by Pacific Highway, a State classified road. Beyond the road is:
  - The Landmark (500 and 504-520 Pacific Highway): a 44 storey mixed use building currently under construction; and
  - St Leonards Square (472-494 Pacific Highway): a mixed use development comprising a new public plaza, a retail, recreation, and leisure precinct, and two residential towers of 28 and 36 storeys.
- **West:** Land adjoining the site to the west comprises No 617 Pacific Highway (a 7 storey commercial office building) and 621 Pacific Highway (an 11 storey commercial building.). These properties have been subject to a planning proposal as an amalgamated site to facilitate a future mixed use development (including residential land uses) with an indicative maximum building height of 50 storeys.
- The site's surrounding context is indicated in **Figure 2** below.

Figure 2 Surrounding Context



Source: Urbis

## 2.2.2. Surrounding Development Context

Recent development activity is redefining the character of St Leonards along the Pacific Highway corridor, between St Leonards train station and the new Crows Nest Metro station and contributing to its transformation to a high density precinct in line with State Government policy. **Table 3** identifies recent high density development approvals and proposals in the surrounding locality.

Table 3 Surrounding Development Context

Site Address	Development	Building Height
2-4 Atchison Street	Approved mixed use building.	35 storeys
6-16 Atchison Street	Constructed mixed-use Quest /Air Apartment building.	34 storeys
23-35 Atchison Street	Planning Proposal lodged with North Sydney Council.	16 storeys
20-22 Atchison Street	Planning Proposal not supported by SNPP.	35 storeys
472-494 Pacific Highway [St Leonards Square]	Mixed use development (public plaza, retail and leisure precinct, and residential towers).	28 and 36 storeys
500, 504-520 Pacific Highway [The Landmark]	Mixed use development (currently under construction).	44 storeys
575-583 Pacific Highway	Gazetted Planning Proposal for a future mixed-use building.	56 metres
617-621 Pacific Highway	Planning proposal to facilitate a future mixed use development (including residential land uses).	50 storeys
1-13A Marshall Street	Residential flat building (construction complete).	29 storeys
7-11 Albany Street	Approved mixed use building.	13 storeys
16-100 Christie Street	LEP changes gazetted allow mixed use development (including shop top housing).	36 storeys (132 metres)
82-90 Christie Street 546-564 Pacific Highway 71-70 Lithgow Street	Approved two residential towers and commercial office building.	Tower 1 – 47 storeys Tower 2 – 26 storeys Tower 3 – 14 storeys
Sydney Metro Crows Nest Over Station Development (OSD)	Concept approval for mixed use development (commercial floor space and residential apartments).	21 storeys (for Site A) 17 storeys (for Site B) 9 storeys (for Site C)
46 Nicholson Street, St Leonards	Planning Proposal for commercial development.	32 storeys



## 2.3. WIDER CONTEXT

The suburb of St Leonards is characterised by a mix of land uses generally including medical and health services, newly constructed mixed use commercial / residential buildings (with a significant number of recently approved mixed use developments currently under construction or soon to be constructed on the North Sydney LGA side of the Pacific Highway), and older B and C grade commercial office stock. The suburb is bisected east-west by the Pacific Highway and north-south by the North Shore Railway Line.

Key land uses in the vicinity of the site include:

- **The Forum:** Built over the St Leonards railway station, the Forum comprises a high rise development incorporating residential and commercial uses including a shopping centre. It is currently St Leonards' tallest development (38 storeys / 118 metres). Facilities and services available within the Forum, including the St Leonards railway station, are within convenient walking distance of the subject site (approximately 100 metres). St Leonards railway station provides direct rail services to four primary employment areas: Macquarie Park, Chatswood, North Sydney, and Sydney CBD.
- **Royal North Shore Medical Precinct:** Royal North Shore Hospital (RNSH) occupies an area of approximately 13 hectares on Reserve Road, St Leonards. The NSW Government has announced the redevelopment of the Herbert Street Precinct of the RNSH in May 2020, to ensure a world class health, education and wellness facility is available to serve the community well into the future. The indicative concept plan comprises a 60 storeys residential tower with a RL 274.5, a primary school, a short stay accommodation and commercial office. Public consultation was undertaken in December 2020.
- **Commercial offices:** A fringe of low grade office buildings (one block deep) front the Pacific Highway and west of the railway line. A more focused commercially zoned precinct is located south of the highway and east of the railway line and is characterised by a mix of commercial buildings, medical and allied health premises, and residential apartments.
- **Emerging mixed use development:** While recognised as an important employment precinct, the land use character of St Leonards is evolving to support a greater diversity of uses including residential uses above commercial level podiums (for instance St Leonards Square and The Landmark).

## 2.4. SURROUNDING ROAD, RAIL, AND BUS NETWORK

### Rail Network

The site is located 350 metres (walking distance) east of St Leonards railway station. Trains connecting St Leonards station and the Sydney CBD provide a frequent and quick service. The train line also connects residents and workers to northern suburbs (including Chatswood and Hornsby) and Parramatta in the west.

### Sydney Metro

Sydney Metro is Australia's largest public transport project, delivering 31 metro stations between Rouse Hill in the north west and Bankstown in the south west. The site is approximately 400m from the Crows Nest Metro station to the southeast. Early works for the new Metro station began in March 2017, with service operation set to commence in 2024. Trains will depart every 4 minutes, connecting St. Leonards and Crows Nest to the CBD in 7 minutes. The station will create a new transport focus to St Leonards commercial core and Crows Nest neighbourhood. The Metro will provide much needed infrastructure to revitalise the area, generate a night time economy, and increase connectivity to nearby strategic centres within the global economic arc.

### Road Network

The site has a primary frontage to the Pacific Highway, a State classified road. This road connects Sydney's north western suburbs to North Sydney and links the Bradfield Highway and Cahill Expressway to the CBD.

### Bus Services

The site is well connected to bus services along the Pacific Highway and Willoughby Road. These stops provide frequent services throughout the day and express services operating during peak periods. The bus services connect the site with the North Sydney CBD, Sydney CBD, Bondi Junction, Gladesville, Lane Cove, Chatswood, Ryde, Kingsford, and Botany.

## 2.5. PHOTOGRAPHIC REVIEW

**Figure 3** provides a photographic review of the site and the surrounding context.

Figure 3 Site Photography



Picture 1 Mitchell Street Plaza (looking north)

Source: Site visit (6 April 2021)



Picture 2 Existing building (looking south-east)

Source: Site visit (6 April 2021)



Picture 3 St Leonards Square (looking south)

Source: Site visit (6 April 2021)



Picture 4 Pacific Highway (looking west)

Source: Site visit (6 April 2021)



Picture 5 Existing building (looking southwest)

Source: Site visit (6 April 2021)



Picture 6 Quest apartments (looking northwest)

Source: Site visit (6 April 2021)

## 3. EXISTING STATUTORY PLANNING CONTEXT

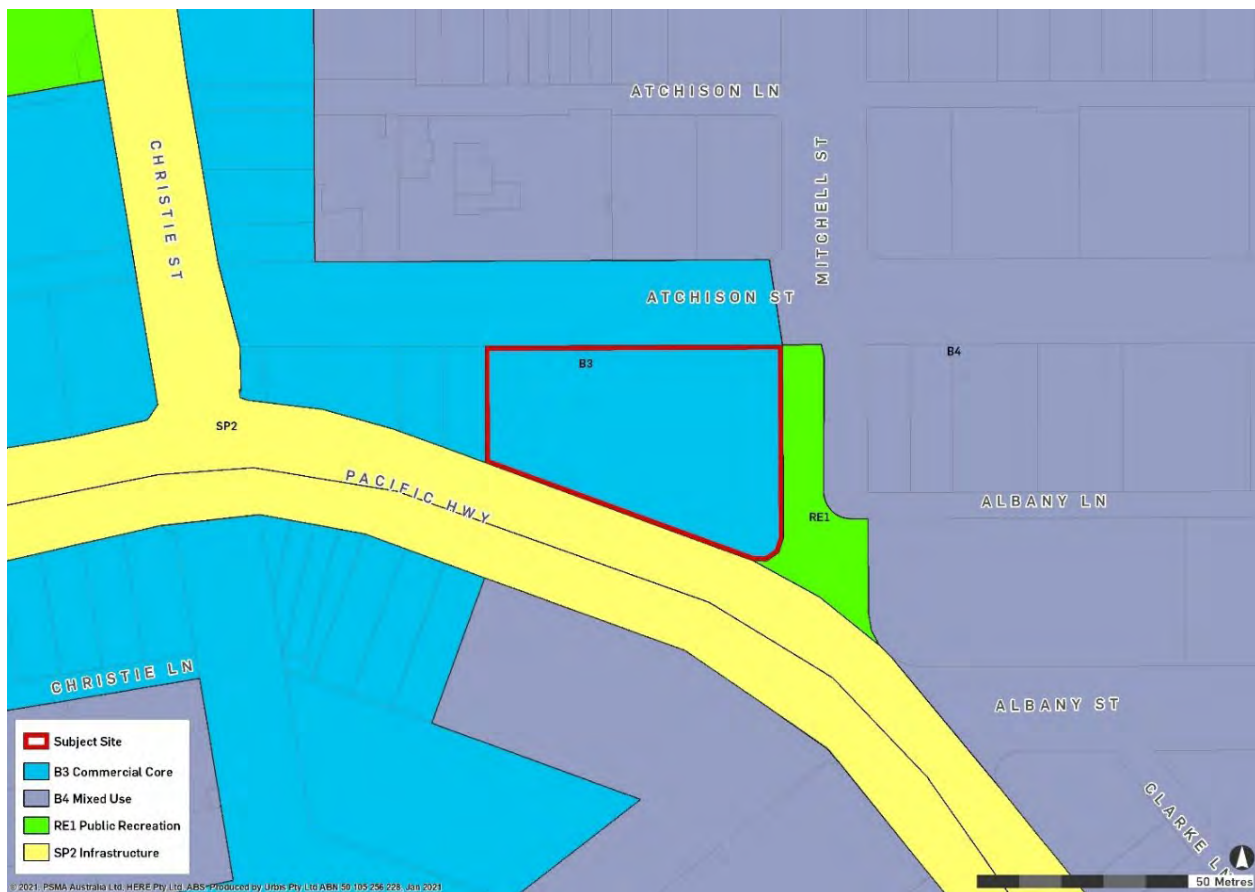
### 3.1. NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2013

The North Sydney Local Environmental Plan 2013 is the principal Environmental Planning Instrument which applies to the North Sydney LGA. The NSLEP was gazetted on 13 September 2013.

#### 3.1.1. Zoning

Pursuant to NSLEP 2013 the site is zoned B3 Commercial Core (refer to **Figure 4**).

Figure 4 NSLEP 2013 Zoning Map



Source: Urbis

#### 3.1.2. Objectives and Permissibility

**Table 4** identifies the objectives and permissible land uses of Zone B3.

Table 4 B3 Zone Objectives and Permissibility

Zone Objectives	<ul style="list-style-type: none"> <li>To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.</li> <li>To encourage appropriate employment opportunities in accessible locations.</li> <li>To maximise public transport patronage and encourage walking and cycling.</li> <li>To prohibit further residential development in the core of the North Sydney Centre.</li> </ul>
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	<ul style="list-style-type: none"> <li>To minimise the adverse effects of development on residents and occupiers of existing and new development.</li> </ul>
<b>Permitted without consent</b>	<i>Nil</i>
<b>Permitted with consent</b>	<i>Amusement centres; Backpackers' accommodation; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Sex services premises; Signage; Tank-based aquaculture; Vehicle repair stations; Veterinary hospitals</i>
<b>Prohibited</b>	<i>Pond-based aquaculture; Any other development not specified in item 2 or 3</i>

### 3.1.3. Maximum Height of Buildings

The site is subject to maximum building height of 45 metres under NSLEP 2013 (as **Figure 5**).

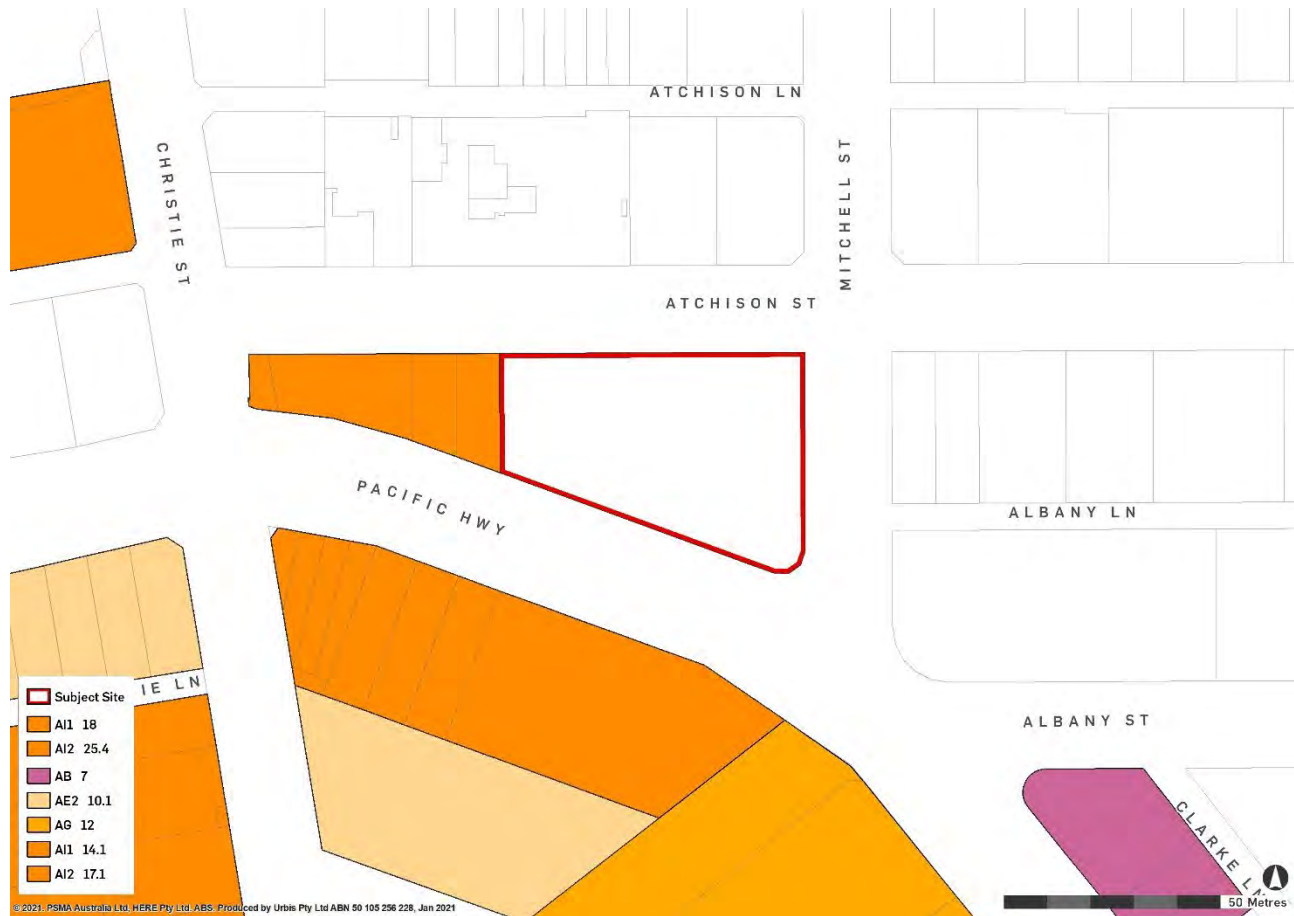
Figure 5 NSLEP 2013 Building Height Map



### 3.1.4. Floor Space Ratio

The site is not subject to a maximum floor space ratio (**FSR**) control under NSLEP 2013 (as **Figure 6**).

Figure 6 NSLEP 2013 Floor Space Ratio Map



Source: Urbis

## 4. INDICATIVE DEVELOPMENT OUTCOME

The Planning Proposal seeks to unlock the potential of a strategically-located landholding and facilitate future high-quality transit-oriented commercial development in a precinct earmarked for density uplift. The proposal will generate public benefit and make a significant economic contribution to St Leonards.

The intended outcome of this Planning Proposal is to amend the NSLEP 2013 as follows:

- Establish a site-specific maximum building height control, with maximum height of RL276.5; and
- Establish a site-specific maximum floor space ratio control, with a maximum FSR of 20:1.

The proposal does not amend the site's B3 Commercial Core zoning. It is envisaged that future development aligned with the Planning Proposal will comply with the permissible land uses and objectives of Zone B3.

### 4.1. INDICATIVE CONCEPT PROPOSAL

This Planning Proposal is supported by an Urban Design Report prepared by Architectus (at **Appendix A**) which contains an indicative concept proposal for future development. This establishes an indicative building envelope for future development aligned with the proposed amended planning controls to NSLEP 2013.

The indicative concept proposal is for a 42 storey commercial building, comprising:

- Four levels of basement car parking below ground level;
- Lower ground floor retail and commercial uses (including café / bar, retail premises, and reception area);
- Upper ground floor (upper lobby, potential for co-working spaces, and café); and
- Above podium tower for commercial offices (including plant levels and communal terrace gardens).

The indicative concept proposal is illustrated in **Figure 7**.

Figure 7 Artist Impression



Source: Architectus





Source: Architectus



Source: Architectus

Key numerical details of the indicative concept proposal are provided in **Table 5**.

Table 5 Indicative Concept Proposal

Component	Indicative Concept Proposal
Land Uses	Commercial premises (including office premises and retail premises)
Indicative Yield (Yields are based on the indicative test fit design detailed in the Urban Design Report)	56,348 sqm commercial (office) floor space 406 sqm retail floor space
Gross Floor Area (GFA)	Total GFA: 56,754 sqm
Floor Space Ratio (FSR)	20:1
Built Form	4x basement levels 5-storey podium (ground floor to Level 05) 36-storey tower above podium (Level 06 to Level 41)
Building Height	42 storeys
Car Parking	128 basement car parking spaces

## 4.2. INDICATIVE CONCEPT DESIGN PRINCIPLES

The indicative concept proposal is specifically tailored to respond to the site's opportunities and the surrounding evolving urban character of the St Leonards centre.

The key guiding principles inform and underpin the indicative concept design are detailed as follows:

- **Urban renewal:** The proposal capitalises on an unparalleled opportunity to redevelop a strategically-located landholding and deliver high amenity commercial office space in a precinct earmarked for density uplift. Future commercial development will generate substantial public benefit and make a significant economic contribution to St Leonards centre.
- **Transport orientated development:** The proposal maximises the site's advantageous accessibility to the St Leonards railway station and new Crows Nest Metro station to deliver a transit-orientated development which is an attractive place for people to visit and work.
- **Employment Generation:** The proposal creates a highly efficient commercial tower with high amenity contemporary office accommodation and flexible floorplates and tenancies. The new office space will deliver substantial additional high quality commercial space to the centre.
- **Iconic corner:** The site occupies the topographic high point of St Leonards centre on a prominent bend of the Pacific Highway. The position of the site is an entry to St Leonards and is ideally positioned to accommodate a landmark tower to mark the vista. The sensitive and elegant architectural form of the development results in an iconic gateway to St Leonards.
- **Tower separation and view sharing:** The proposal is set back 18 metres from the western boundary to maintain appropriate building separation to the adjoining site (619-621 Pacific Highway). The design maximises separation to allow for view sharing and reduces the perceived effect of 'tower crowding'.
- **Solar Access:** The slender design and proportionality of the tower creates a fast-moving shadow and ensures reasonable solar access to adjoining properties and open spaces. The podium footprint is set back at the corner of Mitchell Street and Atchison Streets to mitigate additional overshadowing to the Mitchell Street Plaza (to achieve compliance with the St Leonards and Crows Nest 2036 Plan).

- **Improved pedestrian access and connectivity:** The proposal provides opportunities for improved pedestrian circulation and connectivity throughout the St Leonards centre through the establishment of site connections with adjacent properties and enhanced integration with the surrounding footpath network, nearby open spaces, and key transport nodes such as St Leonards train station.
- **Mitchell Street Plaza:** The proposal makes a meaningful contribution to activating the Mitchell Street Plaza. The Plaza itself has been embellished through Council-led public domain upgrades, which include a green wall, island planters, pedestrian benches, open lawn area, shared pedestrian / vehicle zone, and a 'St Leonards Gateway' feature. The proposal delivers a dynamic and permeable interface, with operable and transparent lobby frontages enhancing the role of the plaza as a focal point for the precinct.
- **Through-site link:** The ground floor provides pedestrian permeability via lobbies during business hours. Escalators offer a convenient means of negotiating the gradient changes around the site frontages.
- **Biophilia and workplace design:** The proposal integrates terrace gardens within the podium rooftop level and the upper tower levels. These gardens comprise generous landscaped outdoor spaces and offer amenity to tenants. The external building façades can accommodate greenery and vegetation.
- **Retail activation:** The ground floor retail tenancy will create pedestrian activation along the Pacific Highway frontage and add vibrancy and vitality to what is currently a poor pedestrian environment.
- **Atchison Street activation day and night:** A new café / bar could be accommodated to the Atchison Street frontage (as shown in the indicative concept proposal). This would create opportunities for outdoor alfresco dining and other ground plane activations (such as pop-up installations). Public domain activation will complement the principal commercial office use, encourage pedestrian activity, and reinforce Atchison Street as a vibrant day and night dining precinct.

The key principles demonstrate the clear strategic and site-specific planning merits of the Planning Proposal.



### 4.3. BUILDING MASSING AND KEY DESIGN ELEMENTS

The indicative concept proposal demonstrates the following building massing and key design elements.

#### Basement Levels

The indicative concept proposal integrates four basement levels that comprise the following:

- 128 car parking spaces (including up to 3 accessible spaces in total);
- 16 motorcycle parking spaces;
- Bicycle storage areas;
- Waste storage rooms;
- Loading dock (allowing for one medium rigid vehicle (**MRV**) bay, two small rigid vehicle (**SRV**) bays, and three van bays);
- Lift cores; and
- Plant and back-of-house areas (including switch-rooms and car park fan rooms).

**Figure 8** demonstrates the indicative typical basement level layout.

Figure 8 Typical Basement Level Layout



Source: Architectus

#### Lower Lobby Floor (Ground Level)

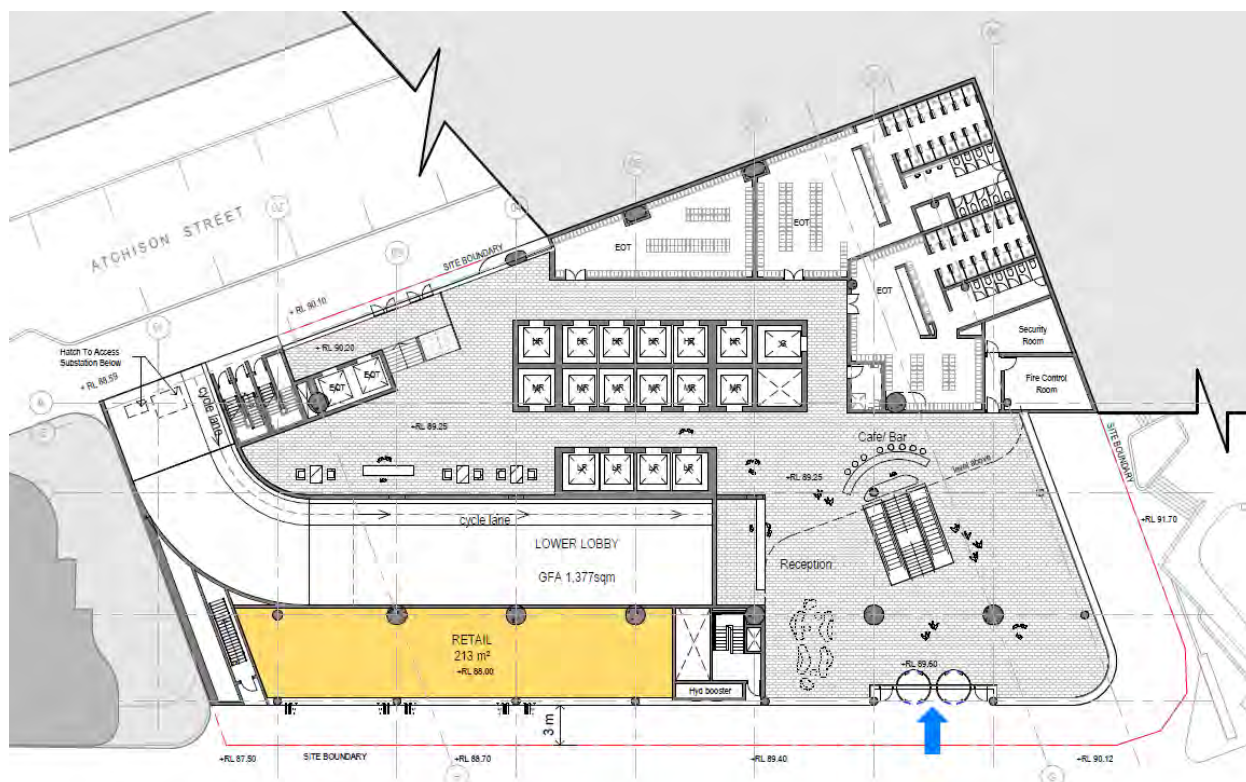
The lower ground level provides at-grade pedestrian access from the Pacific Highway frontage. The lower ground level presents a 3 metre setback to the Pacific Highway (south-facing frontage) and a 5 metre setback to the Mitchell Street Plaza (east-facing frontage). The lower ground level is built to the boundary to Atchison Street (north-facing frontage) and No 617 Pacific Highway (west-facing frontage).

The indicative concept design for lower ground level comprises:

- Lobby entrance and reception area at ground floor level from the Pacific Highway frontage;

- Café / bar / flexible retail use (with opportunities for outdoor sitting areas to Mitchell Street Plaza);
- Retail tenancy fronting Pacific Highway (213 sqm GFA);
- Stairwells and lift cores (separate lift lobbies for low rise podium levels and high rise tower levels);
- End-of-trip facilities;
- Back-of-house areas (including plant, hydrant boosters, a security room, and a fire control room);
- Vehicle and bicycle access driveway from Atchison Street; and
- Pedestrian thoroughfare and active street frontages at ground level to Mitchell and Atchison Streets.
- **Figure 9** demonstrates the indicative lower lobby layout.

Figure 9 Lower Lobby Plan



Source: Architectus

### Upper Lobby Floor (Level 01)

At-grade pedestrian access to the upper ground level is provided from Atchison Street and an entrance lobby to the corner of Mitchell Street / Atchison Street. The upper ground level presents a 5 metre setback to the Mitchell Street Plaza, and nil setbacks to Pacific Highway, Atchison Street, and No 617 Pacific Highway.

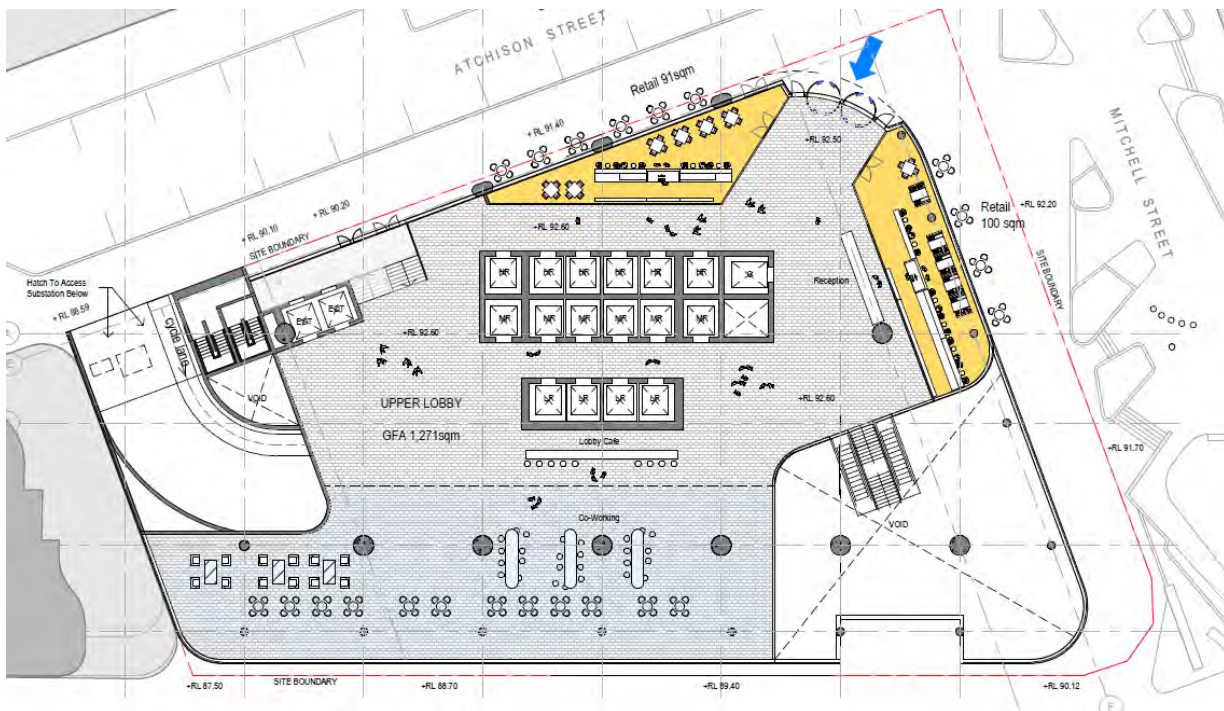
The indicative concept design for the upper ground level comprises:

- Lobby entrance and reception area at ground floor level from Mitchell Street / Atchison Street corner.
- Potential for co-working space;
- Lobby café / flexible retail space (with opportunities for outdoor sitting areas to Mitchell Street Plaza);
- Stairwells and lift cores (separate lift lobbies for low rise podium levels and high rise tower levels); and
- Void space above the lower ground level lobby entrance to the Pacific Highway frontage.

**Figure 10** demonstrates the indicative upper lobby floor layout.



Figure 10 Upper Lobby Plan



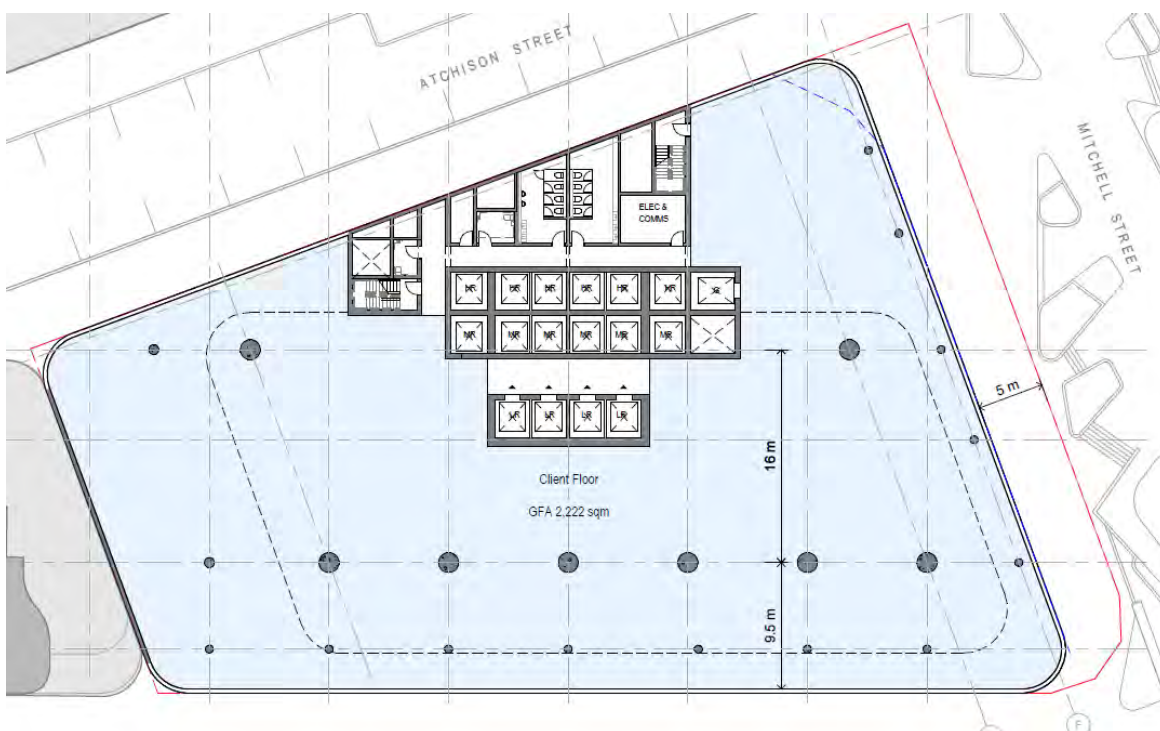
Source: Architectus

### Upper Podium Floors (Levels 02 – 05)

Above the lower and upper lobby levels is a podium transfer level (Level 02) with an indicative commercial GFA of 1,672 sqm and three client floors (Levels 03 – 05) with an indicative GFA of 2,222 sqm. These provide flexible commercial space that can accommodate a range of tenant configurations and formats (open plan or strata). The podium level floors include bathroom facilities, stairwells and lift cores, and plant areas.

**Figure 11** demonstrates the typical podium floor layout.

Figure 11 Typical Podium Floor Plate



Source: Architectus



## Upper Tower (Levels 06 – 41)

The indicative concept design proposes a 36-storey tower above the podium (Levels 06 – 41). The tower presents an 8 metre setback to Mitchell Street, 3 metre setback to the Pacific Highway, 3 metre setback to Atchison Street, and 12 metre setback to No 617 Pacific Highway. The tower levels provide flexible spaces to suit a range of tenant configurations and formats (open plan or subdivided into smaller office suites).

The tower reaches a maximum building height of 42 storeys (187.25 metres) to the top of the roof plant.

The indicative concept design for the tower comprises:

- Level 06 (client floor) – commercial floor plate (indicative 1,059 sqm GFA), tenant bathroom facilities, stairwells and lift cores, plant and back-of-house areas, and wraparound outdoor terrace garden.
- Level 07 (lower plant) – plant, stairwells, lift cores, and back-of-house areas.
- Levels 08 – 21 (client floors) – commercial floor plate (indicative 1,387 sqm GFA), a kitchenette, tenant bathroom facilities, stairwells and lift cores, plant, and back-of-house areas.
- Level 22 (client floor) – commercial floor plate (indicative 1,286 sqm GFA), a kitchenette, tenant bathroom facilities, stairwells and lift cores, plant, back-of-house areas, and outdoor terrace garden.
- Level 23 (client floor) – commercial floor plate (indicative 1,228 sqm GFA), tenant bathroom facilities, stairwells and lift cores, plant, back-of-house areas, and outdoor terrace garden.
- Level 24 (upper plant) – plant, stairwells, lift cores, and back-of-house areas.
- Levels 25 – 37 (high rise client floors) – commercial floor plate (indicative 1,459 sqm GFA), a kitchenette, tenant bathroom facilities, stairwells and lift cores, plant, and back-of-house areas.
- Levels 38 – 40 (terrace client floors) – commercial floor plate (indicative 944 sqm – 1,342 sqm GFA), tenant bathrooms, stairwells and lift cores, plant, back-of-house areas, and outdoor terrace gardens.
- Level 41 (plant) – plant, stairwells, lift cores, and back-of-house areas.

**Figure 12** demonstrates an indicative typical layout for the high rise commercial levels (Levels 25 – 37).

Figure 12 Typical High Rise Commercial Level Layout



Source: Architectus

**Figure 13** demonstrates an indicative typical layout for the terrace commercial levels (Levels 38 – 40).

Figure 13 Typical Terrace Level Layout



Source: Architectus

### Site Access

Vehicular access will be provided via an entry / exit driveway to Atchison Street in the north-west portion of the site. The driveway is in the same location as the current access point arrangement. The driveway allows access to the basement level car park, service areas, and loading docks. The proposed driveway to Atchison Street also includes a designated cycle lane that leads to the basement level bicycle storage areas.

Pedestrian access to the lower lobby level is provided from a lobby entrance to the Pacific Highway frontage and a staircase and lifts from Atchison Street. Pedestrian access to the upper lobby level is provided from an entrance to Mitchell Street Plaza. Access to the retail tenancy is provided directly to Pacific Highway.

## 4.4. LANDSCAPING AND PUBLIC DOMAIN

The indicative concept proposal incorporates an integrated landscaping and public domain strategy prepared by Oculus, as detailed in the Landscape Report (at **Appendix B**).

Key design principles of the indicative landscaping strategy are:

- Connection and continuity;
- Activation;
- Shared spaces
- Distinct places; and
- A green focus.

The vision for the indicative landscape design is to integrate public domain and landscape initiatives to make a significant contribution to the centre and create a vibrant, richly layered and engaging urban destination.

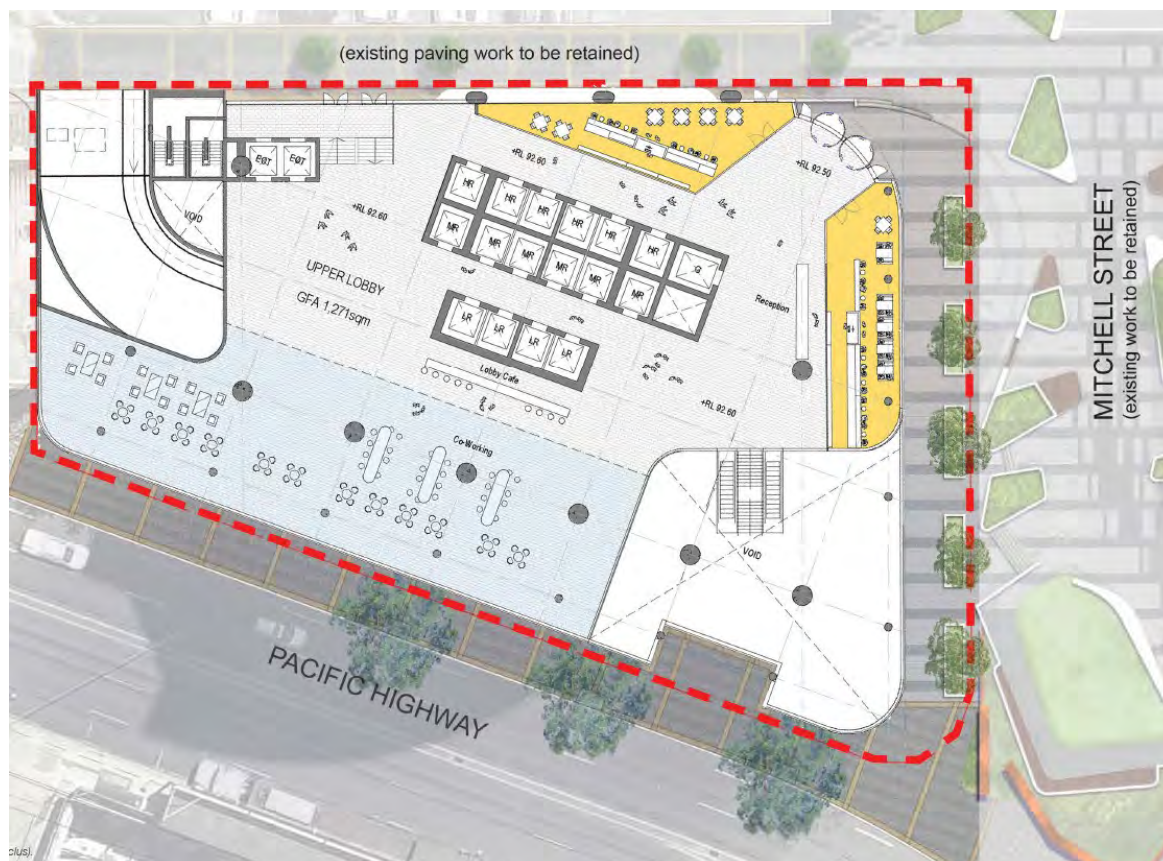
The integrated components of the indicative landscape design are described as follows.

## Ground Plane Public Domain Interface

As indicated in **Figure 14**, the indicative concept design provides opportunities to enhance the ground plane and public domain interface (within the site boundary) to the adjoining streetscape through the following:

- Upgrades to street paving along Pacific Highway (as per North Sydney Council *Public Domain Manual*);
- Street tree plantings along Pacific Highway and Mitchell Street (subject to existing services);
- Extensions to existing paving layout along the Mitchell Street Plaza to the building edge; and
- Proposed stairs and retaining wall to the north-east corner of site.

Figure 14 Ground Plane Public Activation



Source: Architectus

The public domain built form activates the following key public domain spaces and streetscapes:

- Mitchell Street Plaza: activation to urban plaza with lobby entrances and al fresco dining opportunities;
- Atchison Street: commercial / retail tenancies provide activation along street frontage; and
- Pacific Highway: visual engaging retail frontages and pedestrian activation.

The proposal promotes pedestrian connectivity within and around the site by introducing:

- DDA compliant access connections along Atchison Street, Pacific Highway, and Mitchell Street Plaza;
- Through-site connections between lower and upper ground floor levels;
- Lobby entries with strong street presence to Atchison Street, Mitchell Street Plaza, and Pacific Highway;
- Activation to civic gathering and meeting places (for relaxation and passive recreation); and
- Upgrades to pedestrian pathways around the site (under building colonnades).



## Interface to Mitchell Street Plaza

The indicative landscape design activates public domain connectivity to the civic gathering and meeting spaces along the Mitchell Street Plaza. The proposal envisages outdoor seating and dining opportunities, human-level planted edges, public gathering spaces, tree canopies, bench seating, open space spill out areas, and shared pedestrian walkways. These spaces can be utilised for a wide range of seasonal events such as weekend markets, 'pop-up' installations, and community engagement initiatives within the Plaza.

## Tenant Open Spaces

The indicative concept design incorporates 'terrace gardens' and 'sky gardens' as commercial outdoor terrace spaces for future users of the commercial tenancies. These spaces achieve high quality open areas for future tenants and provide opportunities for flexible outdoor gathering and passive recreation.

The Level 06 garden terrace features peripheral landscaping, raised planters with seating edges and tree plantings, flexible dining areas, passive seating areas, an outdoor kitchen / BBQ area, and fixed furniture.

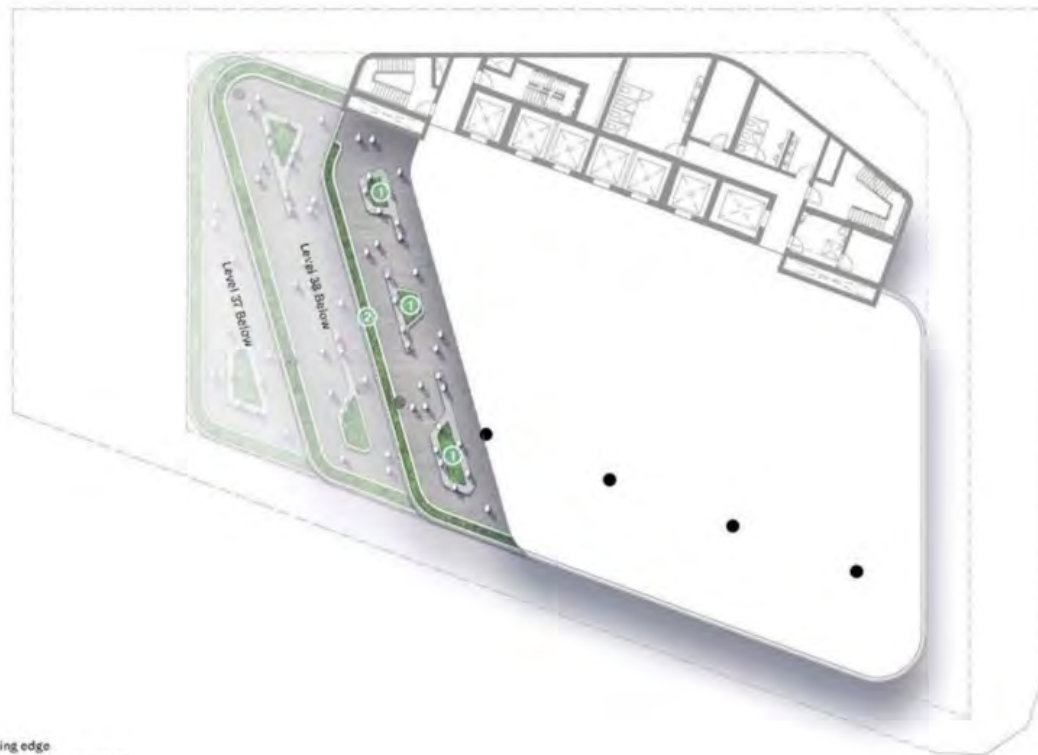
Figure 15 Level 06 Garden Terrace



Source: Oculus

The sky gardens at Levels 22-24, and 38-41 gardens feature peripheral landscaping, raised planters with seating edges and tree plantings, passive seating areas, and bespoke fixed furniture.

Figure 16 Typical Roof Terrace



Source: Oculus

## 5. PLANNING PROPOSAL ASSESSMENT

This Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act with consideration of *A guide to preparing Planning Proposals* (December 2018) (DPIE).

Accordingly, the Planning Proposal is assessed in the following parts:

- **Part 1** – A statement of the objectives and intended outcomes.
- **Part 2** – An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** – The justification for the Planning Proposal and the process for the implementation.
- **Part 4** – Mapping.
- **Part 5** – Details of community consultation that is to be undertaken for the planning proposal.
- **Part 6** – Project timeline.

Discussion for each of the above parts is outlined in the following chapters.



## 6. PART 1 – OBJECTIVES & INTENDED OUTCOMES

### 6.1. OBJECTIVES

The primary objective of the Planning Proposal is to amend the maximum building height and FSR controls that apply to the site to enable built form density uplift and facilitate a commercial development outcome.

The proposed change to built form controls will deliver a contextually appropriate building form as envisaged by the 2036 Plan. This Planning Proposal does not amend the site's current B3 Commercial Core zoning.

The proposed amendments to NSLEP 2013 have the following objectives of enabling future development:

- Deliver high-amenity commercial office space aligned with the 2036 Plan;
- Realise the development potential of this significant strategically-located landholding;
- Facilitate development activity in identified key location in St Leonards, supporting the evolution of a diverse retail and commercial precinct and contributing to a rejuvenation of the town centre;
- Provide compatible commercial and retail land uses that contribute to the creation of a vibrant and active community, within close proximity to an existing railway station and future new Metro station; and
- Integrate within the ground plane of surrounding public open spaces and activate the streetscape.

### 6.2. INTENDED OUTCOMES

The intended outcome of the Planning Proposal is to establish planning controls that will facilitate the future redevelopment of the site for a new high density commercial tower form.

This is proposed through the following changes to the NSLEP 2013:

- Amending the NSLEP 2013 *Height of Buildings Map* to provide for a maximum building height of RL276.5; and
- Amending the NSLEP 2013 *Maximum Floor Space Ratio Map* to provide a maximum floor space ratio (FSR) control of 20:1.

## 7. PART 2 – EXPLANATION OF PROVISIONS

### 7.1. LAND TO WHICH THE PLAN WILL APPLY

The land that is proposed to be included in the LEP amendment is located at 601 Pacific Highway, St Leonards. The legal property description of the site is Lot 71 in Deposited Plan 749690.

### 7.2. PROPOSED LEP AMENDMENTS

This section is to be read in conjunction with **Section 9** of this Planning Proposal report, which contains the proposed amended NSLEP 2013 Maps for the maximum building height and floor space ratio controls.

#### **Land Use Zoning**

The proposal does not seek to amend the current B3 Commercial Core zoning. The indicative concept for the future development of the site is consistent with the objectives of the B3 Commercial Core zone.

#### **Building Height**

It is proposed that an RL276.5 maximum building height development standard be applied to the site.

This outcome can be achieved by amending the existing *Height of Buildings Map – Sheet HOB\_001* of NSLEP 2013.

#### **Floor Space Ratio**

There is no existing FSR development standard applicable to the site.

It is proposed that a maximum FSR development standard of 20:1 be applied to the site. This outcome can be achieved by amending the existing *Floor Space Ratio Map – Sheet FSR\_001* of NSLEP 2013.

## 8. PART 3 – JUSTIFICATION

### 8.1. NEED FOR THE PLANNING PROPOSAL

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

**Yes.** The Planning Proposal is a result of the following local strategic planning statement and strategic plans:

- St Leonards and Crows Nest 2036 Plan;
- North Sydney Local Strategic Planning Statement; and
- St Leonards/Crows Nest Planning Study (2015).

#### **St Leonards and Crows Nest 2036 Plan**

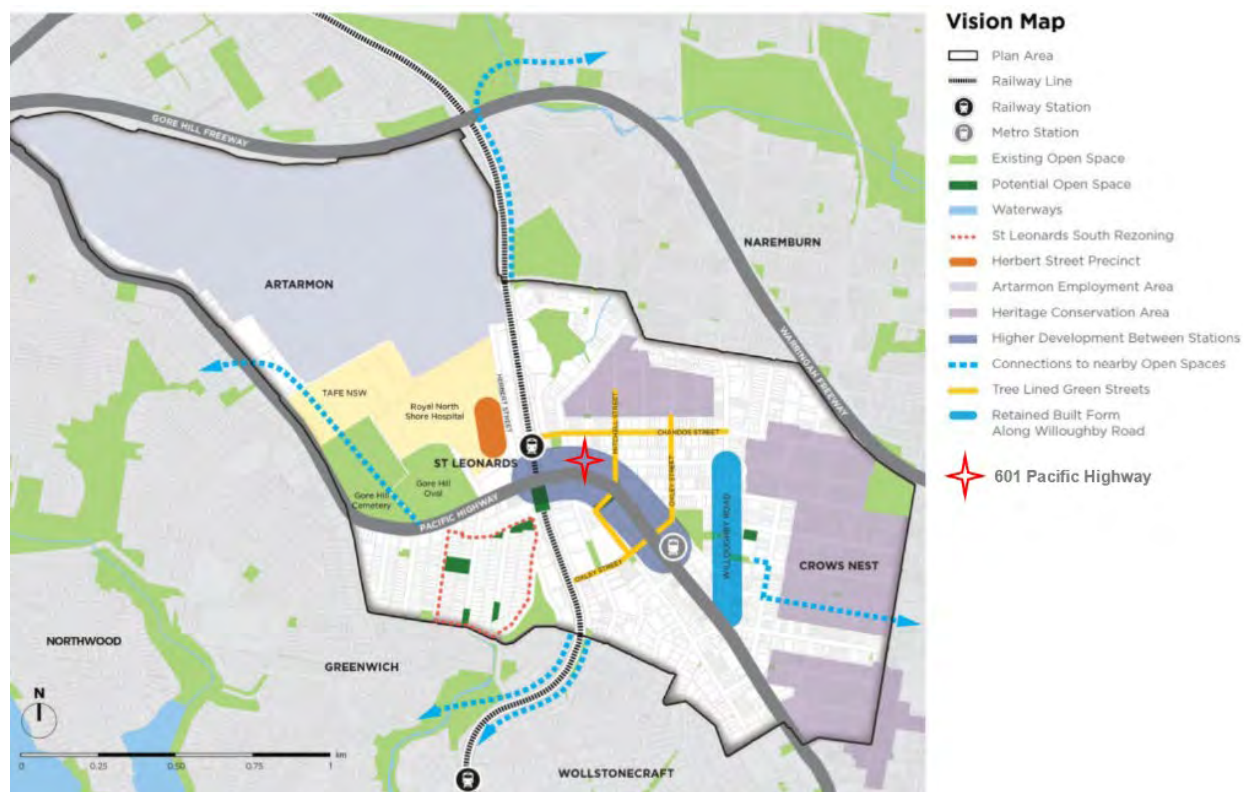
On 29 August 2020, the NSW Government finalised the planning package for St Leonards and Crows Nest. This contained the final St Leonards and Crows Nest 2036 Plan (**2036 Plan**), the Special Infrastructure Contribution (**SIC**) Determination, St Leonards and Crows Nest Local Character Statement, St Leonards and Crows Nest Green Plan, Urban Design Study, and other supporting documents and legislative amendments.

The 2036 Plan presents the following overarching vision for St Leonards and Crows Nest:

*Sitting at the heart of the Eastern Economic Corridor; connectivity, innovation and a commitment to great design will see the St Leonards and Crows Nest area transform as a jobs powerhouse. Mixing commercial and residential, the centre will offer workers, residents, students and visitors a variety of homes, jobs and activities with increased accessibility with a new world class metro service.*

The subject site is within a cluster of high-density commercial and mixed-use development along Pacific Highway between St Leonards Station and new Crows Nest Metro Station (see **Figure 17**). This cluster is earmarked for high density transit-oriented development that leverages accessibility to deliver more jobs.

Figure 17 2036 Plan Vision



Source: St Leonards and Crows Nest Plan 2036

**Table 6** details the proposal's consistency with the objectives and built form parameters of the 2036 Plan.

Table 6 Achieving the outcomes of the St Leonards and Crows Nest 2036 Plan

2036 Plan	Planning Proposal Response	Compliance
<b>Theme 01 Place</b>		
<i>Improve the public domain by introducing 'green streets' along Mitchell Street to allow for setbacks with grass and canopy trees</i>	<p>The proposal creates a vibrant and richly layered public domain and civic destination. The Mitchell Street ground level setback provides opportunities for extended street paving, tree canopies, and planted edges (fulfilling 'green street' principles).</p> <p>The proposal achieves a high level of solar access to Mitchell Street. Shadows cast by the proposal to Mitchell Street fall within shadows cast by the existing building on the site. The proposal does not create any additional shadows to the street.</p>	Yes
<i>Improve active streets and pedestrian movement to create a more vibrant streetscape and contribute to passive surveillance and safer places</i>	<p>Contemporary retail and commercial land uses at ground floor level will encourage pedestrian activation and streetscape vibrancy along Atchison Street and the Mitchell Street Plaza.</p> <p>A strong pedestrian presence across the ground plane will also contribute to passive surveillance within the streetscape.</p>	Yes
<b>Theme 02 Landscape</b>		
<i>Mitchell Street - Tree lined green street</i>	The indicative landscape and public domain strategy provides opportunities for planted edges and tree canopy plantings.	Yes
<i>Introduce landscaped street setbacks along Mitchell Street to allow for additional street trees</i>	The 5 metre ground level setback to Mitchell Street allows for the extension of street paving and additional tree plantings.	Yes
<i>Landscaped setbacks for avenue tree planting proposed along the Pacific Highway</i>	The indicative landscape and public domain strategy provides opportunities for new tree plantings along Pacific Highway.	Yes
<b>Theme 03 Built Form</b>		
<i>New development should be sympathetic to existing buildings with appropriate setbacks and street wall height</i>	<p>The built form is consistent with the 2036 Plan, relating to FSR, building height, setbacks, and street wall heights. It responds to desired street widths and provides ground and upper level setbacks and awnings to achieve a human scale.</p> <p>The tower has a slender form that sits appropriately amongst comparable-sized existing and future tall buildings in the area.</p>	Yes
<i>Future commercial development should contribute to a vibrant, high amenity atmosphere and activate the area between St Leonards station and Crows Nest Metro station during the daytime, in the evenings, and on weekends</i>	<p>Retail and commercial land uses at ground level will activate the following street frontages and create streetscape vibrancy:</p> <ul style="list-style-type: none"> <li>▪ <b>Mitchell Street Plaza:</b> activation to urban plaza with lobby entrances and al fresco dining opportunities;</li> <li>▪ <b>Atchison Street:</b> commercial / retail uses create a high amenity environment along the street frontage; and</li> <li>▪ <b>Pacific Highway:</b> visual engaging retail frontages and pedestrian activation.</li> </ul>	Yes

2036 Plan	Planning Proposal Response	Compliance
<i>Minimise overshadowing of key open spaces, public places, and adjoining residential areas</i>	<p>The solar access analysis in the Urban Design Report (at <b>Appendix A</b>) demonstrates that the proposal does not result in additional overshadowing at mid-winter (21 June) to:</p> <ul style="list-style-type: none"> <li>▪ Newlands Park (between 10:00am – 3:00pm);</li> <li>▪ Ernest Place (between 10:00am – 3:00pm);</li> <li>▪ Willoughby Road (between 11:30am – 2:30pm); and</li> <li>▪ Mitchell Street (between 11:30am – 2:30pm).</li> </ul> <p>Shadows cast by the proposal onto Mitchell Street fall within shadows cast by the existing building on the site. The proposal does not create any additional overshadowing to the street.</p>	Yes
<i>St Leonards should be the predominant centre to reinforce its commercial role</i>	The proposal will make a significant economic contribution to St Leonards by attracting investment growth and business activity and contributing employment generation and diversity.	Yes
<i>Large developments to be located between stations and transition in height, bulk and scale from the highway to the surrounding areas  Taller buildings are to be located within 150 - 200m of stations and transition in height to the surrounding areas</i>	<p>The site is ideally located for substantial uplift in height, bulk, and density. It is within the 'knuckle area' identified as a cluster of high-density developments along Pacific Highway.</p> <p>The site will leverage from the existing and emerging transport network through the frequency of transport services and infrastructure upgrade projects. It is 350 metres (walking distance) east of St Leonards train station and 400 metres north-west of the new Crows Nest Metro station.</p>	Yes
<i>Reduce impact on Heritage Conservation Areas</i>	The site is not located within close proximity of a Heritage Conservation Area. The proposal does not result in additional overshadowing to a Heritage Conservation Area.	Yes
<i>Improve accessibility through appropriate frontage treatment and provision of arcades, laneways, and enhanced public domain</i>	<p>The proposal improves pedestrian accessibility connectivity by:</p> <ul style="list-style-type: none"> <li>▪ DDA compliant access connections along Atchison Street, Pacific Highway, and Mitchell Street Plaza;</li> <li>▪ Through-site connections between lower and upper ground floor levels;</li> <li>▪ Lobby entries with strong street presences;</li> <li>▪ Activation to civic gathering and meeting places (for relaxation and passive recreation); and</li> <li>▪ Upgrades to pedestrian pathways around the site.</li> </ul>	Yes
<i>New development must respond to built form character of sub-precincts, including height, bulk, and scale and existing and proposed uses</i>	The proposal is consistent with the envisaged high density character along the Pacific Highway. It is compliant with the FSR, building height, setbacks, and street wall heights.	Yes
<i>The North District Plan identifies a high jobs target of 63,500 for the area by 2036</i>	The proposal will foster investment, economic growth, and business activity and make a significant contribution to the employment generation targets for the North District.	Yes



2036 Plan	Planning Proposal Response	Compliance
<b>Theme 04 Land Use</b>		
<i>Concentrate higher density along the Pacific Highway between the St Leonards Station and Crows Nest Metro Station</i>	The proposal facilitates high-quality transit-oriented commercial on a strategically-located site along the Pacific Highway between St Leonards and the new Crows Nest Metro stations.	Yes
<i>Retain B3 Commercial Core zone on appropriate sites to maintain future viability of the St Leonards Core</i>	The proposal facilitates commercial development that supports and contributes to the economic viability of St Leonards.	Yes
<i>Encourage renewal of St Leonards through the delivery of new A-grade commercial floor space</i>	Future development is capable of achieving high amenity A-grade office accommodation with flexible commercial floor plate configurations to appeal to a range of tenant markets.	Yes
<i>More diverse uses along Atchison Street to define a new retail focus (including restaurants and extended trading hours to stimulate night-time economy)</i>	The proposal supports Atchison Street as a new retail focus that will leverage existing activity along Willoughby Road and the St Leonards Forum plaza. Potential retail opportunities may include outdoor / alfresco dining and ground plane activations to stimulate night-time economy. Public domain activation will reinforce Atchison Street as a vibrant day and night precinct.	Yes
<i>Public domain improvements will also make Atchison Street more attractive for boutique retail</i>	Proposed commercial and retail uses fronting Atchison Street will contribute to the public domain activation of the street.	Yes
<b>Theme 05 Movement</b>		
<i>Provide clear, continuous, and direct pedestrian and cycle routes to priority destinations (including St Leonards Station and surrounding commercial core)</i>	Landscape and public domain upgrades proposed along Atchison Street, Mitchell Street, and Pacific Highway will contribute to the quality and amenity of pedestrian routes to priority destinations around St Leonards including the station.	Yes
<i>Promote the provision of end of trip facilities to support cycling</i>	The proposal includes a designated cycle lane from Atchison Street, and basement bicycle storage and end-of-trip facilities.	Yes
<b>Built Form Parameters for the Site</b>		
<b>Land Zoning</b> Zone B3 Commercial Core	The Planning Proposal retains the site's B3 zoning.	Yes
<b>Building Height</b> 42 storeys	The Planning Proposal proposes a maximum building height of RL276.5 which can accommodate a building of 42 storeys in height.	Yes
<b>Floor Space Ratio</b> 20:1	The Planning proposes a maximum floor space ratio of 20:1.	Yes

2036 Plan	Planning Proposal Response	Compliance
<b>Minimum Non-Residential FSR</b>	Given Zone B3 prohibits residential uses, it is not necessary to seek a non-residential FSR equivalent to the maximum FSR.	Yes
<b>Street Wall Height</b> <i>5 storey street wall height to all four boundaries of the site</i>	<p>The indicative concept proposal comprises a part-5, part-6 storey podium and presents the following street wall heights:</p> <ul style="list-style-type: none"> <li>Part-five, part-six height to Atchison Street;</li> <li>Part-five, part-six height to Mitchell Street;</li> <li>Six storey height to Pacific Highway; and</li> <li>Six storey height to 617 Pacific Highway.</li> </ul> <p>Starting at ground level, the proposed podium comprises:</p> <ul style="list-style-type: none"> <li>Lower lobby floor (Ground Level) (at-grade pedestrian access from Atchison Street and Pacific Highway);</li> <li>Upper lobby floor (Level 01) (at-grade pedestrian access from intersection of Atchison Street and Mitchell Street);</li> <li>Upper podium floors (Levels 02 – 05).</li> </ul> <p>The site's topographical conditions do not allow compliance with the five storey street wall height. The varied podium height is a direct response to the gradient, which falls from the north-east by 2.5 metres to the south and 3.5 metres to the west.</p> <p>However at the site's most visible and prominent frontage to the intersection of Atchison Street and Mitchell Street, the podium expression establishes a five storey street wall height.</p> <p>The proposal establishes a consistent podium datum line that aligns to the prevailing streetscape in the surrounding locality.</p>	Part compliance, intent achieved
<b>Setbacks</b> <i>5 metre setback to Mitchell Street</i> <i>Nil setback to Atchison Street</i> <i>3 metre reverse setback to Pacific Highway</i>	<p><u>Mitchell Street Setback</u>: <b>Compliant</b>. The proposal presents a 5 metre setback to Mitchell Street at the upper lobby level (Level 01) and above podium levels (to Level 06). The building is partly built to the Mitchell Street boundary at the lower lobby level; however this part of the building is set below street level.</p> <p><u>Atchison Street Setback</u>: <b>Compliant</b>. The lower ground level and above podium is built to Atchison Street (nil setback). Upper tower levels are setback a further 3 metres.</p> <p><u>Pacific Highway Setback</u>: <b>Compliant</b>. A nil setback is provided to Pacific Highway. Level 01 and upper podium levels are built to Pacific Highway as per a reverse setback principle.</p>	Yes
<b>Existing Open Space</b> <i>Mitchell Street Plaza is identified as an existing open space</i>	<p>The landscape design activates public domain connectivity to the civic gathering spaces along the Plaza. The proposal offer outdoor seating and dining opportunities, human-level planted edges, public gathering spaces, tree canopies, bench seating, open space spill out areas, and shared pedestrian walkways.</p> <p>These spaces can be utilised for a wide range of seasonal events such as weekend markets, 'pop-up' installations, and community engagement initiatives.</p>	Yes

## North Sydney Local Strategic Planning Statement

On 24 March 2020, Council adopted the North Sydney Local Strategic Planning Statement (**LSPS**).

Aligned with the Region Plan and the District Plan, the LSPS identifies St Leonards as a 'strategic centre' within the economic corridor extending between Sydney CBD, North Sydney CBD, and Macquarie Park. St Leonards provides a density and diversity of economic and employment activity of metropolitan significance.

Consistent with the LSPS, the Planning Proposal will facilitate employment land uses and contribute to St Leonards as a strategic centre in the short, medium, and long term. It will also support Council's focus on development intensification in St Leonards, connecting the Crows Nest Metro and St Leonards stations.

The Planning Proposal is consistent with the LSPS planning priorities for St Leonards as detailed in **Table 7**.

Table 7 Consistency with North Sydney LSPS

Planning Priorities	Consistency
<b>Productivity</b>	
<b>P2. Develop innovative and diverse business clusters in St Leonards/Crows Nest</b>	<p>The proposed high amenity office space will attract significant future investment growth and business activity and contribute employment generation and job diversity. Diverse, flexible commercial floor plates will appeal to a wide range of tenant markets.</p> <p>The proposal will make a significant contribution to meeting the employment target of between 6,900 (base) and 16,500 (high) new jobs in St Leonards by 2036.</p> <p>New 'A Grade' employment floorspace will revitalise the current aging commercial office stock in St Leonards, a key reason for the centre not realising its employment function.</p> <p>Future redevelopment will create opportunities for activating the public domain, enhancing pedestrian amenity, and contributing to night-time economy and investment.</p> <p>The proposal responds to productivity objectives for St Leonards to facilitate a growing and evolving economy, support skills growth, attract investment and talent.</p>
<b>P6. Support walkable centres and a connected, vibrant and sustainable North Sydney</b>	<p>The proposal responds to the 30-minute city vision embedded in the Region Plan and LSPS by facilitating high amenity employment space. The site is highly accessible to public transport infrastructure, enabling tenants and visitors to leverage public transport usage. The proposal achieves high density transit-oriented development within a walkable distance to commercial, mixed-use, and neighbourhood centres.</p>
<b>Liveability</b>	
<b>L2. Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community</b>	<p>The proposal provides opportunities for improved pedestrian circulation and connectivity through the establishment of through-site connections and enhanced integration with the footpath network and nearby open spaces. It will deliver high quality public domain and services to support the current and future community's needs,</p> <p>A dynamic and permeable interface to Mitchell Street Plaza, with operable and transparent lobby frontages, will enhance this space as a focal point for the precinct.</p>

### St Leonards/Crows Nest Planning Study

In May 2015, Council adopted the St Leonards / Crows Nest Planning Study (**2015 Study**) to manage high level development interest near St Leonards station, protect jobs, and deliver public domain and services.

Whilst the 2015 Study remains in effect, the St Leonards and Crows Nest 2036 Plan has effectively become the adopted strategic plan for St Leonards. Notwithstanding, the Planning Proposal responds to the high density character and design criteria for St Leonards envisioned in the 2015 Study as detailed in **Table 8**.

Table 8 Consistency with St Leonards / Crows Nest 2015 Planning Study

Design Criteria	Planning Proposal Response	Compliance
<i>Relate to a parcel of land with a minimum street frontage of 20 metres</i>	The site has three street frontages that exceed 20 metres.	Yes
<i>Relate to a parcel of land that does not isolate, sterilise or unreasonably restrict the development potential of adjacent parcels of land</i>	Future development would not result in the isolation of any adjoining land. The proposal is sympathetic to the massing of the adjoining building to the west (619-621 Pacific Highway) and the emerging built form of the locality.  The proposal does not rely on access from adjoining land.	Yes
<p><i>Site specific floor space ratio control having regard to the podium height, minimum setback controls in Maps 6A and 6B.</i></p> <ul style="list-style-type: none"> <li>▪ 4-storey podiums</li> <li>▪ 3 metre whole of building setback to Mitchell Street</li> <li>▪ 3m ground level setback for 1 storey to Pacific Highway</li> <li>▪ 3 metre above podium setback to Atchison Street, Mitchell Street, and Pacific Highway</li> </ul>	<p>The 2036 Plan incorporates specific built form parameters for the subject site that have been informed by detailed urban design analysis. The built form parameters of the 2036 plan prevail to the extent of any inconsistency with the 2015 Study and are the primary consideration.</p> <p>Notwithstanding, the proposed setbacks are generally consistent or greater than that envisaged in the 2015 Study.</p> <p><u>Podium: Non-compliant.</u> The proposed podium is part five, part six storeys in height. However the proposal is consistent with the 2036 Plan for a five storey street wall height to all boundaries as detailed in <b>Table 5</b>.</p> <p><u>Whole of building setback to Mitchell Street: Compliant.</u> The proposal presents a 5 metre setback to Mitchell Street at the upper lobby and above podium levels. The building is partly built to Mitchell Street at the lower lobby level; however this part of the building is set below street level. The upper tower levels are setback a further 3 metres.</p> <p><u>Ground level setback to Pacific Highway: Compliant.</u> The proposal presents a nil setback (reverse) at ground level (1 storey) to Pacific Highway.</p> <p><u>Podium setbacks: Compliant.</u> The proposal presents a consistent 3 metre above podium setback to the Atchison Street, Mitchell Street, and Pacific Highway boundaries.</p>	<p>Generally compliant</p> <p>Non-compliance justified by compliance with the 2036 Plan (which supersedes the 2015 Study)</p>
<i>Height control consistent with Map 6C</i>	While the 2015 Plan detailed the site as a 'tall building' site, it did not set a height limit, instead inviting the landowners to submit site-specific Planning Proposals to Council for individual consideration, having regard to design criteria.	Yes

Design Criteria	Planning Proposal Response	Compliance
<i>The site is identified for a 'Tall building', without an indicative building height.</i>	The 2036 Plan now specifies a building height in storeys control with which the Planning Proposal complies.	
<i>For tall buildings identified in Map 6C, propose height, setback and floor space ratio controls that address the design principles for tall buildings</i>	<p>* Refer commentary below responding to each principle.</p> <p><b>Note</b> the indicative concept proposal has been prepared to demonstrate one possible reference design scheme which could be delivered on the site. Future development will be subject to separate detailed design development.</p>	
<i>If commercial, the built form must result in a tower with a maximum 1,000 sqm gross floor area floorplate</i>	<p>As detailed in <b>Table 6</b>, the proposal is compliant the above podium setback distances established in the 2036 Plan. This compliance built form yields a commercial tower form where the floor plates exceed 1,000 sqm in size. The 2036 Plan prevails to the extent of any inconsistency with the 2015 Study and is the primary consideration.</p> <p>The proposal delivers on the built form and redevelopment intent of the 2036 plan which identifies the site as one of few sites designated for commercial only development in St Leonards. A future building will present a slender and well-articulated form which will sit appropriately amongst comparable-sized existing and future buildings in the locality. The tower maximises separation from other tower buildings in the immediate surrounding locality to facilitate view sharing and minimise the effect of 'tower crowding'.</p>	<p>No</p> <p>Non-compliance justified by compliance with the 2036 Plan</p>
<i>Large, elongated floorplates are to be avoided with tower elements not exceeding 40m in length, with breaks and articulation encouraged along elevations</i>	<p>As above, the proposal complies with the built form parameters of the 2036 Plan (including the above podium setback controls). Compliance with these controls yields a tower form where the floor plates exceed 40 metres.</p> <p>Notwithstanding that the 2036 Plan prevails to the extent of any inconsistency with the 2015 Study, the length and configuration of the floor plates achieves commercial flexibility and high amenity contemporary office space.</p>	<p>No</p> <p>Non-compliance justified by compliance with the 2036 Plan</p>
<i>The cumulative impact of multiple towers on the public realm must be carefully considered through detailed overshadowing analysis</i>	<p>The detailed shadow analysis in the Urban Design Report demonstrates that the indicative concept proposal:</p> <ul style="list-style-type: none"> <li>does not create any additional overshadowing to Newlands Park between 10am and 3pm at mid-winter.</li> <li>does not create any additional overshadowing to Ernest Place between 10am and 3pm at mid-winter.</li> <li>does not create any additional overshadowing to the Mitchell Street Plaza beyond the shadows cast by the existing building on the site and existing neighbouring buildings (overshadowing is mitigated by the 5m setback street setback to Mitchell Street and 3m tower setback above the podium);</li> </ul>	Yes



Design Criteria	Planning Proposal Response	Compliance
	<ul style="list-style-type: none"> <li>does not create any additional overshadowing to Willoughby Road between 11:30am and 2:30pm at mid-winter;</li> <li>does not result in overshadowing to the Holtermann Estate Heritage Conservation Areas at mid-winter; and</li> <li>provides 5 – 6 hours direct sunlight at mid-winter to the vast majority of residential areas inside the boundary.</li> </ul>	
<i>The design must mitigate overshadowing and wind impacts, and protect sunlight and views of the sky from streets, parks, and properties</i>	<p>The indicative concept proposal can mitigate wind impacts and protect sunlight and views of the sky through building separation, public domain interface, and podium/ tower design. These impacts are assessed in the following:</p> <ul style="list-style-type: none"> <li>Visual Assessment (refer to <b>Section 8.3.2</b>); and</li> <li>Solar access analysis (refer to <b>Section 8.3.4</b>); and</li> <li>Wind Assessment (refer to <b>Section 8.3.5</b>).</li> </ul>	Yes
<i>The design ensures high-quality living and working conditions, natural ventilation, and privacy for building occupants.</i>	Future detailed design development will ensure high quality working conditions for future users of the commercial uses.	Yes
<i>Propose satisfactory arrangements that provide commensurate public benefits that support the proposed scheme</i>	<p>The indicative concept design provides opportunities to enhance the public domain interface with the adjoining streetscape through the following design components:</p> <ul style="list-style-type: none"> <li>Upgrades to street paving along Pacific Highway (as per North Sydney Council Public Domain Manual);</li> <li>Proposed street tree plantings along Pacific Highway (subject to existing services);</li> <li>Extensions to existing paving layout along the Mitchell Street Plaza to the building edge; and</li> <li>Proposed stairs and retaining wall to the north-east corner of the site.</li> </ul>	Yes

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

**Yes.** Without an amendment to the statutory planning controls, the indicative concept proposal for the site cannot be achieved and the associated public benefits would not be realised.

The following alternative scenarios were considered to give effect to and achieve the objectives of the Planning Proposal. However, these were not pursued as the best means to achieve the intended outcome.

- Lodging a development application under the current NSLEP 2013 planning controls; and
- 'Do nothing' – wait for future amendments to NSLEP 2013 planning controls.

***Development Application***

Lodging a development application was considered as the existing B3 Commercial Core permits a mixed use development incorporating retail and office uses (as 'commercial premises'). However, the existing NSLEP maximum building height control only permits a building height of 45 metres. The existing building height control is considered obsolete and does not reflect the local and state strategic planning direction for the site and thus would represent an under-development of a prominent and strategically-located site.

A clause 4.6 variation request could be lodged with a development application to vary the building height control. However, there are limitations to the practical application of clause 4.6 to vary the maximum building height development standard. As the existing building height control is highly restrictive, it would not be appropriate nor expected that legal powers exist within the intent of clause 4.6 to be used to support the significant variation to the maximum building height. Consequently, this option was not pursued.

***Do nothing – NSLEP 2013 Update***

It is understood that North Sydney Council was awarded funding for LEP acceleration as one of the priority Councils to undertake LEP review within two years. Council was required to have a draft LEP submitted to the Greater Sydney Commission (GSC) / DPIE by June 2020. A range of housing, employment and associated studies have commenced to inform the updated LEP.

The North Sydney Local Strategic Planning Statement was adopted by Council on 24 March 2020. The LSPS guides the strategic framework of Council's Local Environmental Plan and Development Control Plan and supports Council's consideration and determination of any proposed changes to the development standards under the LEP (via Planning Proposals). However the pending LEP amendments will not include any built form uplift for St Leonards given the timing of the recently adopted Plan 2036.

Accordingly, it is considered that amendments to the built form LEP planning controls is the most appropriate approach as it would enable a timelier delivery of high density commercial development on the site, taking advantage of the new Crows Nest Metro Station. The adoption of the 2036 Plan has resolved the position that the site warrants density uplift, such that there is no reason for further delay.

## 8.2. RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

### 8.2.1. Guide to Preparing Planning Proposals – Assessment Criteria

The Planning Proposal demonstrates both strategic and site-specific planning merit in accordance with the Assessment Criteria in *A guide to preparing planning proposals* (DPIE). **Table 9** below contains an assessment of the Planning Proposal against the Guide.

Table 9 Guide for Preparing Proposals Assessment Criteria

Assessment Criteria	Response
<p>(a) Does the proposal have <b>strategic merit</b>? Will it:</p> <ul style="list-style-type: none"> <li>▪ give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or</li> </ul>	<p>Yes.</p> <p>Refer to below assessment addressing Question 3.</p> <p>The Planning Proposal gives effect to the objectives of the following regional and district plans:</p> <ul style="list-style-type: none"> <li>▪ Greater Sydney Region Plan – A Metropolis of Three Cities (detailed in <b>Table 10</b>); and</li> <li>▪ North District Plan (detailed in <b>Table 11</b>).</li> </ul>
<ul style="list-style-type: none"> <li>▪ give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement; or</li> </ul>	<p>Yes.</p> <p>Refer to below assessment addressing Question 4.</p> <p>The Planning Proposal will give effect to and is consistent with the North Sydney Local Strategic Planning Statement (detailed in <b>Table 7</b>).</p>
<p>(b) Does the proposal have <b>site-specific merit</b>, having regard to the following?</p> <ul style="list-style-type: none"> <li>▪ the natural environment (including known significant environmental values, resources or hazards) and</li> </ul>	<p>Yes.</p> <p>Refer to below assessment addressing Question 7 (<b>Section 8.3</b>).</p>
<ul style="list-style-type: none"> <li>▪ the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal and</li> </ul>	<p>Yes.</p> <p>Refer to below assessment addressing Question 8 (<b>Section 8.3</b>).</p>
<ul style="list-style-type: none"> <li>▪ 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.</li> </ul>	<p>Yes.</p> <p>Refer to below assessment addressing Question 9 (<b>Section 8.4</b>).</p>

**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)?**

**Yes.** The Planning Proposal gives effect to the objectives of the following regional and district plans:

- Greater Sydney Region Plan – *A Metropolis of Three Cities*; and
- North District Plan.

**Greater Sydney Region Plan – A Metropolis of Three Cities (2018)**

The Greater Sydney Region Plan – *A Metropolis of Three Cities* (**Region Plan**) sets out policy directions to achieve identified goals and principles, with each direction underpinned by actions. **Table 10** demonstrates how the Planning Proposal responds and aligns to the directions and actions of the Region Plan.

Table 10 Assessment against Greater Sydney Region Plan

Greater Sydney Region Plan	Planning Proposal Response
<b>Direction 1: A city supported by infrastructure</b>	
<i>Objective 4: Infrastructure use is optimised</i>	<p>The proposed density uplift is highly appropriate given the site's proximity to existing rail and future metro rail services. The proposal contributes positively to this objective by facilitating density in a highly convenient location that will encourage use of existing and new transport infrastructure.</p> <p>The proposed mix of commercial and retail land uses will positively contribute towards a diversity of land uses within the precinct and generation of demand and use of the public transport infrastructure.</p> <p>As detailed in Traffic Impact Assessment (at <b>Appendix F</b>), the resultant traffic increase is negligible and will not adversely affect the existing intersection performances. Future development in line with the Planning Proposal would be responsible for a small increase in peak hour traffic flows along surrounding key roads. The small increase in development traffic will ensure that the surrounding road network will continue to operate efficiently.</p> <p>The delivery of density uplift in the correct locations (such as the site) will promote better travel behaviour in future residents and workers and encourage increased reliance on public transport.</p>
<b>Direction 2: A collaborative city</b>	
<i>Objective 5: Benefits of growth realised by collaboration of governments, community and business</i>	<p>St Leonards Strategic Centre is recognised as a Collaboration Area, in order to share resources and coordinate investment. This Planning Proposal will assist in the collaboration of government, community, and business:</p> <ul style="list-style-type: none"> <li>▪ Renewal of this site for contemporary commercial development will contribute towards realising employment targets for St Leonards and positively align with economic policy of government.</li> <li>▪ The community will be enhanced through the delivery of high grade commercial and retail uses in proximity to services.</li> <li>▪ The proposal is consistent with the precinct objectives and site-specific principles and design criteria of the St Leonards and Crows Nest 2036 Plan as detailed in <b>Table 6</b> of this report.</li> </ul>

Greater Sydney Region Plan	Planning Proposal Response
<b>Direction 6: A well-connected city</b>	
<p><i>Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</i></p> <p><i>Objective 15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive</i></p>	<p>St Leonard is defined in the Greater Sydney Region Plan as an integral part of the 'Eastern Economic Corridor' with a direction to continue as one of Greater Sydney's nine commercial office precincts. Density uplift for contemporary and flexible office accommodation on the site will support the commercial offerings of St Leonards into the future.</p> <p>The proximity of the site to existing and planned public transport connectivity will assist in promoting walkable cities and enhance the attractiveness of the site to future commercial tenants. The provision of contemporary office space within proximity to existing and future residential land uses will optimise jobs closer to home and overall self-containment levels in the LGA.</p>
<b>Direction 7: Jobs and skills for the city</b>	
<p><i>Objective 21: Internationally competitive health, education, research and innovation precincts</i></p> <p><i>Objective 22: Investment and business activity in centres</i></p> <p><i>Objective 24: Economic sectors are targeted for success</i></p>	<p>The provision of flexible commercial tenancies on the site could support growth in medical and allied health industry companies seeking to locate within proximity to the Royal North Shore Hospital.</p> <p>The floorplates are designed to accommodate flexible office arrangements and enterprise style employment models. This will promote employment generation and diversify job opportunities. Larger commercial floorplates could suit small to medium local enterprises and high end commercial tenancies. This will encourage employment containment in the LGA.</p> <p>Future development aligned with the Planning Proposal would result in substantial direct economic benefits during the construction stage and the ongoing operation of the building (including indirect supply chain jobs).</p>
<b>Direction 8: A city in its landscape</b>	
<p><i>Objective 31: Public open space is accessible, protected and enhanced</i></p>	<p>The Planning Proposal provides significant opportunities to contribute to the accessibility, activation, and enhancement of the public domain, through:</p> <ul style="list-style-type: none"> <li>▪ Mitchell Street Plaza upgrades;</li> <li>▪ Increased urban greening and streetscape amenity;</li> <li>▪ Improved active frontages;</li> <li>▪ Accessible public domain space;</li> <li>▪ Activated and human-level street edge; and</li> <li>▪ Iconic gateway into St Leonards.</li> </ul> <p><b>Section 8.3.1</b> of this report describes the enhanced public open space and public domain outcomes of the Planning Proposal.</p>



Greater Sydney Region Plan	Planning Proposal Response
<b>Direction 9: An efficient city</b>	
<i>Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</i>	<p>The Planning Proposal facilitates walkable neighbourhoods and low carbon transport options given to its proximity to public transport, particularly its location within walking distance of the St Leonards train station and future Crows Nest Metro Station and existing bus services.</p> <p>The site's proximity to public transport provides opportunities for workers and visitors to conveniently use public transport, thereby reducing private vehicle trip movements and contributing towards the creation of low-carbon cities.</p> <p>Sustainability measures can be further explored in the detailed design of redevelopment of the site as part of a future DA.</p>

### **North District Plan (2018)**

The site is located within the North District of Greater Sydney. The North District Plan was adopted in March 2018 and reflects the broader vision of the Sydney as a three-city metropolitan.

The North District Plan envisages St Leonards contributing a total job target between 54,000 (baseline target) and 63,500 (higher target) by 2036, representing a minimum target of 7,000 new jobs over 20 years.

**Table 11** details how the Planning Proposal aligns with the relevant priorities of the North District Plan.

Table 11 Assessment against the North District Plan

North District Plan	Planning Proposal Response
<i><b>Planning Priority N1.</b> Planning for a city supported by infrastructure</i>	The Planning Proposal leverages the new Crows Nest Metro plan for the economic growth of St Leonards. It provides new commercial floor space in a location within close proximity to existing and future transport infrastructure. Future commercial and retail land uses will support the growth of St Leonards and the new Metro services.
<i><b>Planning Priority N6.</b> Creating and renewing great places and local centres, and respecting the District's heritage</i>	<p>The Planning Proposal contributes to creating a great place in that it:</p> <ul style="list-style-type: none"> <li>provides opportunities for improved pedestrian circulation and connectivity throughout the St Leonards centre (through the establishment of site connections with adjacent properties);</li> <li>integrates with the surrounding footpath network, nearby open spaces, and key transport nodes (such as St Leonards train station);</li> <li>makes a meaningful contribution to activating the Mitchell Street Plaza, delivering a dynamic and permeable interface to the western side of the plaza;</li> <li>provides pedestrian permeability via lobbies (during business hours) and convenient paths of travel;</li> <li>creates pedestrian activation along the Pacific Highway frontage and adds vibrancy and vitality to what is currently a poor pedestrian environment; and</li> <li>generates opportunities for outdoor / sunlit alfresco dining and other ground plane activations along Atchison Street.</li> </ul>

North District Plan	Planning Proposal Response
<p><b>Planning Priority N9.</b> Growing and investing in health and education precincts</p>	<p>The Planning Proposal contributes to the growth and strengthening of the St Leonards centre in that it:</p> <ul style="list-style-type: none"> <li>▪ leverages the new Sydney Metro Station at Crows Nest to deliver additional employment capacity;</li> <li>▪ delivers economic growth and employment in the centre;</li> <li>▪ encourages the use of public transport and pedestrian and cyclist accessibility;</li> <li>▪ contributes to the activation and embellishment of public open spaces along Atchison Street and the Mitchell Street Plaza; and</li> <li>▪ maximises the site's accessibility to the St Leonards train station and new Crows Nest Metro station to deliver a transit-orientated development and an attractive place for people to visit and work.</li> </ul>
<p><b>Planning Priority N10.</b> Growing investment, business opportunities and jobs in strategic centres</p>	<p>The Planning Proposal facilitates a future high quality contemporary commercial development with high amenity office accommodation and flexible floorplates and tenancies. The development will attract significant future investment growth and business activity and contribute employment generation and job diversity. The proposal will make a significant economic contribution to the St Leonards centre.</p>
<p><b>Planning Priority N12.</b> Delivering integrated land use and transport planning and a 30-minute city</p>	<p>The Planning Proposal will facilitate urban renewal of a strategically-located site within an identified strategic centre and optimise the value and use of the Sydney Metro City and Southwest service.</p> <p>In 2024, the indicative travel time on the Sydney Metro to Central Station will be 11 minutes from Crows Nest Station, and 5 minutes to North Sydney, locating St Leonards well within the desired 30 minutes travel model. The site is ideally located within a short walking distance to the future Metro station. Future development will integrate a commercial use well within the desired 30 minutes travel model.</p>

### **Future Transport Strategy 2056**

The Future Transport 2056 Strategy (2018) outlines the vision for the Greater Sydney mass transit network, with St Leonards as a 'strategic centre' linked directly to the 'Harbour City' (Sydney CBD) via North Sydney. The vision sets six state-wide outcomes to guide investment, policy and reform, and service provision. These provide a framework for network planning and investment with the aim to support transport infrastructure.

The site is well placed to take advantage of the future transport network and projected infrastructure upgrades which will increase both the frequency of transport services for all forms of mobility.

The Planning Proposal leverages from its proximity to the St Leonards train station and the new Crows Nest Metro station, which will see higher frequency metro transport offering to move more people more quickly.

The future development of the site has potential to contribute to and enhance walking and cycle connectivity between the existing and future stations.

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

Yes. The Planning Proposal will give effect to and is consistent with the following endorsed strategic plans:

- St Leonards and Crows Nest 2036 Plan (as detailed in **Table 6**);
- North Sydney Local Strategic Planning Statement (as detailed in **Table 7**); and
- St Leonards / Crows Nest Planning Study 2015 (as detailed in **Table 8**).

**Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes. The Planning Proposal is consistent with the relevant State Environmental Planning Policies (SEPPs), as demonstrated in **Table 12** below.

Table 12 Consistency with State Environmental Planning Policies

SEPP	Consistency
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>The Resilience and Hazards SEPP sets out the statutory planning framework to manage and assess contaminated land. It requires a consent authority to consider whether land is contaminated prior to granting development consent.</p> <p>The only known land use of the site is as a commercial office. In this regard, there is no evidence that the subject site contains or is likely to contain any material of contamination. Notwithstanding, site investigations under the SEPP can be undertaken at a subsequent DA stage.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>The Transport and Infrastructure SEPP provides a consistent planning regime for the provision of infrastructure and services and prescribes the requirements for consultation with relevant public authorities during the assessment process. The provisions of the SEPP may be applicable to any infrastructure works associated with future development.</p>
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>The Biodiversity and Conservation SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas (including North Sydney) and amenity of non-rural areas of through preservation of trees and other vegetation. The provisions of the SEPP may need to be considered in the assessment of a future detailed development proposal on the site.</p>

**Development near Rail Corridors and Busy Roads – Interim Guideline**

In addition to the relevant SEPPs, this Planning Proposal has given consideration to the objectives and principles of *Development Near Rail Corridors and Busy Roads – Interim Guideline* (DPE).

The provisions of the interim guideline will be considered in the assessment of acoustic impacts of future development associated with the site's location on the Pacific Highway. Suitable mitigation and management measures will be provided such that a satisfactory level of acoustic amenity can be achieved. Acoustic mitigation can be addressed in detailed design development as part of a future development application.

**Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?**

**Yes.** The Planning Proposal has been assessed against the applicable Section 9.1 Ministerial Directions and is consistent with each of the relevant matters, as outlined in **Table 13**.

Table 13 Assessment against Section 9.1 Directions

Section 9.1 Direction	Consistency
<b>Focus Area 1 – Planning Systems</b>	
1.1 Implementation of the Minister's Planning Principles	Principles issued by the Minister in December 2021 to be noted.
1.2 Development of Aboriginal Land Council land	Not applicable
1.3 Approval and Referral Requirements	This is an administrative requirement for Council.
1.4 Site Specific Provisions	The planning proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the NSLEP 2013.
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	<b>Table 6</b> provides a detailed assessment of the Planning Proposal against the St Leonards and Crows Nest 2036 Plan.



<b>Section 9.1 Direction</b>	<b>Consistency</b>
1.14 Implementation of Greater Macarthur 2040	Not applicable
1.15 Implementation of the Pymont Peninsula Place Strategy	Not applicable
1.16 North West Rail Link Corridor Strategy	Not applicable
1.17 Implementation of the Bays West Place Strategy	Not applicable
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable
1.19 Implementation of the Westmead Place Strategy	Not applicable
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not applicable
1.21 Implementation of South West Growth Area Structure Plan	Not applicable
<b>Focus Area 3 – Biodiversity and Conservation</b>	
3.1 Conservation Zones	Not applicable
3.2 Heritage Conservation	Not applicable
3.3 Sydney Drinking Water Catchments	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
3.5 Recreation Vehicle Areas	Not applicable
3.6 Strategic Conservation Planning	Not applicable
3.7 Public Bushland	Not applicable
3.8 Willandra Lakes Region	Not applicable
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable
3.10 Water Catchment Protection	Not applicable
<b>Focus Area 4 – Resilience and Hazards</b>	
4.1 Flooding	Not applicable

Section 9.1 Direction	Consistency
4.2 Coastal Management	Not applicable
4.3 Planning for Bushfire Protection	Not applicable
4.4 Remediation of Contaminated Land	The only known land use of the site is as a commercial office. There is no evidence that the subject site contains or is likely to contain any material of contamination. Notwithstanding, site investigations can be undertaken at a subsequent DA stage.
4.5 Acid Sulfate Soils	There is no LEP mapping of acid sulfate soils. Given the location of the site and ridge height, the likelihood of acid sulfate soils is low. Evidence of recent construction near the site demonstrate that acid sulfate soils is not a constraint to future development. Further assessment can be carried out at a future DA stage.
4.6 Mine Subsidence and Unstable Land	Not applicable
<b>Focus Area 5 – Transport and Infrastructure</b>	
5.1 Integrating Land Use and Transport	<p>The Planning Proposal is consistent with the direction for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The site has excellent access to public transport, being within walking distance of the St Leonards train station and the Crows Nest Metro Station and existing bus services.</li> <li>▪ The increased density will support the patronage of the metro station and accords with the key direction from the state government, which seeks to co-locate increased densities within walking catchment of public transport nodes.</li> <li>▪ The proposal will provide a mix of employment opportunities (retail and commercial) within the North Sydney LGA, within close proximity to existing services and infrastructure.</li> </ul>
5.2 Reserving Land for Public Purposes	Not applicable
5.3 Development Near Regulated Airports and Defence Airfields	<p>Avlaw Aviation Consulting has prepared a Preliminary Aeronautical Impact Assessment (<b>Appendix H</b>) to assess airspace constraints of the proposal and identify building height restrictions against prescribed airspace limits. The Assessment identifies the following:</p> <ul style="list-style-type: none"> <li>▪ Obstacle Limitation Surfaces (OLS) – Conical Surface: 156m AHD</li> <li>▪ Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS): 340m AHD</li> <li>▪ Radar Terrain Clearance Chart (RTCC): 1100 ft / 335.28m AHD</li> </ul>

Section 9.1 Direction	Consistency
	<ul style="list-style-type: none"> <li>Combined Radar Departure Assessment Surfaces: 455m AHD</li> </ul> <p>Key conclusions and recommendations of the Assessment are:</p> <ul style="list-style-type: none"> <li>The critical airspace protection surface for operations at Sydney Airport is the Outer Horizontal Surface of the OLS. As this surface will be penetrated permanently by a future building and temporarily by crane(s), each will require aeronautical assessment and classified as a “controlled activity”, requiring approval to be carried out. The OLS penetration should be acceptable for the reason that the site is clear of the approach and take-off areas for all runways at Sydney Airport.</li> <li>The Combined Radar Departure Assessment Surfaces should be acceptable because Sydney Noise Abatement Procedures (NAP) will be followed by all aircraft operating to and from Sydney Airport. This dictates that there will be no random aircraft departures deviating from Standard Instrument Departures (SIDs). Required safety clearances for these procedures are accounted for in the PANS-OPS surfaces.</li> </ul> <p>The Assessment concludes that aviation approval can be granted subject to the temporary construction cranes and building envelope (inclusive of plant room and ancillary features) remaining below the Radar Terrain Clearance Chart (RTCC) height (335.28m AHD).</p>
5.4 Shooting Ranges	Not applicable
<b>Focus Area 6 – Housing</b>	
6.1 Residential Zones	Not applicable
6.2 Caravan Parks and Manufactured Home Estates	Not applicable
<b>Focus Area 7 – Industry and Employment</b>	
7.1 Business and Industrial Zones	<p>The Planning Proposal does not seek to change the existing B3 Commercial Core zone. Consistent with this Direction, the Planning Proposal will deliver contemporary commercial and retail land uses and retail employment generating uses.</p> <p>The Planning Proposal will optimise a development outcome that facilitates retail and commercial uses by amending built form planning controls. The economic benefits of the proposal include:</p> <ul style="list-style-type: none"> <li>Providing for a broader variety of job types, including retail and commercial offices, which adds to the diversity of workers;</li> </ul>

Section 9.1 Direction	Consistency
	<ul style="list-style-type: none"> <li>▪ Inclusion of retail land uses will activate the site's strategically important location, adding to a sense of place and safety and activating the ground plane both day and night; and</li> <li>▪ Revitalise the existing building by providing for high amenity, flexible office layouts, creating a higher density of workers, and contributing to employment generation in St Leonards.</li> </ul>
7.2 Reduction in non-hosted short-term rental accommodation period	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	As detailed in this Report, the Planning Proposal is appropriate in the site's context along the Pacific Highway. The proposal will reinforce the role of commercial development in St Leonards.
<b>Focus Area 8 – Resources and Energy</b>	
8.1 Mining, Petroleum Production and Extractive Industries	Not applicable
<b>Focus Area 9 – Primary Production</b>	
9.1 Rural Zones	Not applicable
9.2 Rural Lands	Not applicable
9.3 Oyster Aquaculture	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable

## 8.3. ENVIRONMENTAL, SOCIAL, AND ECONOMIC IMPACTS

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

The site is occupied by a 14-storey commercial building and perimeter hardstanding. There are no known critical habitats, threatened species, or ecological communities located on the site. Therefore the likelihood of any negative impacts are minimal.

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

The site is free of major environmental constraints. There are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through detailed design development.

The following section assesses the potential environmental impacts of the Planning Proposal. This assessment is informed by a suite of technical investigations that accompany the Planning Proposal.

### 8.3.1. Built Form and Context

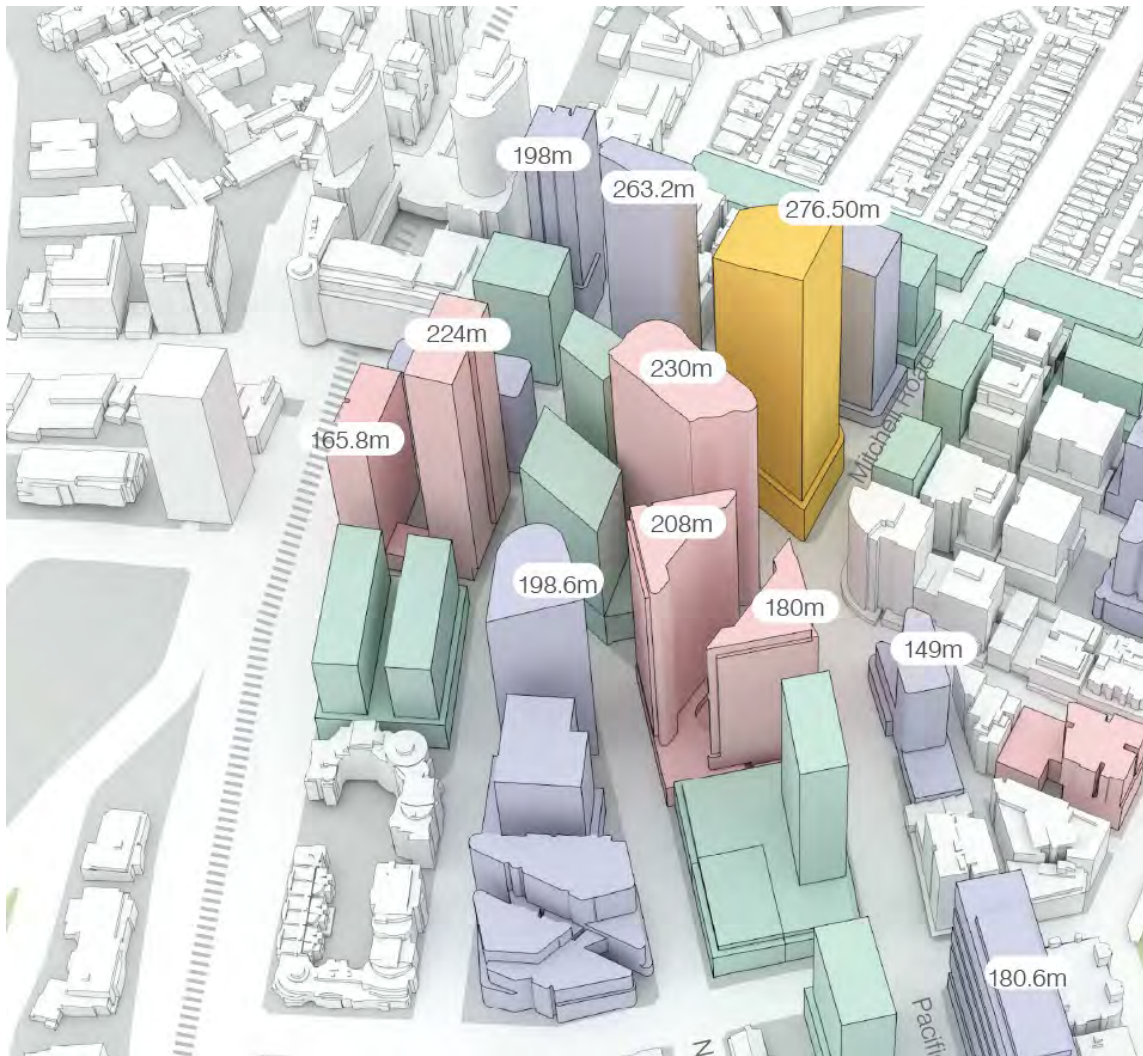
#### Building Height and Tower Form

The Planning Proposal is entirely consistent with the 2036 Plan and delivers on the vision for St Leonards centre. The built form complies with the desired future character and built form principles identified for the site, specifically the 20:1 FSR, 42 storey building height, and building setback parameters.

As detailed in **Table 8**, recent development activity in the surrounding locality, including development approvals for high density tall buildings along the Pacific Highway, is redefining the character of St Leonards and contributing to its ongoing transformation to a high density mixed use precinct in line with the 2036 Plan. The built form of the proposal is contextually appropriate within the emerging cluster of future tower forms.

**Figure 18** indicates the proposed concept proposal height and built envelope in the context of surrounding developments under construction and developments either approved and likely to be approved in the future.

Figure 18 Concept Building Envelope within Adjacent Development Context



Source: Architectus

The maximum building height (RL276.5) will sit comfortably in the context of the cluster of towers in the St Leonards centre skyline. The built form reinforces the site's predominant location at the topographical high point of the 'knuckle area' identified in the 2036 Plan as a concentrated cluster of high-density development fronting the Pacific Highway between St Leonards station and the new Crows Nest Metro Station.

Future development in line with the indicative concept proposal will present a slender and well-articulated tower form which will sit appropriately amongst comparable-sized existing and future buildings in the surrounding locality. The proposed built form of the tower maximises separation from other tower buildings in the immediate surrounding locality to facilitate view sharing and minimise the effect of 'tower crowding'.

### Podium Design

Whilst the indicative concept proposal has been designed to achieve compliance with the 2036 Plan podium street wall heights controls, the site's topographical conditions do not allow strict compliance with the five storey street wall height to be achieved. However, at the site's visible and prominent frontage to the Atchison Street and Mitchell Street intersection, the podium expression establishes a five storey street wall height.

The concept building envelope establishes a consistent podium datum line that aligns to existing and future development in the surrounding locality, principally along Atchison Street and Mitchell Street. The design of the podium reflects key podium datum lines of the surrounding built forms (existing and future).

**Figure 19** presents indicative concept renders for the podium design from key public domain perspectives.



Figure 19 Indicative Podium Design



Picture 7 Lobby view from Pacific Highway, looking north, with Mitchell Street Plaza to the right



Picture 8 Atchison Street corner looking west with Mitchell Street Plaza to the left

Source: Architectus **[Note. These are artists impressions, and likely subject to future change]**

## Public Domain Built Form

The built form of the public domain responds to the principles and controls of the 2036 Plan to activate the ground plane of the surrounding streetscape (including Atchison Street and the Mitchell Street Plaza).

The public domain contributes to the public domain activation with outdoor seating and dining opportunities, human-level planted edges, public gathering spaces, tree canopies, bench seating, open space spill out areas, and shared pedestrian walkways. These spaces can be utilised for a wide range of seasonal events such as weekend markets, 'pop-up' installations, and community engagement initiatives within the Plaza.

### 8.3.2. Visual Impact

The Urban Design Report (at **Appendix A**) contains a visual impact assessment of the indicative concept proposal illustrating views from all directions at a local (short) and suburban (medium) distance.

The character of the site and immediate visual context is transitioning from predominantly lower commercial buildings to taller mixed-use towers aligned with the strategic planning context and desired future character of the St Leonards centre. The 2036 Plan identifies the site within a cluster of high-density commercial and mixed-use development along Pacific Highway between the St Leonards Station and the new Crows Nest Metro Station. The concentration of higher density along the Pacific Highway indicates a transition towards significant height and density increase and a transformation of views from the surrounding locality.

Given its prominent location along the Pacific Highway, the site has a potentially large visual catchment. However, the potential visual impacts of the indicative concept proposal will be predominantly restricted to the nearby vantage points around St Leonards centre, including the Pacific Highway, Atchison Street and Mitchell Street. The upper part of the tower form would be visible from distant locations predominantly to the north, west and east and will be visible in the context of the cluster of towers in the St Leonards skyline.

The figures below show visual perspectives of the proposal from selected local and medium vantage points. These visual perspectives include approved developments and likely future development proposals.



Figure 20 Photomontages of Indicative Concept Proposal



Picture 9 Falcon Street, Pacific Highway and Willoughby Road



Picture 10 Shirley Road at Nicholson Street



Picture 11 Pacific Highway at Greenwich Road



Picture 12 Pacific Highway at Reserve Road



Picture 13 Naremburn Park - Station at Dalleys Road



Picture 14 Willoughby Road and Albany Street

The following provides a summary of the visual impact assessment:

- The concept proposal will have a moderate impact on views, considering the importance of public views, timing of view and screening provided by approved and likely future development in the vicinity.
- In most views, the proposal will partially obstruct views of the sky; however the proposal is consistent with the scale of future development in the centre and presents a slender form against the sky.

- When viewed from the Pacific Highway from the south and the north, and from Falcon Street, the proposal is partially obscured by approved and likely adjacent future development.
- From the Pacific Highway at Reserve Road, a large portion of sky view is preserved.
- When viewed from local vantage points in Willoughby Road, the concept proposal is shorter than other likely future development and has minimal impacts on views of the sky.
- When viewed from medium vantage points in Northbridge, Artarmon, Greenwich, and Willoughby, the proposal has a moderate impact on the skyline.
- The tower will be particularly visible from Willoughby Road Crows Nest; however its visual impact is mitigated by the slender tower form and the approved and future adjacent built form in the locality.

Detailed design development for a future proposal as part of a new development application will address façade detailing in order to mitigate the visual impact of built form. External materials, colours, and finishes for a future development can be selected to respond to the surrounding environment and add diversity in architectural expression of the tower.

### 8.3.3. Traffic Impact

This Planning Proposal submission is supported by a Traffic Impact Assessment prepared by Arup (at **Appendix F**) to describe the existing local traffic context, including access and the potential traffic implications of the Planning Proposal. The report addresses the following matters:

- An overview of the existing transport network and planning context
- Trip generation of future development
- Traffic impacts of future development
- Public transport accessibility
- Car parking arrangements
- Pedestrian and bicycle access
- Green travel initiatives

Calculated in accordance with the maximum car parking rates prescribed in the North Sydney DCP, a maximum 159 car parking spaces is permitted on the site. The indicative concept proposal includes a 4-level basement car park with provision for 128 parking spaces. This complies with the DCP car parking rates.

Assessed against the existing condition of the site, the Traffic Impact Assessment estimates that the subject development will generate a net decrease of 8 car trips during the AM peak hour and net decrease of 6 car trips during the PM peak hour. The analysis indicates that due to an overall reduction in parking, the estimated traffic generated by the development will reduce. Accordingly, given the reduction in vehicle trips compared to the condition situation, the impact to the surrounding network is expected to be negligible.

The Traffic Impact Assessment recommends travel demand management measures, including preparation of a Green Travel Plan (**GTP**) to mitigate negative impacts of private vehicle travel on the environment. A GTP can be incorporated in the future detailed design at the development application stage.

### 8.3.4. Overshadowing

The Urban Design Report (at **Appendix A**) includes an assessment of potential shadowing impacts associated with the indicative concept proposal. The solar access study is assessed in accordance with the solar access provisions of the 2036 Plan.

The table below assesses the shadow impacts of the indicative concept proposal against the 2036 Plan.



Figure 21 Solar Access to Newlands Park and Ernest Place



Source: Architectus

### Streetscape – Willoughby Road

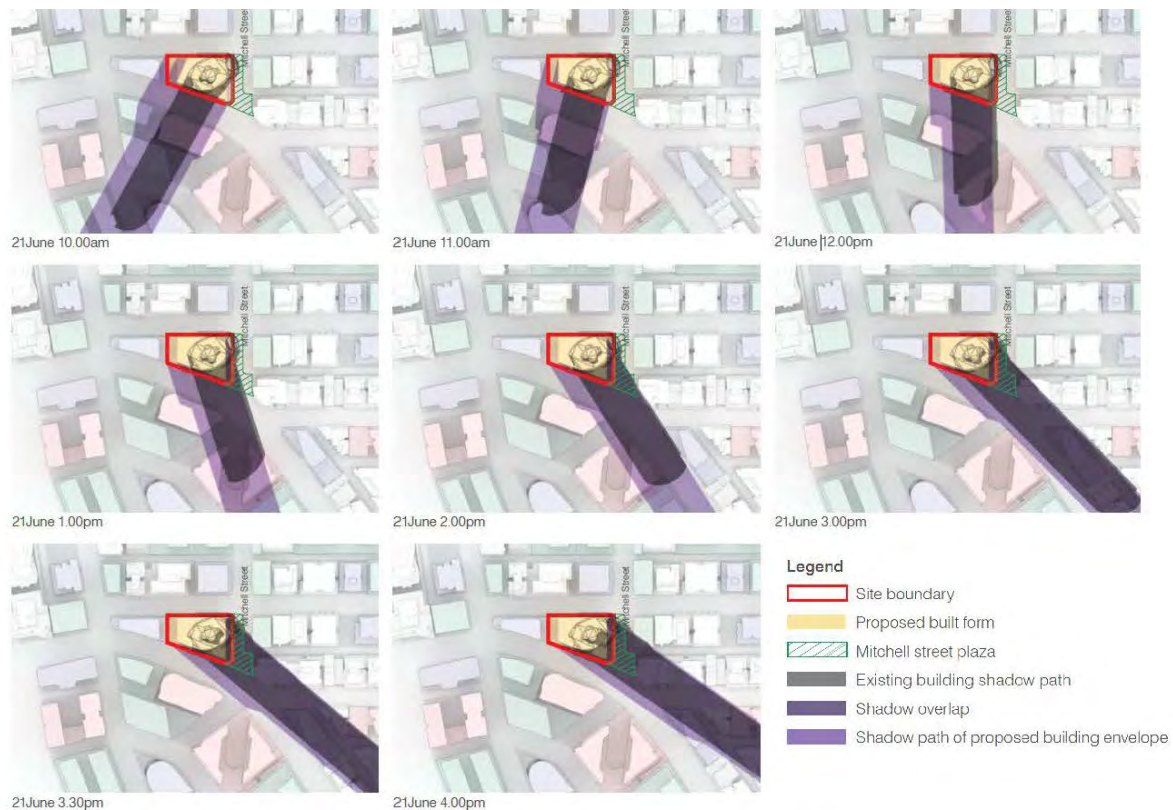
The solar access diagram at **Figure 22** above demonstrates that the indicative concept proposal does not cast any additional overshadowing to Willoughby Road between 11:30am and 2:30pm at mid-winter.

### Streetscape – Mitchell Street

The solar access diagram at **Figure 23** indicates that the indicative concept proposal does not create any additional overshadowing to the Mitchell Street Plaza beyond the shadows cast by the existing building.



Figure 22 Solar Access to Mitchell Street



Source: Architectus

## Residential Areas and Heritage Conservation Areas

Figure 23 indicates overshadowing to residential areas and Heritage Conservation Areas.

Figure 23 Solar Access to Residential Areas and Heritage Conservation Areas



Source: Architectus

**Figure 24** indicates that following additional overshadowing cast by the indicative concept proposal in mid-winter (21 June) to residential areas and Heritage Conservation Areas.

- The vast majority of residential areas inside the St Leonards and Crows Nest Precinct boundary (land zoned R4 and R3) receive 5 – 6 hours direct sunlight at mid-winter.
- A small area of land zoned R4 adjacent to the rail corridor to the south-west of the site (inside the St Leonards and Crows Nest Precinct boundary) receives 4 – 5 hours direct sunlight at mid-winter.
- The indicative concept proposal does not result in any overshadowing to the Holtermann Estate Heritage Conservation Areas (extending to the east of the site) at mid-winter.

In summary, this analysis confirms that the proposal complies with the 2036 Plan solar access provisions.

### 8.3.5. Wind

The Planning Proposal is accompanied by a Pedestrian Wind Environment Statement prepared by Windtech Consultants (at **Appendix G**) to assess the likely impacts of the indicative concept building envelope on the local wind environment that affects pedestrians in the proposed outdoor areas and communal open spaces.

The below summarises conclusions and recommendations of the Pedestrian Wind Environment Statement:

- The effect of wind activity has been examined for the three predominant wind directions for the Sydney region, namely winds from a north-easterly, southerly, and westerly direction.
- The majority of ground level pedestrian trafficable areas around the site are exposed to southerly and westerly winds as a consequence of the alignment of the site and adjacent roads to the prevailing winds.
- High-rise development to the west (619-621 Pacific Highway) and the south (including The Landmark and St Leonards Square) is expected to provide significant shielding from prevailing southerly winds.
- However surrounding high-rise development (existing and proposed) is expected to cause some funnelling of the prevailing westerly winds along Atchison Street and Pacific Highway, and adversely impact pedestrian footpaths, entrances, and seating areas along the northern portion of the site.
- Further, these high-rise developments are also expected to direct the prevailing north-easterly winds to funnel through Atchison Street and Mitchell Street, impacting the proposed lobby entrance at the street corner, the pedestrian footpaths, and proposed seating areas along the streets.
- There is the potential for the prevailing winds to impact the adjacent development to the west (619-621 Pacific Highway) and downwash down into the trafficable areas at the southern perimeter of the site.
- The proposed building setbacks (including the above podium setbacks) will assist in reducing the effect of downwash onto the ground plane from the prevailing winds.
- The following treatment strategies can be implemented into the detailed design of a future development application in order to mitigate wind effects at ground level areas:
  - Impermeable awning along the northern and eastern aspects of the podium façade.
  - Localised baffle screens or densely foliating evergreen planting within and around seating areas along Atchison Street and Mitchell Street.
  - Densely foliating evergreen planting along Pacific Highway, Atchison Street, and Mitchell Street.
- The elevated outdoor podium area is exposed to prevailing north-easterly and westerly winds, streaming along the tower's northern façade and funnelling through the gap towards the south-west. Further, prevailing southerly winds are expected to flow around the adjacent tower to the south and accelerate to the west funnelling through the gap between the subject site and the adjacent tower to the west.
- Communal terrace areas located on the upper levels are exposed to direct prevailing winds from the north-east, south, and west. Development on the adjacent site (619-621 Pacific Highway) is expected to provide some shielding to terrace areas and reduce the direct impact of the prevailing westerly winds. The prevailing north-easterly and southerly winds are expected to directly impact these terrace areas and accelerate around the north-western and south-western corners respectively into the terrace areas.
- The following treatment strategies can be implemented into the detailed design of a future development application in order to mitigate wind effects at elevated outdoor areas:

- Impermeable balustrades around the terrace areas.
- Impermeable canopy over the terrace areas.
- Densely foliating landscaping throughout the terrace areas.

The Pedestrian Wind Environment Statement does not include wind tunnel testing of future development. At this stage, the assessment addresses only the general wind effects and any localised effects identifiable by visual inspection of the indicative reference drawings (for the purpose of the indicative concept proposal). Recommendations provided in the Statement are made only in-principle.

Comprehensive wind tunnel testing and assessment of the pedestrian wind environment associated with a detailed development proposal will be required as part of a future development application for the site.

The assessment concludes that, subject to implementation of recommendations, the site is capable of accommodating a future development aligned with the Planning Proposal and relevant wind controls.

### 8.3.6. Aviation

The Planning Proposal is accompanied by a Preliminary Aeronautical Impact Assessment (**PAIA**) prepared by Avlaw Aviation Consulting (at **Appendix H**) to assess airspace constraints associated with the indicative concept proposal and identify maximum building height restrictions against prescribed airspace limits.

This PAIA assesses the current airspace protection surfaces that cover the site against the proposed maximum building height of RL276.5m. Sydney Airport airspace protection surfaces are the most relevant with respect to the site. The below summarises the PAIA findings.

Airspace Surface (Sydney Airport)	Height of surface over site
Obstacle Limitation Surfaces ( <b>OLS</b> ) – Conical Surface	156 metres AHD
Procedures for Air Navigation Services – Aircraft Operations ( <b>PANS-OPS</b> )	340 metres AHD
Radar Terrain Clearance Chart ( <b>RTCC</b> )	1100 ft / 335.28 metres AHD
Combined Radar Departure Assessment Surfaces	455m AHD (N/A)

The conclusions and recommendations of the PAIA can be summarised as follows:

- The critical airspace protection surface for operations at Sydney Airport that apply to the site is the Outer Horizontal Surface of the OLS. As this surface will be penetrated permanently by a future building and temporarily by crane(s), each will require aeronautical assessment and be classified as a “controlled activity”, requiring approval to be carried out. The OLS penetration itself should be acceptable for the reason that the site is clear of the approach and take-off areas for all runways at Sydney Airport.
- The Combined Radar Departure Assessment Surfaces should be acceptable because Sydney Noise Abatement Procedures (**NAP**) will be followed by all aircraft operating to and from Sydney Airport. This dictates that there will be no random aircraft departures deviating from Standard Instrument Departures (**SIDs**). Required safety clearances for these procedures are accounted for in the PANS-OPS surfaces.
- The minimum vertical distance between the indicative maximum building height of 276.5m AHD and the next lowest and relevant airspace protection surface (the RTCC) is 59.03m, providing a generous buffer for temporary crane activity.
- The “Northshore Lane” is the most relevant helicopter transit lane published in the *Aeronautical Information Publication-En Route Supplement Australia (AIP-ERSA)* with respect to the subject site. This helicopter transit lane is well clear to the south-east of the site.
- Airspace protected under National Airport Safeguarding Framework (**NASF**) - *Guideline H for strategically important helicopter landing sites* does not apply to the proposal. Helicopter approaches and departures at the Royal North Shore Hospital Helipad are to the north-east and south-west of the site.

The Preliminary Aeronautical Impact Assessment concludes that aviation approval can be granted subject to the temporary construction cranes and overall building envelope (inclusive of plant room and ancillary features) remaining below the Radar Terrain Clearance Chart (RTCC) height (335.28m AHD).

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

Yes. The Planning Proposal will deliver a range of economic benefits which will create a positive social on-flow effect, which in turn will realise significant public benefit through job creation and the provision of new A-grade commercial accommodation and retail uses. The economic and social benefits are summarised as:

- **Renewal of a key site:** The Planning Proposal will facilitate urban renewal of a strategically-located site and contribute to the ongoing transformation of the St Leonards centre and the Pacific Highway corridor.
- **Significant employment creation:** Future development aligned with the Planning Proposal would result in substantial direct economic benefits during the construction stage and the ongoing operation of the building (including indirect supply chain jobs). The proposal will create approximately 3,346 jobs.
- **New and greater variety of job types:** the proposal is designed to accommodate flexible office arrangements and enterprise style employment models. This will promote diversify employment opportunities. Larger commercial floorplates could suit small to medium local enterprises and high end commercial tenancies. Direct and indirect jobs will be created during the construction stages. The proposal may also contribute to the creation of additional full-time, part-time, and casual retail jobs.
- **Economic catalyst:** The development will attract significant investment growth and business activity and contribute employment generation and job diversity. It will foster investment, economic growth, and business activity to deliver a significant contribution to the North District employment generation targets.
- **Improving the quality of the commercial floorspace:** the proposal is capable of achieving high amenity A-grade office space with flexible commercial floor plate configurations to appeal to a range of markets. The development of new office space would create a more modern, flexible, and contemporary working environment. New commercial floorspace would be designed to better suit tenant needs and demand, including co-working spaces better accommodate to creative and new age industries. The provision of flexible commercial tenancies on the site could support growth in medical and allied health industry companies seeking to locate within proximity to the Royal North Shore Hospital.
- **Additional retail activity:** The proposal envisages retail uses at ground floor level which will encourage pedestrian activation and streetscape vibrancy and support Atchison Street as a new retail focus for St Leonards that leverages existing activity along Willoughby Road and the St Leonards Forum plaza.
- **Ground floor activation to the public domain:** Future redevelopment of the site will offer significant opportunities for the ground plane activation of the public domain to Atchison Street and Mitchell Street Plaza, enhancing pedestrian amenity, and contributing to night-time economy and investment. The provision of a dynamic and permeable interface to the western side of Mitchell Street, with operable and transparent lobby frontages, will enhance the role of the Plaza as a focal point for the precinct.

## 8.4. STATE AND COMMONWEALTH INTERESTS

### ***Q10. Is there adequate public infrastructure for the planning proposal?***

Yes. The Planning Proposal is informed by preliminary public infrastructure investigations that conclude:

- The Planning Proposal leverages from the existing St Leonards train station and the new Crows Nest Metro station, which provide higher frequency metro transport to allow quicker pedestrian circulation. As envisioned by the 2036 Plan, future redevelopment of the subject site has the potential to contribute to a transit orientated development and enhance walking and cycle connectivity between stations.
- Capacity exists within the road network to support future development on the site as envisaged by the Planning Proposal. The Traffic Impact Assessment (at **Appendix F**) concludes that due to an overall reduction in car parking provision at the site, the traffic generated by the indicative concept proposal will reduce from its existing condition. Given the net reduction in vehicle trips, the impact to the surrounding road network during the peak periods is expected to be negligible. A Green Travel Plan can be incorporated in the future detailed design of the site and at the development application stage.
- The existing building is serviced by utility services and connections and is located to allow future workers and visitors to utilise existing and planned infrastructure and services within the area.
- The 2036 Plan introduces a Special Infrastructure Contribution (**SIC**) scheme to ensure that development which relies on State and regional infrastructure provides a contribution to assist in the delivery and improvements of assets. However the SIC scheme only levies contributions to residential development.

### ***Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?***

No consultation with State or Commonwealth authorities has been undertaken to support the Planning Proposal. It is noted that North Sydney Council will undertake consultation with relevant state and Commonwealth public authorities following the Gateway determination.



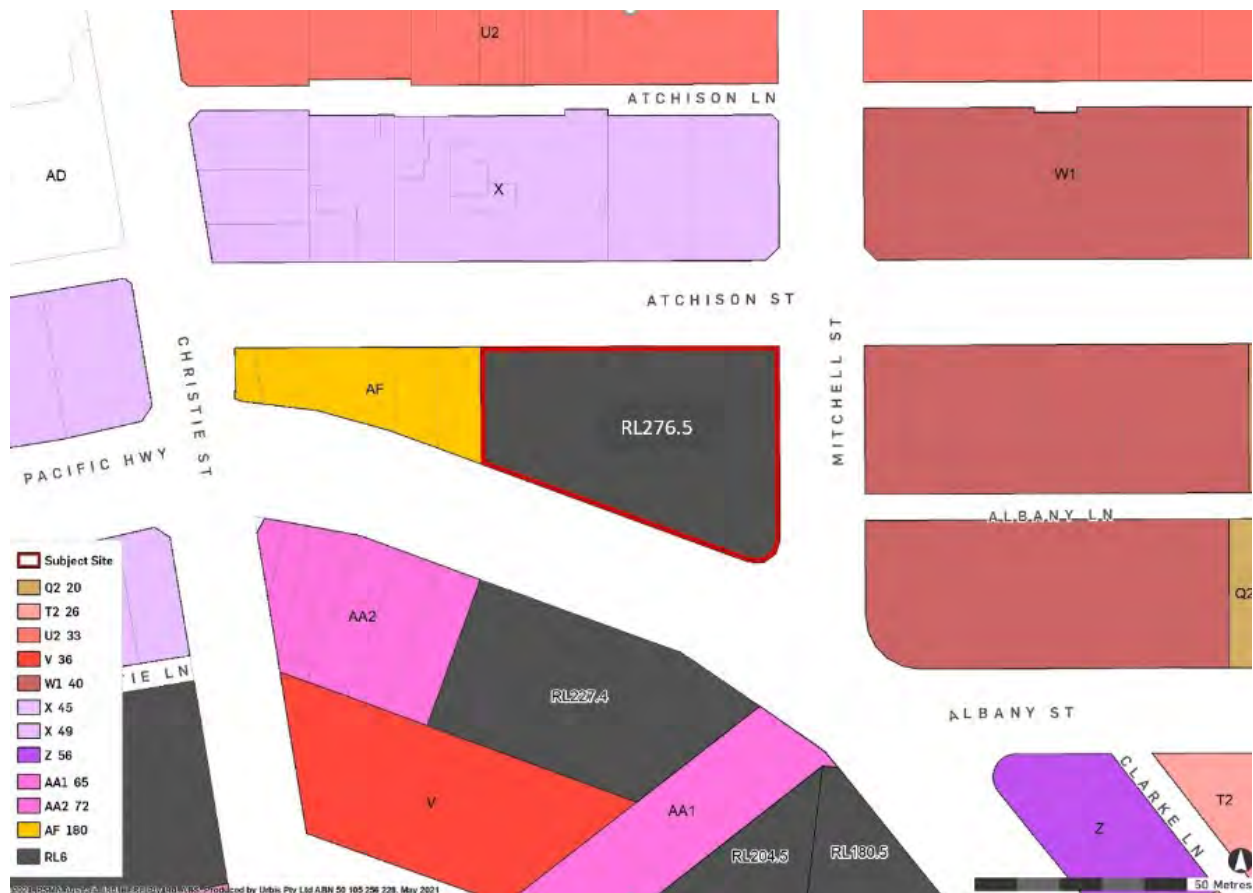
## 9. PART 4 - MAPPING

The Planning Proposal seeks to amend the following NSLEP 2013 Maps:

- Height of Buildings Map – Sheet HOB\_001
- Maximum Floor Space Ratio Map – Sheet FSR\_001

The proposed amendments to NSLEP maps are identified in the figures below.

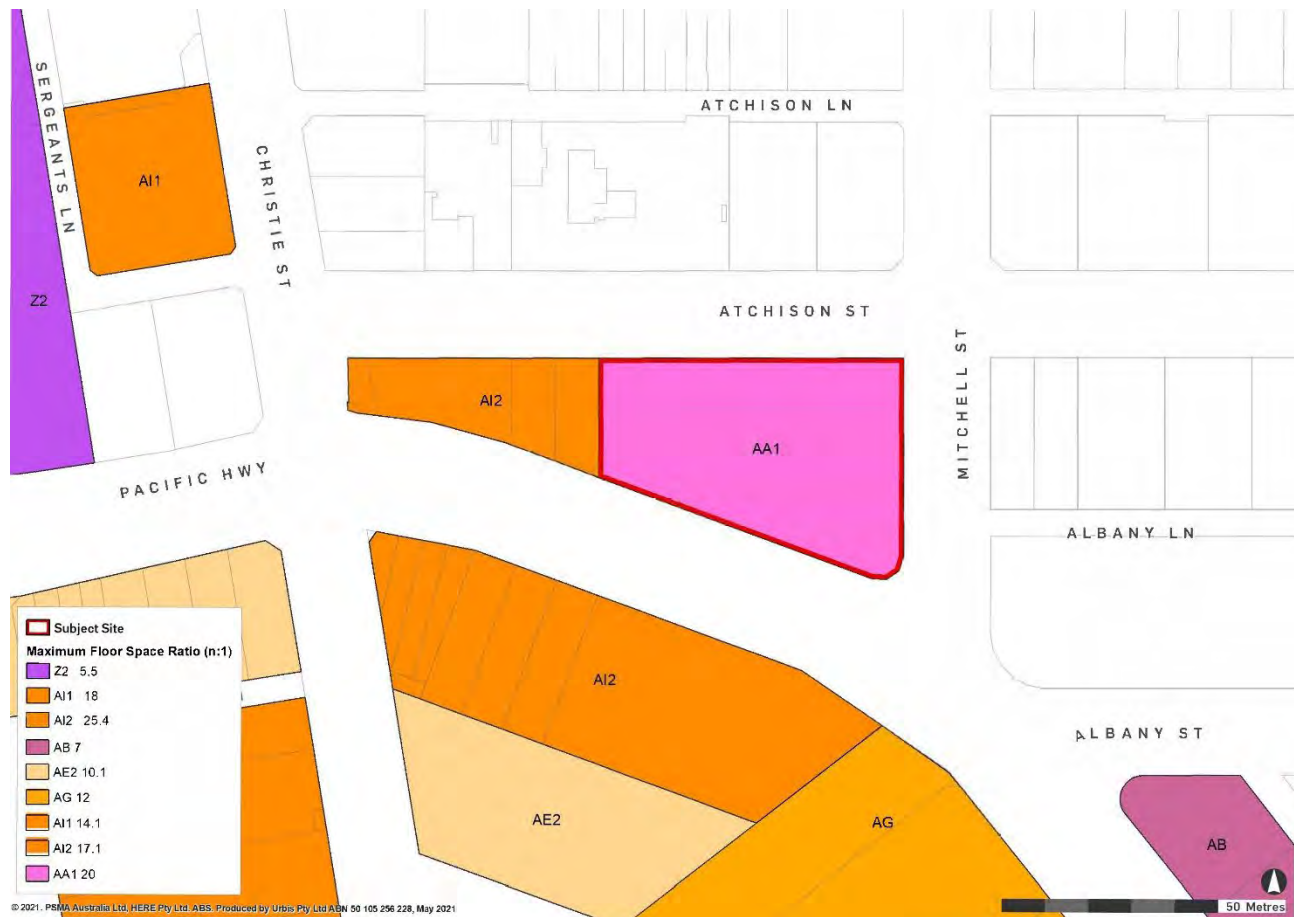
Figure 24 Amended Height of Buildings Map – Sheet HOB\_001



Source: Urbis



Figure 25 Amended Maximum Floor Space Ratio – Sheet FSR\_001



Source: Urbis

## 10. PART 5 - COMMUNITY CONSULTATION

Section 3.34 of the Environmental Planning and Assessment Act 1979 requires the relevant planning authority to consult with the community in accordance with the Gateway determination.

It is anticipated that the Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of *A Guide to Preparing Local Environmental Plans (DPE)*. It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on the North Sydney Council website.
- Written correspondence to adjoining and surrounding landowners.

As part of the public consultation process, the proponent (Stockland) will review all submissions, consult with Council and DPE (as required), and provide a written response to assist in the assessment of the Planning Proposal.

## 11. PART 6 - PROJECT TIMELINE

It is anticipated that the LEP amendment will be completed within 12 months. An indicative project timeframe is provided below.

Table 15 Project Timeline

Stage	Timeframe and / or Date
Planning Proposal submitted to North Sydney Council	December 2022
Preliminary review and consideration by Council	January 2023
Local Planning Panel recommend the Planning Proposal be submitted to DPE for Gateway Determination	March 2023
Council Meeting to submit Planning Proposal to DPE	April 2023
Planning Proposal referred to DPE for Gateway Determination	April 2023
DPE issue Gateway Determination	June 2023
Proponent response to matters in Gateway Determination	August 2023
Public exhibition and agency consultation	September 2023
Post exhibition review of submissions	October 2023
Council endorsement of Planning Proposal	November 2023
Submission to DPE for finalisation	November 2023
Legal drafting of amendment to LEP	December 2023
Gazettal of amendment to LEP	January 2024

## 12. CONCLUSION

This Planning Proposal seeks an amendment to the North Sydney Local Environmental Plan 2013 to establish planning controls that would enable high density development at 601 Pacific Highway St Leonards.

The Planning Proposal sets out the justification for the proposed LEP amendment. It is supported by an indicative concept proposal and a suite of technical documentation that provides an analysis of the site and its surrounding to demonstrate that the proposed amendment is sound and suitable for its context.

It is considered that the proposed amendments to NSLEP 2013 would enable an appropriate development outcome and generate significant economic and community benefit for the following reasons:

- From a local context perspective: The Planning Proposal has site-specific merit insofar it will facilitate future development that would achieve an appropriate built form and scale outcome for this significant site. Future development in line with the Planning Proposal will contribute to the emerging cluster of towers within the St. Leonards Centre and complement the existing and emerging character of development in the surrounding locality. The Planning Proposal is consistent with local planning objectives and outcomes, including site specific opportunities and constraints in the 2036 Plan.
- From a strategic planning policy perspective: The Planning Proposal has strategic planning merit insofar as it will positively contribute to the achievement of State and Local Government strategic planning policy, including the significant site objectives in the 2036 Plan. The indicative concept design proposes a development that will facilitate the provision of high grade and high amenity commercial office space.
- From a net community benefit perspective: The Planning Proposal has the potential to create a range of benefits for the community, including:
  - Direct economic benefits and the creation of additional employment opportunities, during the phases of construction, marketing, fitout, and ongoing operation.
  - New A-grade commercial office accommodation and easily identifiable and permeable ground level retail uses. Future uses will encourage the patronage of the locality and establish a landmark location to strengthen the realisation of St Leonards as a highly desirable place to live, work and play.
  - Public domain activation along Atchison Street, Mitchell Street Plaza, and the Pacific Highway.
- From a job creation perspective (short term): future development has potential to create approximately 3,346 full time jobs.
- The indicative concept proposal is appropriately and sensitively designed to minimise adverse environmental impacts on the locality in relation to privacy, wind, overshadowing, and traffic.
- From an urban renewal perspective: Future redevelopment of this key site will assist in the ongoing transformation and renewal of St Leonards centre through built form improvements and public domain improvements and more efficient use of land that is more aligned with commercial market demand.

The Planning Proposal achieves an appropriate balance of strengthening commercial and employment focus and capitalising on its strategically location and frontage to the Pacific Highway and the associated amenity and public transport facilities provided in this part of the St Leonards Strategic Centre. Overall, it is demonstrated that the Planning Proposal would result in significant public benefits by creating new planning controls and a public benefit offer that would facilitate future redevelopment of a key urban renewal site.

Taking into consideration the significant and tangible economic and public community benefits of the Planning Proposal, it is respectfully requested that the North Sydney Council resolve to forward this Planning Proposal to the NSW Department of Planning and Environment for LEP Gateway determination.

## 13. DISCLAIMER

This report is dated 20 December 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Stockland (**Instructing Party**) for the purpose of Draft (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

# APPENDIX A   **APPENDIX**









Prepared for:  
Stockland  
Revision F  
Date: January 2023

Concept urban design report for planning proposal

# St Leonards 601 Pacific Highway



601

Architectus Australia Holdings Pty Ltd.  
ABN 90 131 245 684

Nominated Architect  
Managing Director  
Ray Brown  
NSWARB 6359


Adelaide  
Lower Ground Floor  
57 Wyatt Street  
Adelaide SA 5000  
Australia  
T +61 8 8427 7300  
adelaide@architectus.com.au

Melbourne  
Level 25, 385 Bourke Street  
Melbourne VIC 3000  
Australia  
T +61 3 9429 5733  
F +61 3 9429 8480  
melbourne@architectus.com.au

Perth  
QV1 Upper Plaza West  
250 St. Georges Terrace  
Perth WA 6000  
Australia  
T +61 8 9412 8355  
perth@architectus.com.au

Sydney  
Level 18, MLC Centre  
19 Martin Place  
Sydney NSW 2000  
Australia  
T +61 2 8252 8400  
F +61 2 8252 8600  
sydney@architectus.com.au

architectus.com.au

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	E- Revised Final to Client 08/12/22	Approved by: Michele McSharry
	F- Revised Final to Client 10/01/23	Approved by: Michele McSharry
Report contact	Michele McSharry Senior Associate, Urban Designer	
This report is considered a draft unless signed by a Director or Principal	Approved by: 	

Pacific Highway, the major North South connector following the ridge-line, will have an exciting new landmark tower on its iconic bend in St Leonards.

# Contents

Executive summary	4
<b>1.0 Introduction</b>	<b>5</b>
1.1 Purpose of this report	6
1.2 The site	7
<b>2.0 Planning context</b>	<b>9</b>
2.1 Strategic context	10
2.2 Building heights and density in centres of Sydney	13
2.3 St Leonards and Crows Nest 2036 Plan	14
2.4 Local Council planning controls	16
2.5 Approved and pending local approvals	17
<b>3.0 Site analysis</b>	<b>21</b>
3.1 Site location	22
3.2 Site character	23
3.3 Site analysis	27
3.4 Summary of opportunities and constraints	39
<b>4.0 Developing the indicative concept design</b>	<b>43</b>
4.1 Principles	44
4.2 Key moves	46
4.3 Option summary	50
<b>5.0 The indicative concept design</b>	<b>53</b>
5.1 Indicative concept design	54
5.2 Indicative floor plan	59
5.3 Indicative Sections	78
5.4 Floor-plate analysis	79
<b>6.0 Assessment</b>	<b>81</b>
6.1 Solar amenity	82
6.2 Shadow analysis	83
6.3 Visual impact	84
6.4 Aviation height limits	86
<b>7.0 Conclusion</b>	<b>87</b>
7.1 Conclusion and recommendations	88

Executive summary

Purpose of this report

Architectus has prepared this Urban Design Report on behalf of Stockland Development Pty Ltd to support a Planning Proposal to amend the statutory planning controls that apply to 601 Pacific Highway, St Leonards (Lot 71 in Deposited Plan 749690) (the site) under North Sydney Local Environmental Plan 2013 (LEP).

The intended outcome of this Planning Proposal is to amend the LEP planning controls as follows:

- Establish a site-specific building height control, with maximum building height of 187.25 metres; and
- Establish a site-specific floor space ratio (FSR) control, with a maximum FSR of 20:1.

The Planning Proposal does not amend the site’s existing B3 Commercial Core zoning. Future development aligned with the Planning Proposal is consistent with the permissible land uses and objectives of Zone B3.

The new planning controls seek to unlock the potential of a strategically-located landholding within the St Leonards centre and facilitate a new commercial building in a precinct earmarked for density uplift.

This Planning Proposal will deliver strategic planning merits commensurate with State and Local government policy and align with the St Leonards and Crows Nest 2036 Plan adopted by NSW Department of Planning, Industry and Environment (DPIE) (August 2020). Future development of the site will generate substantial public benefit and make a significant contribution to the evolving character of St Leonards town centre.

The primary purpose of this report is to accompany a Planning Proposal for the subject site. A detailed urban design analysis and indicative concept plan have been developed demonstrating the land use, massing, building form, and an overall building height and floor space ratio for the site. This has been developed with consideration for adequate building separation, and assessment of solar impacts to public domain and neighbouring properties.

In 2020 DPIE adopted the St Leonards and Crows Nest 2036 Plan proposing revised controls for the subject site. The proposal has been prepared to demonstrate that development on the subject site is aligned with the proposed controls in the St Leonards and Crows Nest 2036 Plan, and that the proposal can be accommodated without additional overshadowing impacts to nominated parks and open spaces. An indicative concept design has been prepared that includes indicative basement car parking arrangements, ground level street address, above ground podium, and commercial uses above.

The site and strategic context

The site is located at 601 Pacific Highway in St Leonards town centre, within a 400m walking catchment of both the existing St Leonards railway station and proposed Crows Nest Metro Station .

The site is approx. 2,844 sqm in a rectangular shape, bounded by the Pacific Highway to the south, Mitchell Street to the east and Atchison Street to the north. It is extremely well supported by public transport, and at present contains a 14 storey commercial tower.

One of the key open space and public domain elements in St Leonards town centre, Mitchell Street Plaza, is located along the eastern boundary of the site and provides a excellent opportunity for interface with the ground floor of the proposal.

The North Sydney Local Environmental Plan (LEP) zones the site B3 Commercial Core, with a maximum building height of 49m, and is not subject to a maximum FSR control. East of the site is the B4 Mixed Use zone. The St Leonards and Crows Nest 2036 Plan indicates a proposed height of 42 storeys and an FSR of 20:1 for the site.

The 2036 plan seeks to unlock the potential of a strategically-located landholdings within the St Leonards centre and facilitate a new commercial building in a precinct earmarked for density uplift. This proposal will deliver strategic planning merits commensurate

with State and Local government policy and align with the St Leonards and Crows Nest 2036 Plan. Future development of the site will generate substantial public benefit and make a significant contribution to the evolving character of St Leonards town centre.

Design options tested

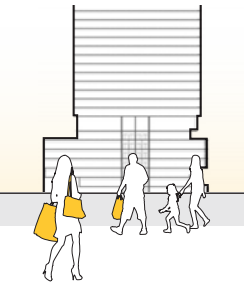
Architectus has developed principles for the site in regards to built form, public domain and character. These include:

- Development on the site should contribute to and reinforce the significance of St Leonards town centre, as a strategic centre on key transport links.
- The development should be a landmark on this iconic corner of the Pacific Highway and at the highpoint of St Leonards town centre,
- Active lobby frontages to Mitchell Street and Atchison Street, and a retail offer on the Pacific Highway will make a significant improvement to the public domain and constitute an important public benefit.
- Building setbacks and public open space along Mitchell Street should improve pedestrian amenity in the walking catchments to St Leonards railway station and proposed Crows Nest Metro Station.

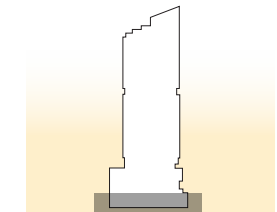
The Proposal

This report presents an indicative concept design for the subject site that results in the following:

- 20:1
- A commercial development with a 20:1 ratio for future employment opportunities;
  - A podium providing activation to Atchison Street and Mitchell street plaza.



- An active ground plane will contribute to Mitchell Street Plaza and engage the public realm



- A new commercial tower above the podium to a maximum height of 187.5m (42-storeys)

601 Pacific Highway St Leonards can reinforce the position of St Leonards as a priority growth area in metropolitan Sydney. Being one of the last remaining large sites in the town centre and given its iconic location on the Pacific Highway between St Leonards Train Station and the proposed Crows Nest Metro Station, the site represents an exciting opportunity to add to the St Leonards skyline with a landmark commercial development.

# 1.0 Introduction

## 1.1 Purpose of this report

## 1.2 The site



1.1 Purpose of this report

The concept urban design report has been prepared by Architectus on behalf of Stockland for land at 601 Pacific Highway, St Leonards (the subject site).

The primary purpose of this report is to accompany a Planning Proposal for the subject site, which has been prepared to be consistent with the vision and actions of the St Leonards and Crows Nest 2036 Plan endorsed by DPIE. A detailed urban design analysis and indicative concept plan has been developed demonstrating the future potential distribution of land uses, massing, building form, and an overall building height and floor space ratio for the site. This has been developed with consideration for adequate building separation, and assessment of solar impacts to public domain and neighbouring properties.

To demonstrate that development on the subject site is feasible, an indicative concept plan has been prepared that includes indicative basement car parking arrangements, ground level street address, above ground podium, and commercial uses above.

The indicative concept plan shows one way in which the site could be redeveloped under the controls sought by the Planning Proposal.

Report Objectives

The objectives of this report are to:

1

Investigate the strategic context of the site in light of St Leonards and Crows Nest as Strategic Centres, leveraging the proposed metro station.

2

Present the site's strategic planning context, local character and existing planning controls.

3

Review and understand North Sydney Council's controls and visions of the DPIE St Leonards Crows Nest 2036 Final Plan for the site and Council's vision for the St Leonards town centre.

4

Understand in detail the features and character of the site, its opportunities and constraints and its potential for renewal.

5

Identify appropriate urban design and architectural principles for the site.

6

Develop key moves for the site based on the understanding of the site achieved through the analysis, and on the implementation of the urban design principles.

7

Test potential development scenarios against the urban design and architectural principles and key moves, and identify a preferred option.

8

Prepare an indicative concept design that demonstrates the development potential of the site and the most appropriate built form and public domain.

9

Provide a preferred planning and urban design recommendation that achieves the best outcome for both the site and the community. The best outcome should be one that celebrates the site's strategic context whilst reinforcing the local character and enhancing public domain.



## 1.2 The site

### Site context

The site is strategically located within the North Sydney Local Government Area (LGA). It is within five kilometres of Central Sydney, three kilometres of North Sydney CBD and is centrally located in St Leonards Town Centre.

The site is well supported by public transport, located within 400m of the existing St Leonards Train Station and proposed new Crows Nest Metro Station. The site is also well serviced by existing bus services, providing connections to key centres including Epping, Lane Cove, Chatswood and Sydney CBD. The site also has good road access, being located on the Pacific Highway, and fronting Atchison Street.

Gore Hill Park, to the west of the site provides a significant regional park, which contains sporting and recreational facilities. The Hume Street Park on the edge of St Leonards is also in close proximity.

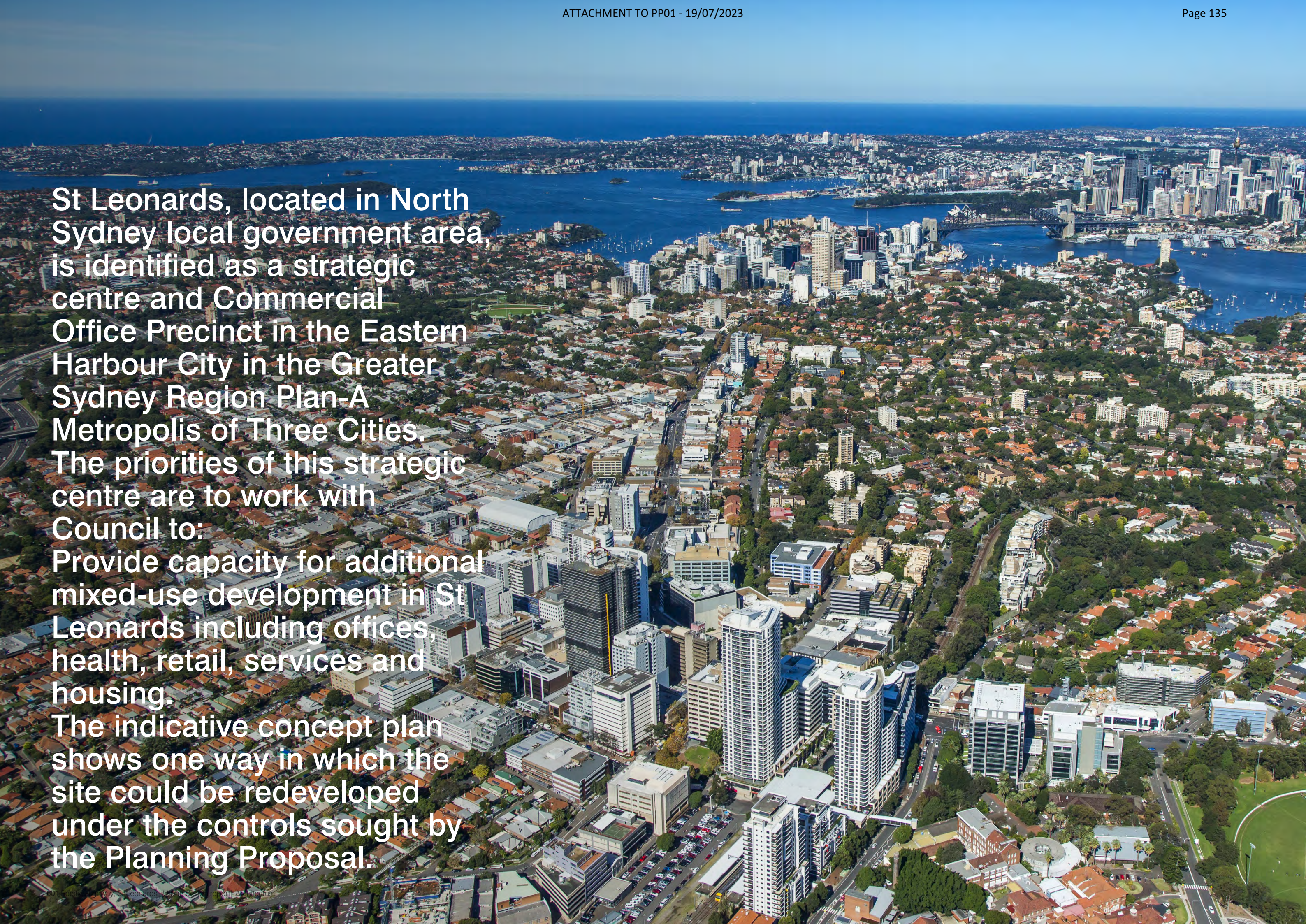
Royal North shore Hospital and the Gore hill business Park, as well as Artarmon Industrial Precinct, all provide for a diversity of job types and opportunities to the west of St Leonards station. The planned Gore Hill Technology Park to the north-west of the site will provide new jobs in St Leonards.

The site's proximity to local and strategic centres, public transport and open space make it an appropriate location for increased density and height.



Site context map in priority precinct





St Leonards, located in North Sydney local government area, is identified as a strategic centre and Commercial Office Precinct in the Eastern Harbour City in the Greater Sydney Region Plan-A Metropolis of Three Cities. The priorities of this strategic centre are to work with Council to:

- Provide capacity for additional mixed-use development in St Leonards including offices, health, retail, services and housing.

The indicative concept plan shows one way in which the site could be redeveloped under the controls sought by the Planning Proposal.





## 2.0 Planning context

2.1 Strategic context

2.2 Building heights and density  
in centres of Sydney

2.3 St Leonards and Crows Nest 2036 Plan

2.4 Local Council planning controls

2.5 Approved and pending local approvals



## 2.1 Strategic context

### Greater Sydney Region Plan: A metropolis of three cities

The Greater Sydney Region Plan, finalised in March 2018, is the new metropolitan plan for Sydney. The plan provides a 40-year vision of Sydney for a city where people will live within 30 minutes of jobs, education and health facilities, services and great places.

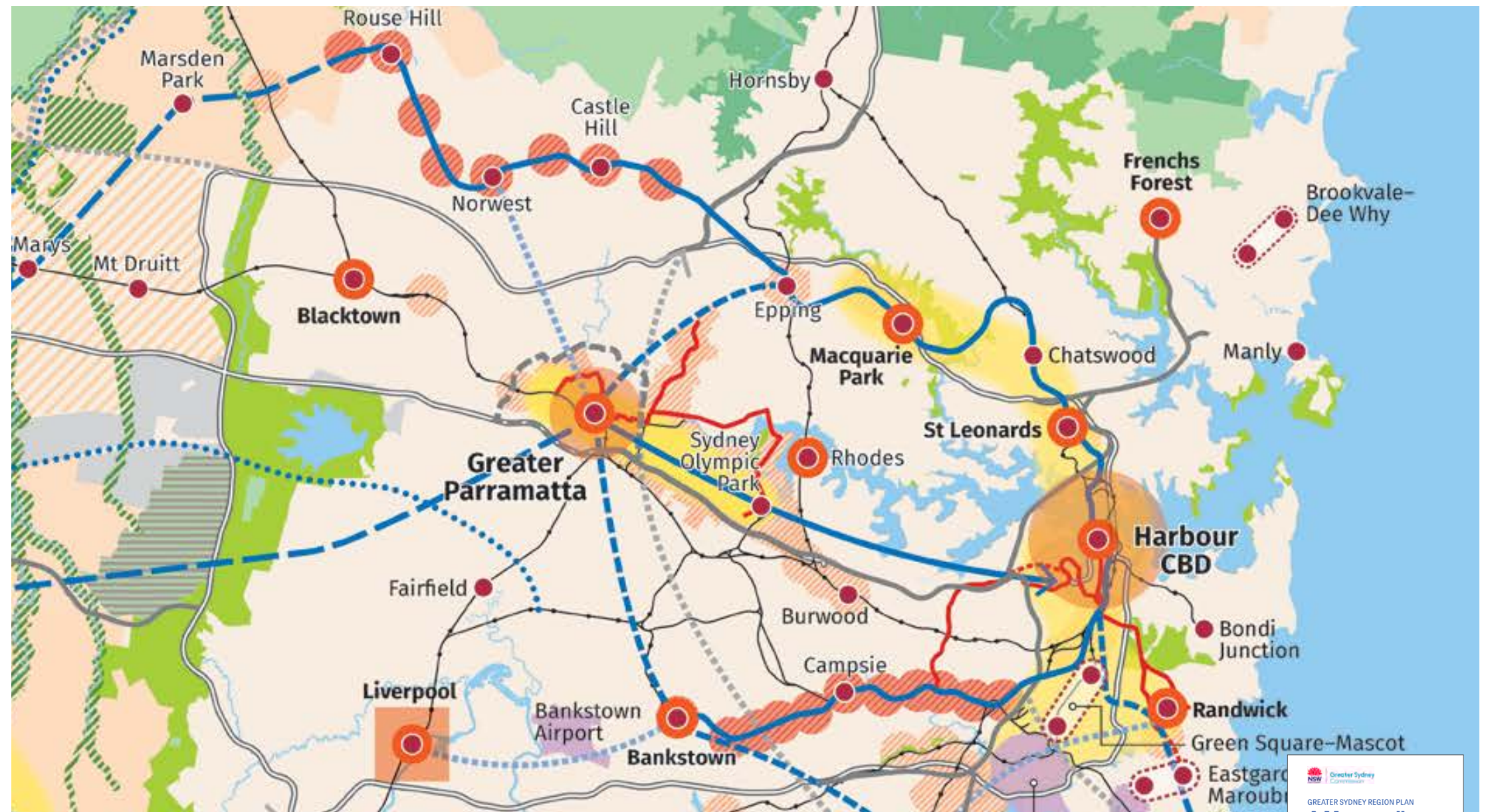
The vision seeks to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities - the Western Parkland City, the Central River City and the Eastern Harbour City.

The site is located within the Harbour CBD in the Eastern Harbour City, which will build on its credentials and leverage its strong financial, professional, health and education sectors and extend its capabilities with an innovation precinct that will boost productivity and global connections.

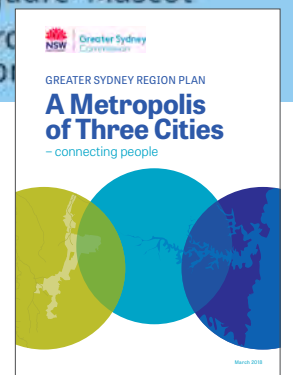
The Plan provides ten key directions for a metropolis of three cities. Key directions and objectives relevant to 601 Pacific Hwy include:

- Jobs and skills for the city: creating the conditions for a stronger economy.
- 'A city in a landscape' objective- the planning proposal will provide significant opportunities to contribute to the accessibility, activation and enhancement of the public domain.

This proposal will facilitate the renewal of the site, which will provide more jobs closer to homes, and businesses connected to a large skilled workforce, supported by an effective public transport network. These benefits maximise opportunities to attract higher density and higher residential amenity, which will enhance the vibrancy of the strategic centre, and support walk-able neighbourhoods.



Structure plan for the Metropolis of three cities, Greater Sydney Commission, 2018





Strategic context

St Leonards and Crows Nest 2036 Plan

In 2020, the Department of Planning, Industry and Environment (DPIE) finalised the package planning for St Leonards and Crows Nest, which includes the St Leonards and Crows Nest 2036 Plan. The 2036 Plan leverage the existing public transport infrastructure and the future Crows Nest Metro Station to support the growing St Leonards and Crows Nest community with the provision of new infrastructure, open spaces, upgraded cycle lanes and planning for health and education. The plan will deliver 6,680 new homes, planning capacity for an extra 119,979 sqm employment floor space and 16,500 new jobs in health, education, professional services and the knowledge sector.

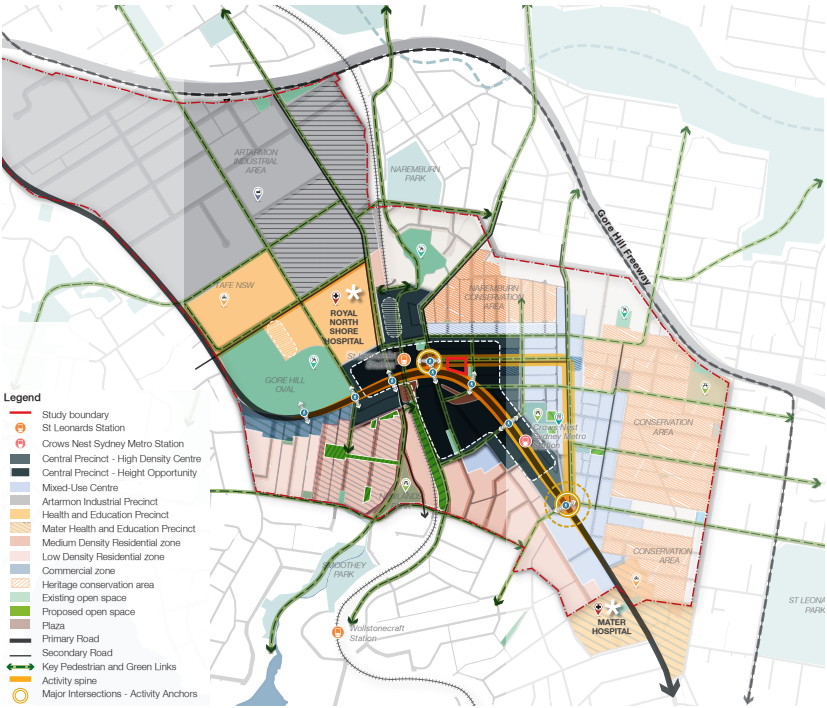
Based on the Department's studies, there is strategic merit and opportunity for the 601 Pacific Highway to deliver increased employment densities, that would provide employment space, focused around an efficient public transport network.

The site is identified as being located in an 'area for higher density between stations', and that large developments are to be located between the stations. The focus of height is referred to as the 'knuckle area' within the St Leonards mixed use commercial core.

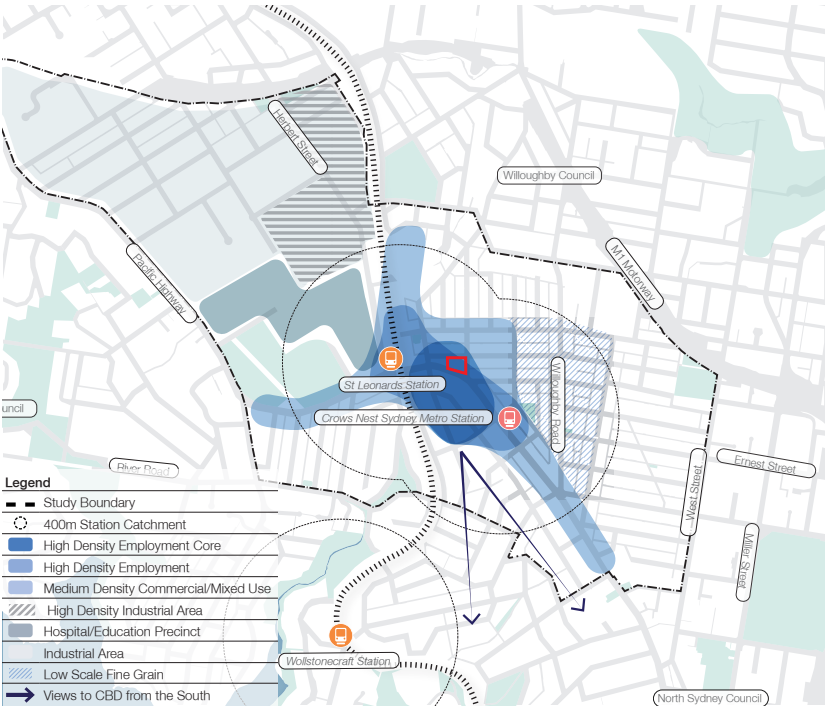
Key opportunities for the site to deliver on the objectives of the plan include:

- Increased height and densities as a result of the new metro station;
- Increasing the offering of employment floorspace via the redevelopment of older stock into new developments;
- Improving and strengthening existing connections to open space and public transport;
- Protecting and enhancing district views to Naremburn Park.

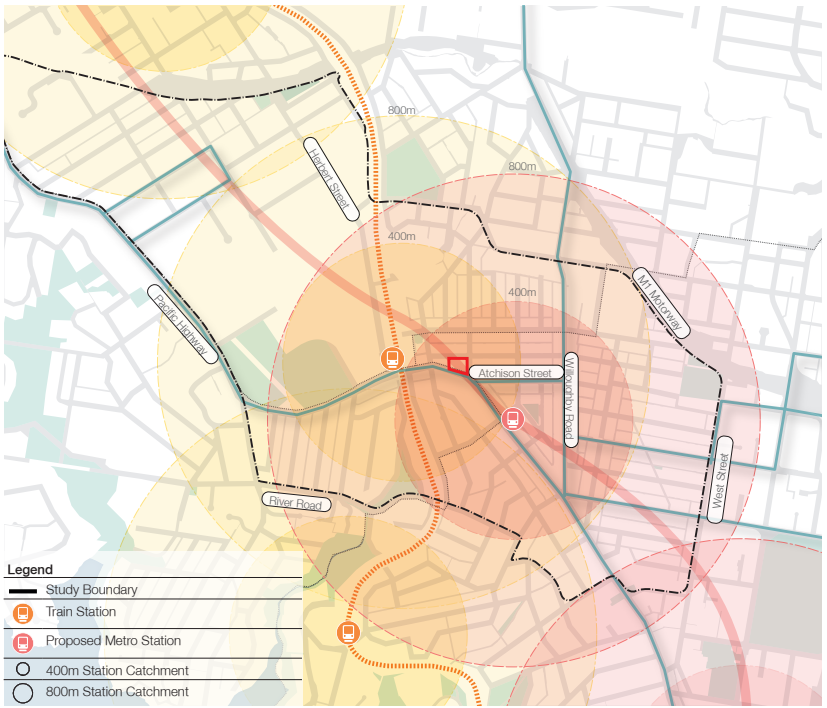
Key directions for the subject site are illustrated in the plans from the St Leonards and Crows Nest 2036 Plan to the right.



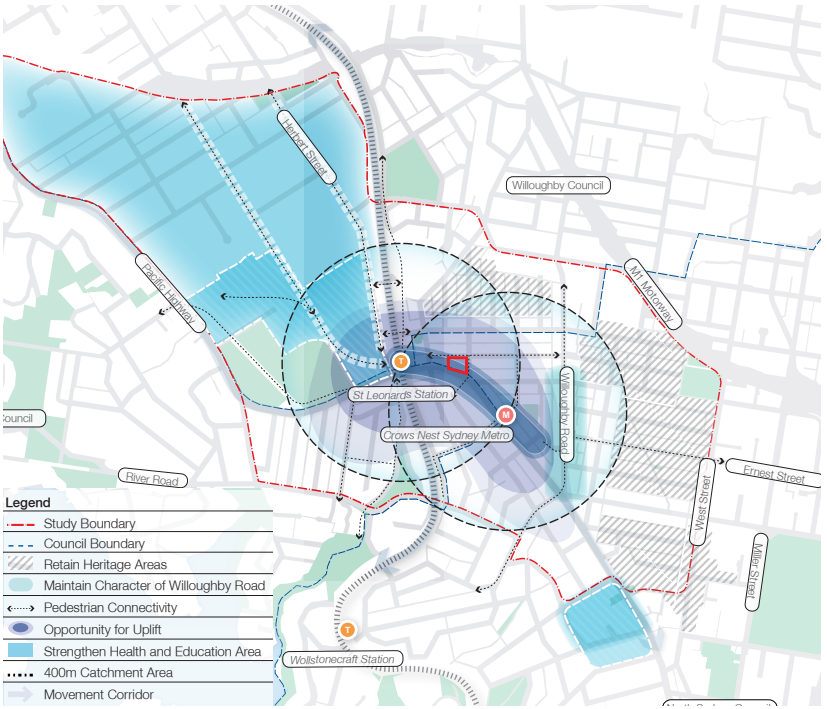
The strategy identifies the site as an appropriate location for potential increase in height and density, located within the St Leonards CBD and along the Pacific Highway.



The site is identified in the St Leonards high density employment core. This will be supported by a contiguous provision of employment along the Pacific Highway Corridor south and west. Through new mixed use development.

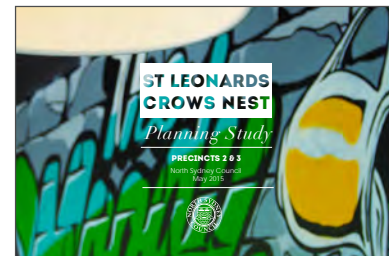


The strategy identifies the site within both the St Leonards Train Station and Metro Station catchment. There is also opportunity to improve and strengthen existing connections from the site to existing and proposed infrastructure.



The site is identified within an opportunity corridor for potential uplift along with improved pedestrian connectivity.



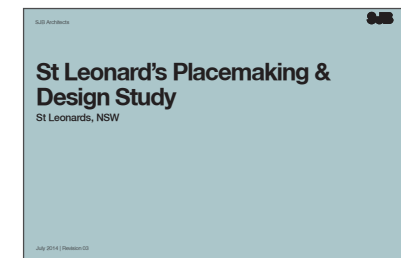


100

Precinct 2, within the high

- Strong public transport connections;
- 'Fine bones' of a creative precinct;
- A few 'anchor' establishments;
- North/ south streets running along Mitchell and Oxley Streets; and
- Potential to activate lane ways.

- Deliver award-winning architectural design offering quality mixed use and commercial development;
- Create a built form that transforms St Leonards into a modern, mixed use centre;
- Consider additional residential and employment capacity to meet the demand for new jobs and housing in the LGA;
- Provide a human scale to streets and laneways and
- Provide greater pedestrian amenity and outdoor dining opportunities.

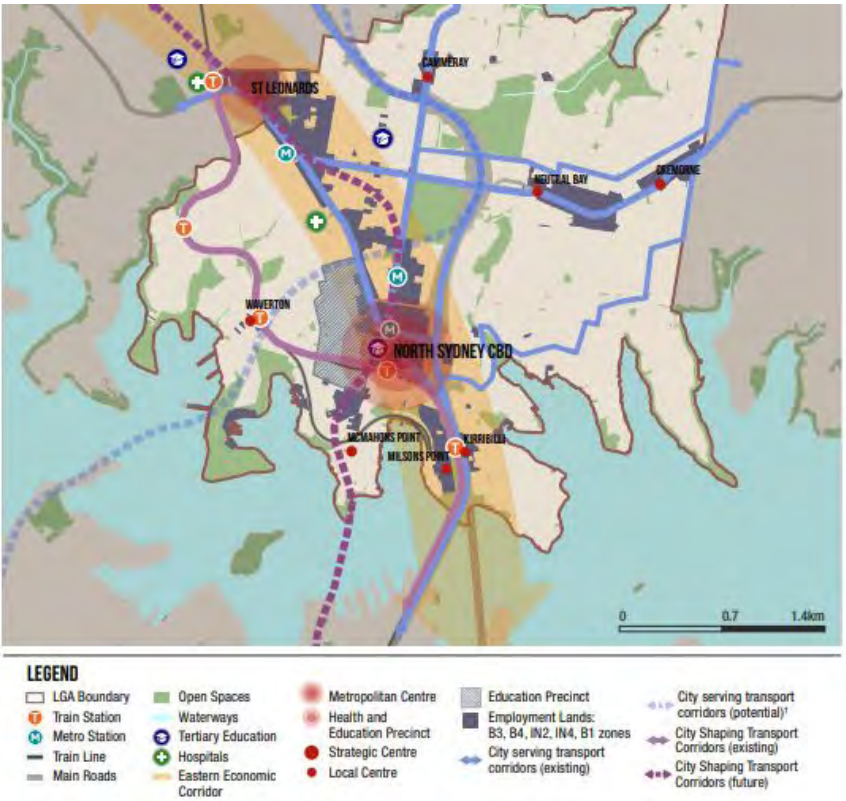


of North Sydney

uses and attractions within the area.

The study provides an assessment framework which identifies the site in Zone 2, Mitchell Street West. Key objectives for development in the area are to:

- Reflect the high density character of this zone;
- Encourage through site links and ensure activity and surveillance is achieved at the ground plane;
- Promote commercial development within the podium;
- Ensure a level of high residential amenity is achieved.



Local economy and employment. Source: North Sydney Council LSPS 2020

**North Sydney Local Strategic Planning Summary (LSPS)**

The LSPS , adopted in March 2020 sets out Council's land use vision, planning principles, priorities, and actions. One of the key roles of the LSPS is to draw together, in one document, the priorities and actions for future land use planning, and present an overall land use vision for the North Sydney Local Government Area (LGA) for the next 20 years. This will assist in identifying priorities outside Council's responsibilities, which require collaboration and partnership with government agencies and organisations to deliver.

The LSPS outlines the desired future direction for housing, employment, transport, recreation, environment, and infrastructure for North Sydney LGA.

The LSPS guides the content of Council's LEP and DCP and supports consideration and determination of any proposed changes to the development standards under the LEP (via Planning Proposals).

Specifically the plan outlines:

- An approach for Council to work collaboratively with the State Government to maximise and lock-in the regional mode shift benefits of Sydney Metro, as well as support the delivery of the State Government's principal bicycle network.
- Improving walking and cycling infrastructure within walking and cycling catchments of centres that provide access to high quality public transport will be a priority
- The intensification of health and education facilities at St Leonards will continue to support jobs growth within the precinct. Supporting all the opportunities that the existing education, medical, telecommunications and multimedia clusters can bring will ensure North Sydney remains competitive and nationally significant.



## 2.2 Building heights and density in centres of Sydney

Comparative centres such as Parramatta, Chatswood, Burwood, Green Square and Epping Town Centre with major transport links to some of Sydney's key employment centres are currently undergoing significant growth, resulting in increased densities and building heights.

Given the role of St Leonards as a strategic centre in the eastern economic corridor, there is scope to review heights and densities on this key site close to transport.

As a point of comparison, a summary of comparable growth areas are shown to the right. It is anticipated that future growth and increased densities and building height in St Leonards will be comparable with these centres.



### Parramatta (Metropolitan City Centre)

A review of planning controls by Parramatta Council recommended the removal of maximum building height controls in the City Centre, with expected development of 35-75 storeys. The approved 'Aspire' tower, located on Parramatta Civic Square near Parramatta Train Station is currently under construction. The building is a commercial tower which will comprise 120,000m<sup>2</sup> of office space and be 233 metres in height.



### Green Square (Strategic Centre)

Towers in Green Square Town Centre are up to 28 storeys. The majority of the wider Green Square Renewal Area, consists of a typology of lower perimeter blocks and tall, slender buildings marking corners, providing landmarks.





### **Epping Town Centre (Strategic Centre' and Priority Precinct)**

Building heights in Epping town centre are between 48m and 72m (approximately 15-23 storeys).

Planning proposals have been approved recently with proposals considering development up to 30-35 storeys.



### **Chatswood (Strategic Centre)**

The centre is currently being reviewed to investigate further transit oriented development opportunities. Currently, building heights allowing up to 55 storeys apply.



### **Burwood (Strategic Centre)**

Towers in the Burwood Strategic Centre are up to 42 storeys. A vibrant mix of uses are emerging, including high density residential, to create an extended hours urban retail centre for Burwood Town Centre;



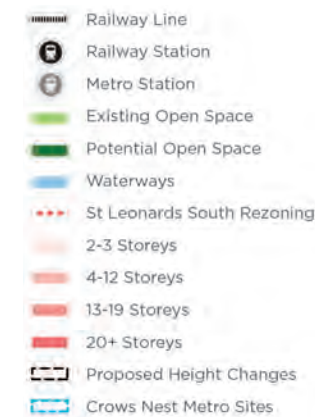
## 2.3 St Leonards and Crows Nest 2036 Plan

The following maps show the proposed planning control changes under the DPIE St Leonards and Crows Nest 2036 Final Plan (referred to in this report as 2036 Final Plan).

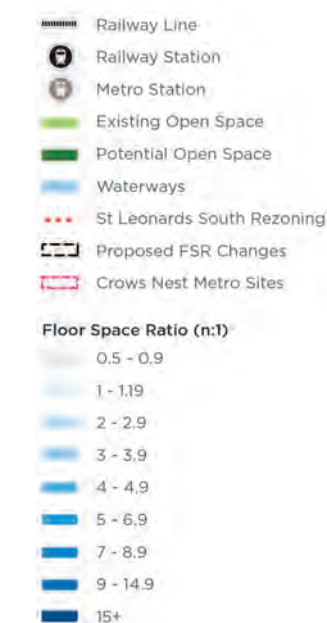
### Key Planning control changes for the subject site include:

- Increase the maximum building height to 42 storeys
- Retain the existing B3 commercial core land-use
- Introduce a new maximum floor space ratio (FSR) of 20:1.
- Street setbacks:
  - 0m along Atchison Street
  - 5m along Mitchell Street
  - 3m ground level setback along Pacific highway
- 5 Storey street wall height
- Newlands Park should not be further overshadowed between 10am to 3pm.

Proposed Height of Buildings plan

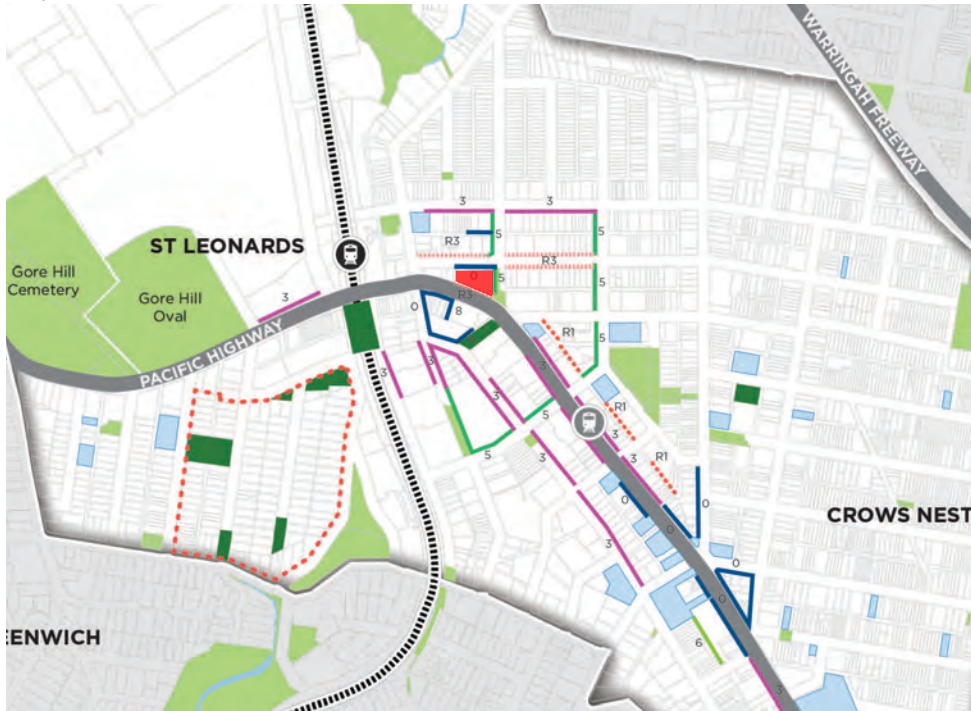


Proposed FSR plan



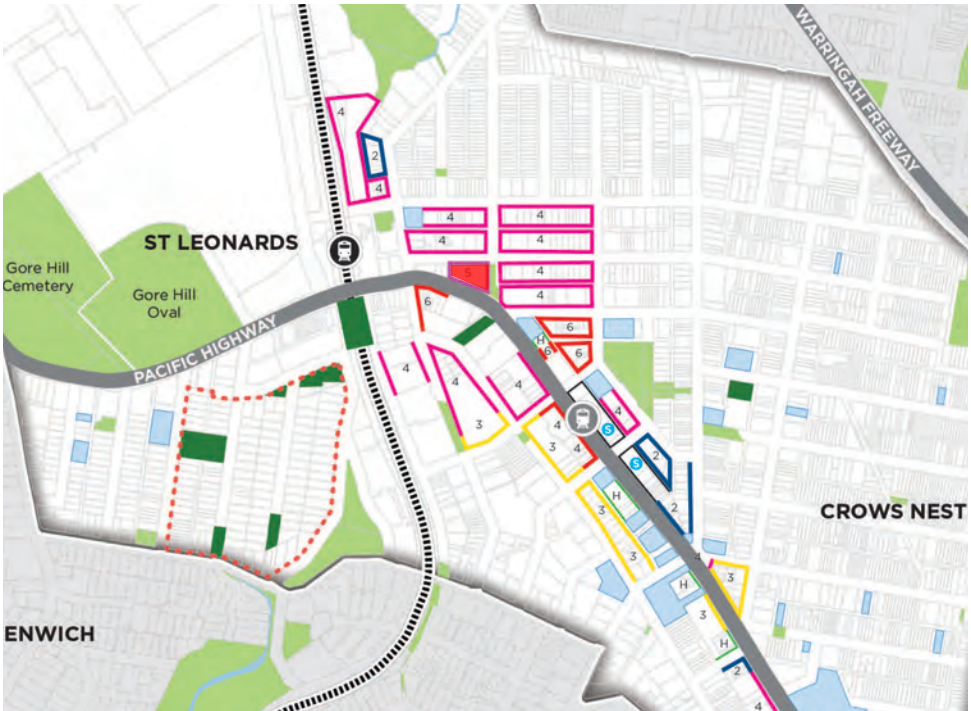


Proposed street setbacks



- Railway Line
- Railway Station
- Metro Station
- Existing Open Space
- Potential Open Space
- Waterways
- St Leonards South Rezoning
- 3m reverse setback
- 1m reverse setback
- 0m setback
- 3m setback
- 5m setback
- 8m setback for laneway
- Heritage

Street wall heights



- Railway Line
- Railway Station
- Metro Station
- Existing Open Space
- Potential Open Space
- Waterways
- St Leonards South Rezoning
- 2 storey street wall height
- 3 storey street wall height
- 4 storey street wall height
- 5 storey street wall height
- 6 storey street wall height
- As adjoining heritage storey wall height
- Heritage
- Street Wall Height Subject to Final Crows Nest Metro Station Design

Solar access plane



Public Open Space 10.00am - 3.00pm

- 1 Christie Park
- 2 Newlands Park
- 3 St Leonards South (indicative)
- 4 Propsting Park
- 5 Hume Street Park
- 6 Ernest Place
- 7 Gore Hill Oval
- 8 Talus Reserve

Streetscape 11.30am - 2.30pm

- 9 Mitchell Street and Oxley Streets
- 10 Willoughby Road

Residential Areas 9.00am - 3.00pm

- 11 Residential areas inside boundary (for at least 2 hours)
- 12 Heritage Conservation Areas inside boundary (for at least 3 hours)
- 13 Residential outside boundary (for the whole time between 9am and 3pm)







2.5 Approved and pending local approvals

Existing building heights in St Leonards are up to about 35 storeys. Several planning proposals and development applications will exceed this height, with towers up to 50 storeys.

#	Site address	Development	Building height
A	100 Christie Street	LEP changes gazetted.	132m 36 storeys
B	20-22 Atchison Street	2036 Strategy allows increased building height	35 storeys
C	50-56 Atchison Street	DA documentation being prepared	56m (16 storeys )
D	617-621 Pacific Highway	DA documentation being prepared	180m (approx. 50 storeys)
E	23-25 Atchison Street	Approved	56m, 16 storeys
F	8-90 Christie Street, 546-564 Pacific Highway + 71-70 Lithgow Street	Under Construction	T1 - no change (RL227.4) T2 - no change (RL168) T3 - 16 (45m)
G	500, 504-520 Pacific Highway	Constructed	44 storeys (RL 227.4)
H	575-583 Pacific Highway	LEP changes gazetted	56m
I	7-11 Albany Street	Approved mixed use buildings	13 storeys
J	472-494 Pacific Highway	Constructed 2 x mixed use buildings	36 and 28 storeys (2 towers) (RL204.5 and RL180.5)
K	46 Nicholson Street	LEP changes gazetted	RL174.95
L	29-57 Christie Street	DA approved	Tower A - 8 storeys (RL115.20) Tower B - 12 storeys (RL130) Tower C - 18 storeys (RL 151.40)
M	Crows Nest OSD *as per amended application (September 2020)	Concept Development Application - Post exhibition phase.	Site A - approx 21 storeys (RL175.6) Site B - approx 17 storeys (RL155) Site C - approx 9 storeys (RL127)



- Legend
- Buildings under construction
  - DA Approved/ DA being prepared
  - Likely development (under the 2036 Final Plan)
  - Commercial use for subject site
  - Site boundary

Development context plan



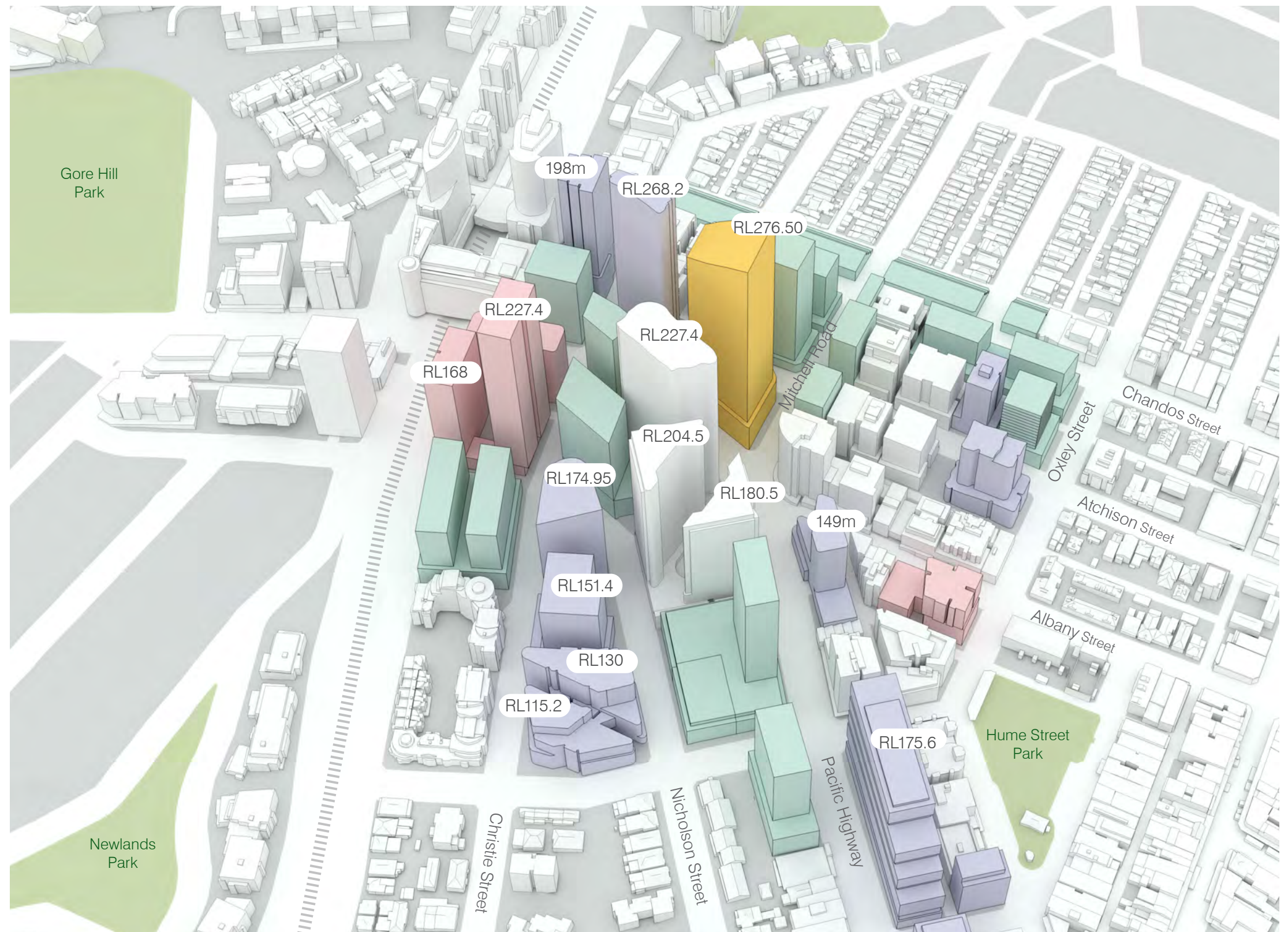
## Approved and pending local approvals

### Building heights

The proposed indicative building envelope for the subject site would be the highest of current proposals in St Leonards Town Centre.

We believe that this scale is appropriate for the following reasons:

- The site is in an iconic location at the bend in the Pacific Highway
- The site is located at the topographic high point of the town centre
- It is located between two stations, a location identified in the 2036 Final Plan as the location for height
- Given the size of the site, the tower form would appear slender and provide sufficient space to permit views to sky between adjacent towers
- The tower could become a visual marker of the town centre on the skyline.



Building envelope within adjacent development context showing heights as RLs



Approved and pending local approvals



Building envelope within development context- South elevation



Building envelope within development context- East elevation



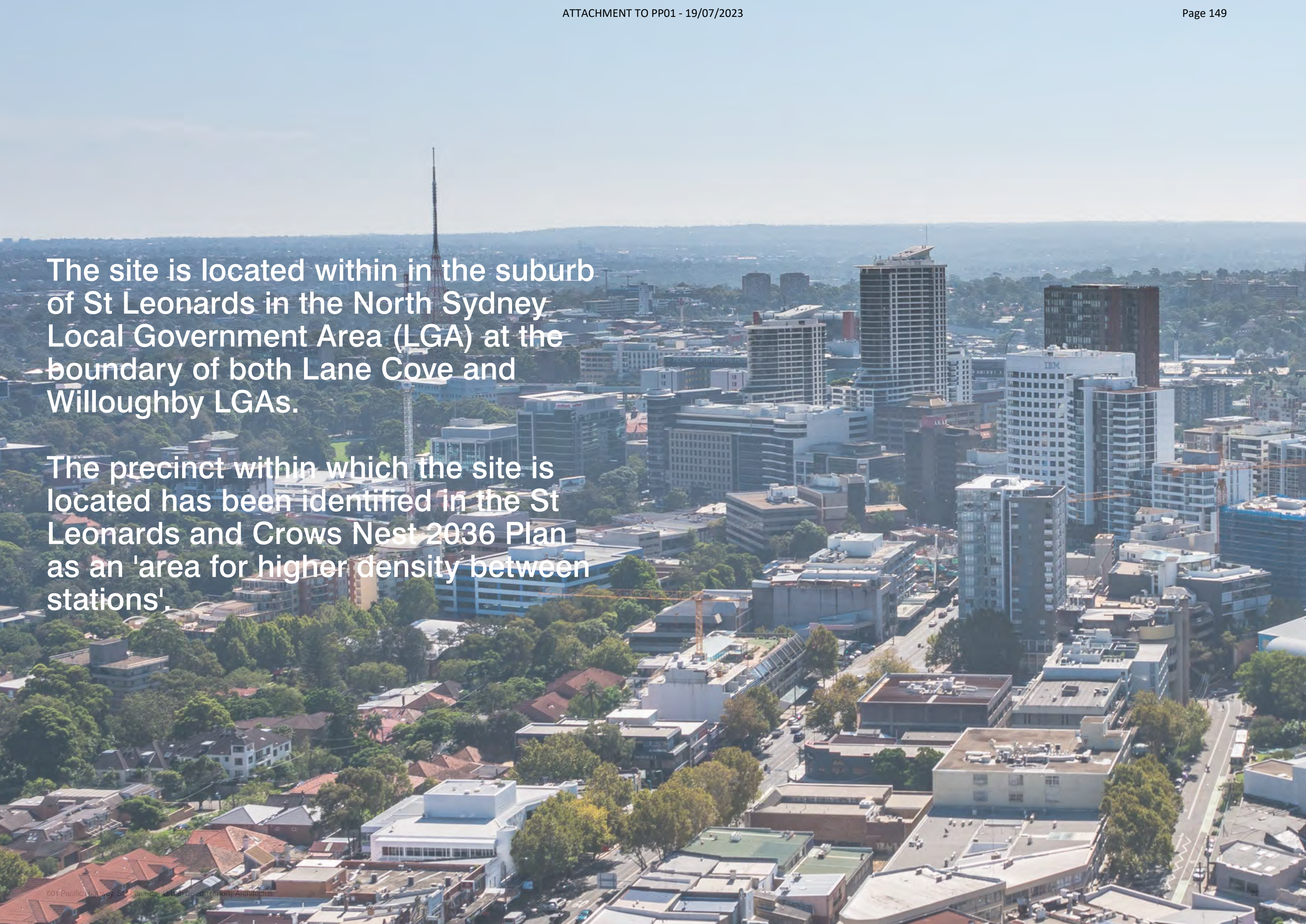
Building envelope within development context- North elevation



Building envelope within development context- West elevation

- Legend
- Buildings under construction
  - DA Approved/ DA being prepared
  - Likely development (under the 2036 Final Plan)
  - Commercial use for subject site
  - Site boundary





The site is located within in the suburb of St Leonards in the North Sydney Local Government Area (LGA) at the boundary of both Lane Cove and Willoughby LGAs.

The precinct within which the site is located has been identified in the St Leonards and Crows Nest 2036 Plan as an 'area for higher density between stations'.



## 3.0 Site analysis

3.1 Site location

3.2 Site character

3.3 Site analysis

3.4 Summary of opportunities  
and constraints



3.1 Site location

Located on the iconic bend in the Pacific Highway, this site has a prominent position in St Leonards.

The site is located within in the suburb of St Leonards in the North Sydney Local Government Area (LGA) at the boundary of both Lane Cove and Willoughby LGAs. The site is approximately 200m from St Leonards Train Station and 400m to the proposed new Crows Nest Metro Station. St Leonards Train Station is an established and well-served transport interchange. The site is on the corner of Atchison and Mitchell Streets and bounded on the south by an arterial road (Pacific Highway).

The site is within the Precinct 2 area identified in the St Leonards and Crows Nest Plan 2036. Precinct 2 is a high-density commercial and mixed use area immediately east of St Leonards Train Station .



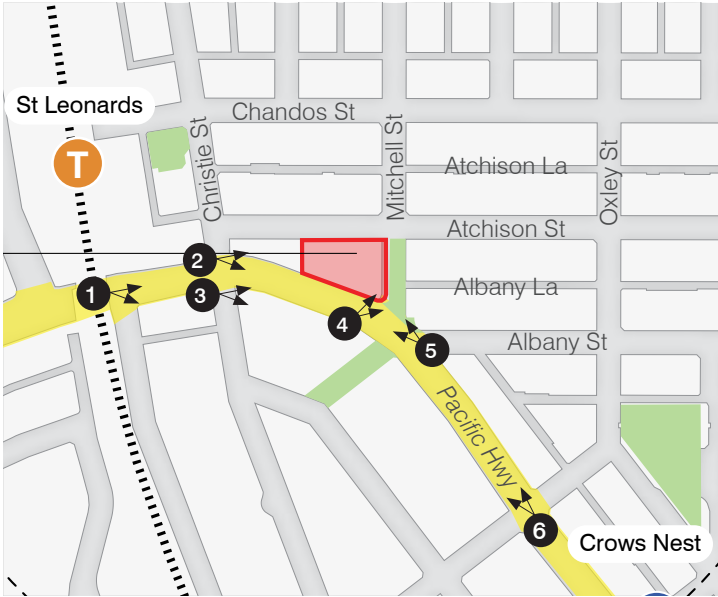


3.2 Site character

Pacific Highway

A major arterial road with a limited pedestrian amenity

The southern edge of the site is bounded by the Pacific Highway, a busy arterial road. The high volumes of traffic and noise, the wind tunnel effect from existing buildings and the narrow footpath result in a compromised pedestrian environment. Existing buildings adjacent to the site are predominantly commercial at lower levels with little ground floor activation along the Highway. In spite of the uninviting pedestrian environment, many pedestrians use the Pacific Highway and Albany Street to walk between St Leonards Station and Crows Nest.



1. The bus stop located outside St Leonards station and the Forum plaza through the pedestrian walkway to Pacific Highway provides public transport connection and has the most active frontage, retail activity and pedestrian movement.
2. View towards the subject site, a steep up hill slope with narrow footpaths, inactive street frontages and mature trees on the paved street kerb.
3. On the corner of Pacific Highway and Christie Street, a few remaining small adjoining two-storeys top-shops currently not active.
4. View of site ground level and Mitchell Street Plaza.
5. On the corner of Pacific Highway and Albany Street, a busy and noisy intersection with heavy traffic and uninviting street for pedestrian movement.
6. View towards the ridge of Pacific Highway, the existing tower on the site shows the prominent and a true landmark location on the lower North Shore.

Subject site



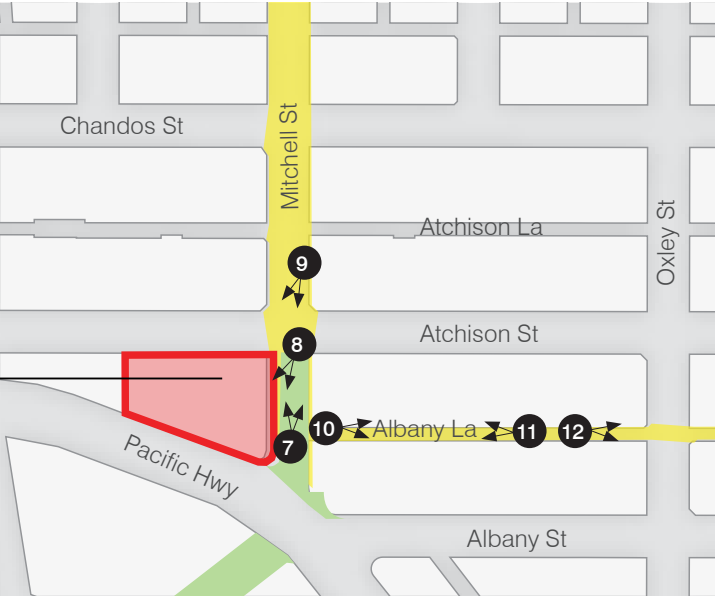
Site character

Mitchell Street & Albany Lane

Mitchell Street Plaza, a focal landscaped open space for St Leonards

The site is situated at the pedestrianised southern end of Mitchell Street, where it meets the Pacific Highway and T-junction of Albany Lane. Mitchell Street is a short local street which acts as the interface between commercial and mixed uses at it's southern end, and two storey residential properties at it's northern end. The southern end of Mitchell Street, along the frontage of the site has been transformed by Council into a landscaped plaza with a one-way-north shared traffic and pedestrian zone with soft and hard landscaping. The space receives good solar access, and is shielded from Pacific Highway noise by a raised green wall, which also serves to accommodate the gradient change towards the Highway.

Albany Lane has a mixed use character with low to medium density apartments and low scale commercial office buildings. The lane-way is dominated by driveways and vehicular movements, has little or no footpath and lacks ground floor activation.



7. Street view facing north of Mitchell Street. The construction of Mitchell Street Plaza is completed.

8. Mitchell street plaza view facing south, creating a good connection with subject site.

9. Mitchell Street looking up hill to the site which is located at the high point of the topography.

10. The start of Albany Lane, view from Mitchell Street.

11. Looking up-hill towards the subject site from 8 to 16 storey apartments and offices with narrow street at Albany Lane.

12. Further to the east towards the Hume Lane, small scale lots and from medium density to low scale offices and residential dwellings and apartments.

Subject site



Site character

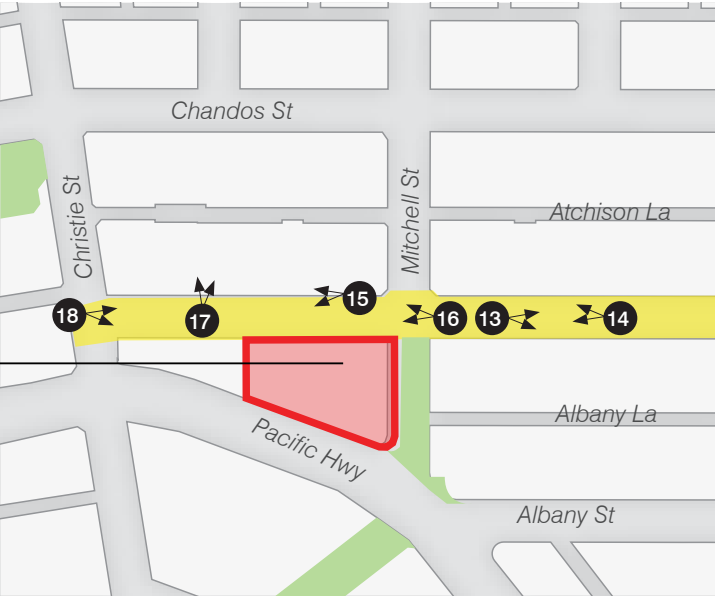
Atchison Street

**A key east-west pedestrian connector with a focus on outdoor dining**

The north side of the site is bounded by Atchison Street, which has one-way eastbound traffic movements between Christie and Mitchell Streets. Atchison Street rises steeply from west to east, with the high-point in the topography being at the corner of Mitchell Street. In spite of the topography, Atchison Street is a major east-west pedestrian connector between St Leonards Station at Christie Street, the surrounding commercial area and the Crows Nest town centre at Willoughby Road.

The existing building at 601 Pacific Highway presents steep topography with stairs and ramps dominating the ground plane. The adjoining site to the west currently has an inactive frontage which is dominated by solid walls and driveway access to basement parking. Between Christie and Mitchell Streets, Atchison Street has undergone public domain improvements including footpath widening, seating and planting. With low traffic volumes and active edges, particularly food and beverage tenancies at ground floor, the street has the potential to become a pleasant pedestrian oriented civic street.

The Planning Study has further ambition to transform Atchison Street into a pedestrianised civic environment.



13. Street sloping down towards Willoughby Road are medium density apartments and offices and low scale residential dwellings with low traffic volume.

14. View towards the site from Albany street with sloping up hill.

15. Adjacent to the site, hedges and pergolas plants creates a buffer and enclosed landscape open spaces zoned by the slope stepping along the ground topology.

16. The high-rise building on 6-16 Atchison Street adjacent to the subject site requires consideration of privacy.

17. Opposite to the site, there is better pedestrian amenity on the ground level of 6-16 Atchison Street. On the street level, public open space is accessible for pedestrians and connects to Atchison Lane.

18. Atchison Street between Christie and Mitchell Street is one way street and includes paid street parking and a dedicated cycle lane. The painted cycle lane is recently implemented.

Subject site



Site character

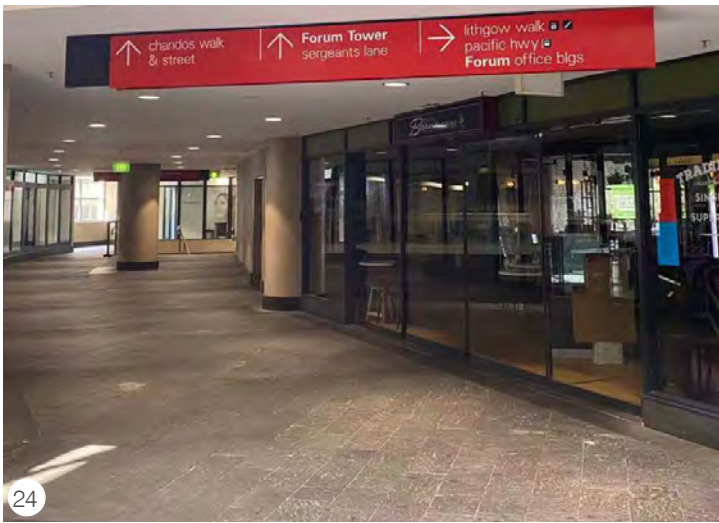
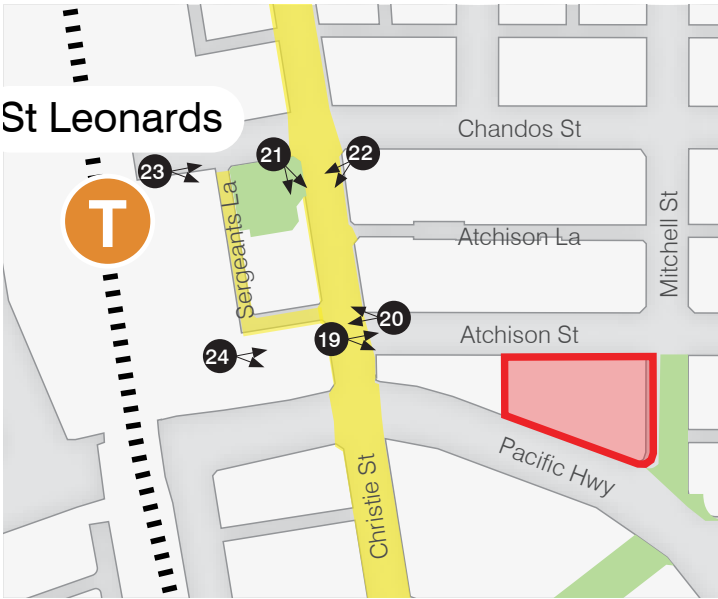
Christie Street

**This busy street forms a barrier to east-west pedestrian movement to and from St Leonards Station**

Christie Street is characterised by high rise commercial and features street tree planting, narrow footpaths and a heavily trafficked road.

Pedestrians travel to and from St Leonards Station from Christie Street via a pedestrian walkway at Stargate Lane or via Chandos Street.

At the corner of Christie and Chandos Streets, Christie Street Reserve is a public green space. The reserve is close to the station, receives ample sunlight and is well utilised by working community during lunch hour.



19. Intersection of Christie Street and Atchison Street. There is significant pedestrian movement at street level via Sergeants Lane during the peak hours.

20. Sergeants Lane connecting Christie Street. The lane-way provides pedestrian connection and access between Christie Street and the adjoining St Leonards Station and Forum plaza.

21. Christie St Reserve is a small park with plane trees planted around the perimeter of the reserve. The pedestrian movements correspond with the lunch time visits to the Christie Reserve, the surrounding commercial premises and the Forum Plaza.

22. 100 Christie Street existing commercial building is under planning proposal for redevelopment.

23. To Forum Plaza via pedestrian covered through link from Stargate Lane.

24. To Forum Plaza via pedestrian covered through link from Chandos Street.

Subject site



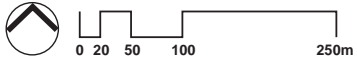
3.3 Site analysis

Land use

The subject site is located in one of the few B3 Commercial Core zones on the highway east of the trains station and towards the proposed Metro station. Surrounding sites are predominantly zoned mixed-used with the exception of the eastern neighbour which is also B3. There is medium to high density residential development in St Leonards South and historic low-density residential development in the Naremburn Conservation Area.



- Legend
- Subject site
  - Stand Alone Commercial
  - Mixed use
  - Education and Health Infrastructure
  - High Density Residential
  - Medium Density Residential
  - Low Density Residential
  - T Train Station
  - M Proposed Crows Nest Metro Station
  - 400m Distance from Centre
  - Radius Circle





Site analysis

Community Infrastructure

To the west of the site, a major health precinct is clustered around Royal North Shore Hospital. There are also a number of places of public worship along Willoughby Road to the east of the site.

There are a number of schools and colleges in the area, however most are located further south along the Pacific Highway towards North Sydney.

The approved proposed building at 617-621 Pacific Highway adjacent to the site includes a proposal for 2 level Community arts centre within the podium of 1,830sqm. The hospital expansion plans, the industrial land to North, and Gore Hill business park will all provide new jobs in the area.

Open Space

Mitchell Street Plaza, adjacent to the site, is one of the key public domain elements in St Leonards Town Centre. Christie Street Plaza and Hume Street Park are located within a 200m radius of the site. Gore Hill and Newlands Parks are larger recreational open spaces and are located further to the west and south, approximately 400m from the site. Further afield around 800m from the site are St Thomas Rest Park to the east and Smoothey Park to the south-west.

Legend

Subject site

Parks and Plazas

Education

Health

Church / Cemetery

Community Facilities

T

 Train Station

M

 Proposed Crows Nest Metro Station

400m

 Distance from Centre

---

 Radius Circle

---

 Suburb boundary

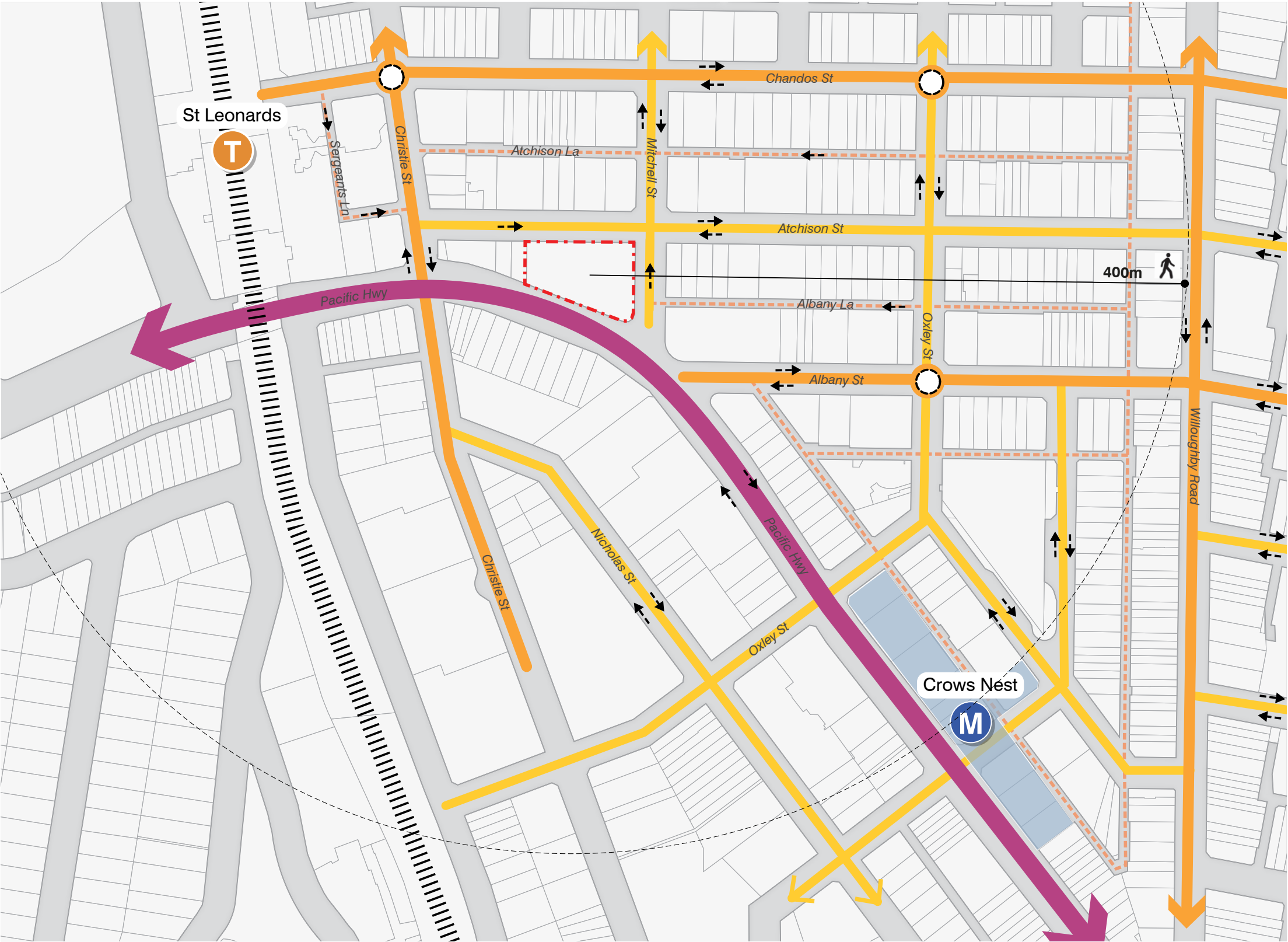


Site analysis

Street grid and hierarchy

The urban structure around St Leonards is characterised by a fragmented parallel grid system with street blocks on average 150m in length and typically 35m in depth.

The site is bounded by an arterial road, the Pacific Highway on the south and rectilinear street grid on the other sides. The four collector roads are served by Christie Street, Chandos Street, Willoughby Road and Albany Street carrying traffic from Naremburn and Crows Nest past the site to the Pacific Highway. Atchison, Mitchell and Oxley Streets are internal local roads and are quiet streets with low volumes of traffic. Lane-ways run parallel between the collector and local roads which are usually located at the rear of building with narrow streets.



- Legend
- Subject site
  - Arterial Road
  - Collector Road
  - Local Road
  - Lane-way
  - Train Station
  - Proposed Crows Nest Metro Station
  - Road direction



Site analysis

Transport

Key public transport opportunities in the locality are:

- **Train**  
The site is approximately 200m from St Leonards station, an established and well serviced transport interchange.
- **Proposed Sydney Metro Station**  
The site is approximately 400m from the proposed Crows Nest Metro, currently under construction.
- **Bus**  
Buses runs frequently along Pacific Highway and Willoughby Road and connect with rail, servicing Macquarie Park and Chatswood to the west and north, Manly to the east and Millions Point to the south.
- **Cycle**  
Improvements to the cycle network at St Leonards are taking place. Recently a wide dedicated cycle lane has been installed on the uphill section of Atchison Street.



Legend

- Subject site
- Council Proposed bicycle path
- Dedicated on-road bicycle path
- On-road bicycle path
- Likely pedestrian route from train station
- Likely pedestrian route from metro station
- Bus Route and Bus Stop
- Train Station
- Proposed Crows Nest Metro Station
- Proposed Metro Station entry
- Distance from Centre
- Radius Circle





Site analysis

Pedestrian access and connectivity

- Footpaths**  
Atchison and Chandos Streets and the Pacific Highway are currently primary east-west pedestrian desire lines connecting with St Leonards Station. There is pressure on existing signalised and un-signalised pedestrian crossings across Christie Street, which is a busy street separating the site from the train station. Although there have been some upgrades to the public domain on Atchison Street, new development at 601 Pacific Highway has the potential to improve the pedestrian environment along the southern edge of Atchison Street.
- Through-site links**  
Well-used through site links exist through the Forum Plaza and connect Atchison Street and the site with St Leonards Train Station. There are a number of other north-south through-site links connecting streets with lanes, however visibility and desirability tend to be poor.
- Lane-ways**  
The streets at Albany and Atchison Lanes have the potential to provide an active, safe and accessible street for pedestrian. There are also a number of connections to the site via covered pedestrian walkways and through-site links.

Legend

Subject site

Parks and Plazas

Pedestrian covered opens space

Primary pedestrian desire line

Secondary pedestrian desire line

Site through links (Identified)

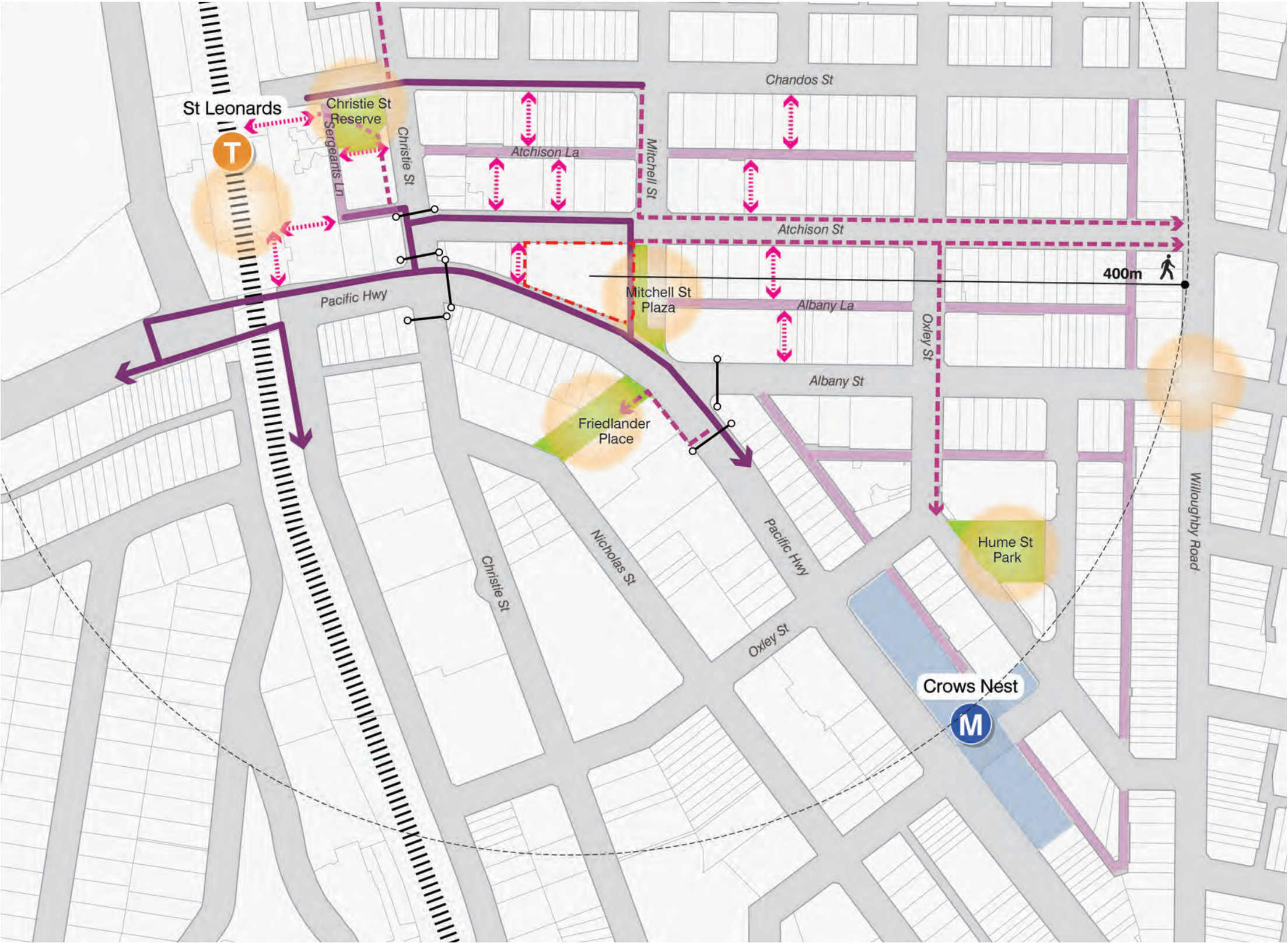
Lane-ways

Pedestrian signalised crossing

Train Station

Proposed Crows Nest Metro Station

Key attractors

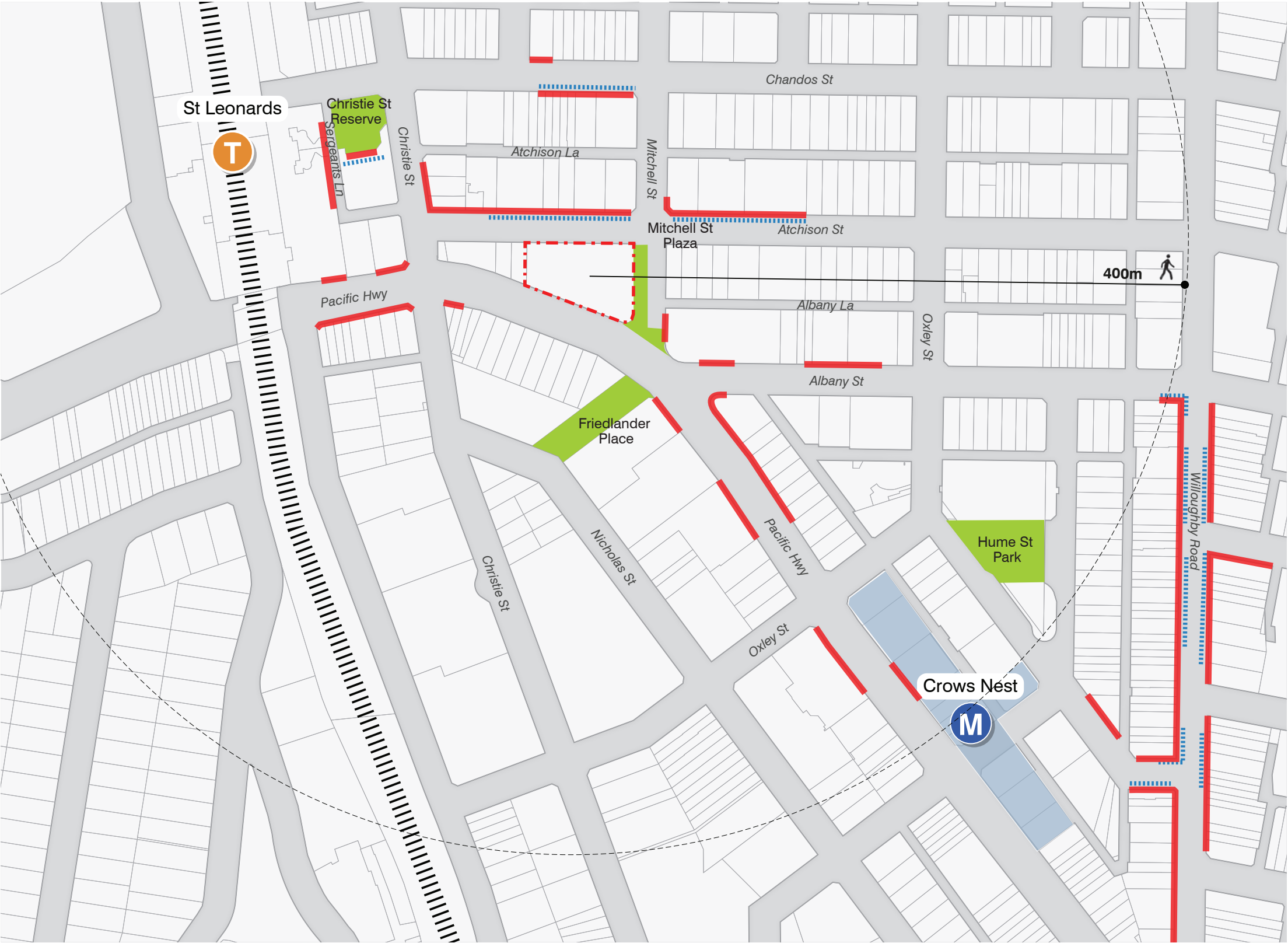




Site analysis

Active street frontages

Atchison Street has good pedestrian amenity, as well as some isolated active retail, dining and public open space at street level. Pacific Highway has little or no active street frontage on the north side between Christie Street and Albany Street. Mitchell Street has few active street frontages and some outdoor dining.



- Legend
- Subject site
  - Parks and plaza
  - Active frontage
  - Footpath dining
  - Train Station
  - Proposed Crows Nest Metro Station
  - Distance from Centre
  - Radius Circle



Site analysis

Topography

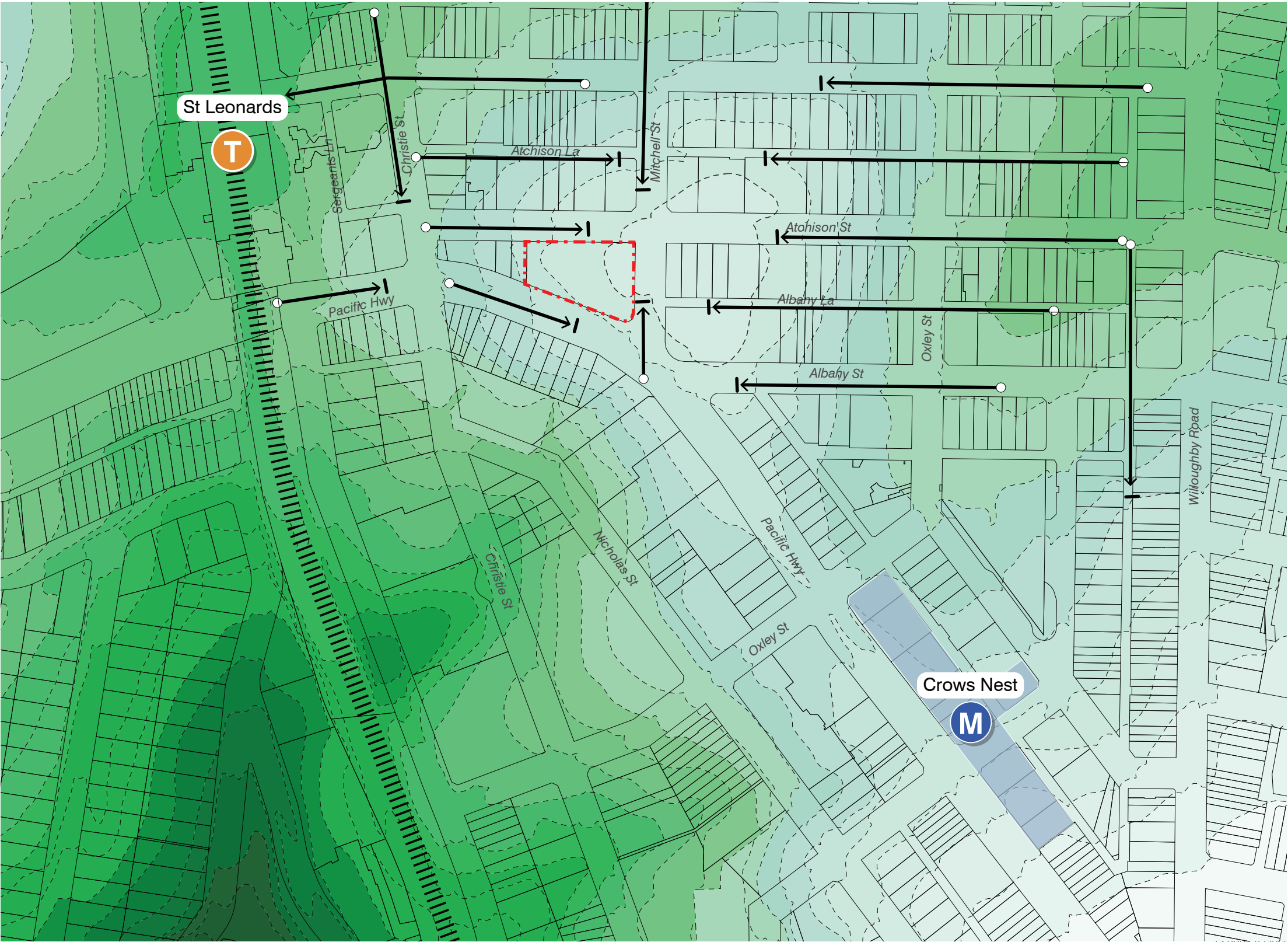
The Pacific Highway runs along the natural ridge line connecting North Sydney to the upper North Shore. 601 Pacific Highway is located at the high point of this ridge, marking the site as the iconic centre of St Leonards.

The high point is located mid-block between Mitchell Street and Atchison Street, at an of RL 92, from which point the terrain slopes away in all directions.

Within the site, there is a fall of approximately 3m from east to west, and a fall of approximately 1.5m from north to south across the site.

Sight-lines and Vistas

The terrain drops to the west and the south away from the high-point at the corner of Mitchell and Atchison Streets. The steep nature of Atchison Street makes east-west pedestrian connections more difficult and also impacts on vistas and sight-lines from west to east along Atchison Street.



- Legend
- Subject site
  - Vistas interrupted by topography
  - Contours @ 2m intervals
  - Site fall - light (high) to dark (low)
  - High point
  - Train Station
  - Proposed Crows Nest Metro Station





Site analysis

View towards the south east from the existing commercial building on site



View from level 13 of the existing building



South East view towards the CBD and harbour





Site analysis

Views

Excellent views particularly towards the harbour to the south and the ocean to the east, would be available from upper levels of any proposed new development at 601 Pacific Highway. The following 2 pages show indicative views from a context model that would be available from nominated floors of a potential new tower on the site.

Proposed new development surrounding the site would block some of these views, as indicated on the diagrams below. (Proposed and new developments are described in detail in section 2.5 approved and pending local approvals.)



Legend

Buildings under construction

Approved building/Pending approval

Likely development (under LUIIP)

Commercial use for subject site

Site boundary

#	Site address	Development	Building height
A	100 Christie Street	LEP changes gazetted.	132m 36 storeys
B	20-22 Atchison Street	Planning Proposal recently lodged with Council for assessment	35 storeys
C	50-56 Atchison Street	Planning Proposal for a mixed use	15 storeys
D	617-621 Pacific Highway	LEP controls in place. DA yet to be lodged	175m, 50 storeys
E	23-25 Atchison Street	LEP changes gazetted. DA lodged awaiting approval	56m, 16 storeys
F	8-90 Christie Street, 546-564 Pacific Highway + 71-70 Lithgow Street	Approved 2 x residential towers and a 16 storey commercial office building, under construction.	47storeys 26storeys 14storeys
G	500, 504-520 Pacific Highway	Mixed use building, under construction	44 storeys

H	575-583 Pacific Highway	Planning Proposal for a future mixed-use building. Gazetted.	56m
I	7-11 Albany Street	Approved mixed use buildings	13 storeys
J	472-494 Pacific Highway	Constructed 2 x mixed use buildings	36 and 28 storeys (2 towers)
K	46 Nicholson Street	Planning Proposal for a commercial building lodged with Lane Cove Council in July 2020.	32 storeys
L	29-57 Christie Street	Lodged DA	7-18 storeys
M	Crows Nest OSD *as per amended application (September 2020)	Concept Development Application - Post exhibition phase.	22 storeys 18 storeys 9 storeys

Site analysis

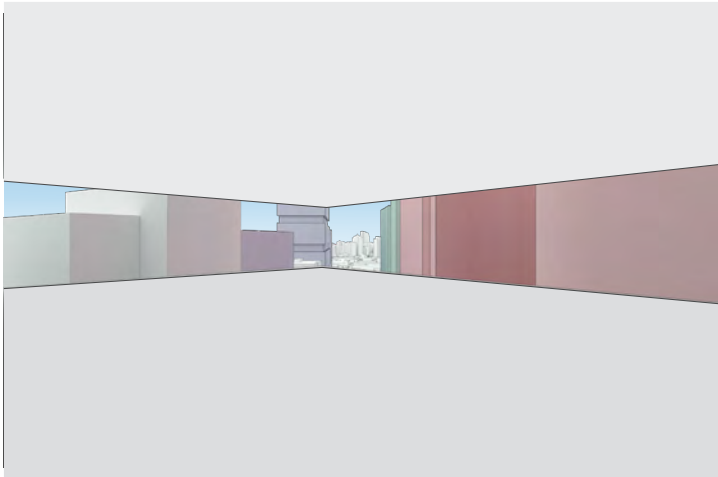
Surrounding buildings obstruct views at lower levels, as illustrated below. At lower levels, there is only a narrow view corridor along the Pacific Highway. As the height increase views open up towards the south and east capturing north Sydney CBD and the harbour.



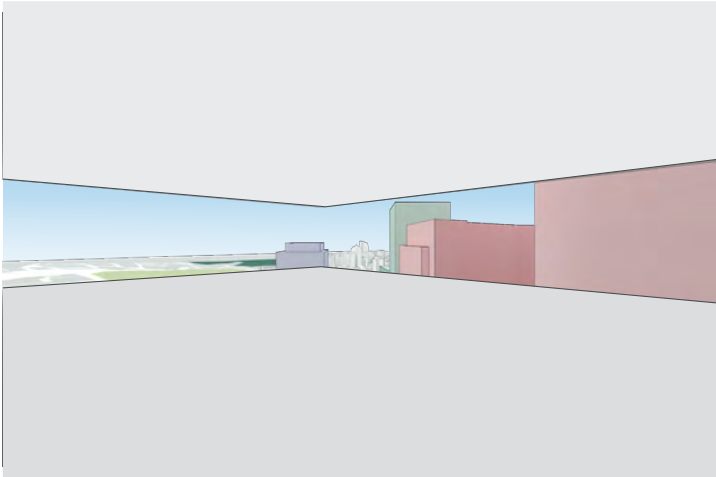
View location - Towards Southeast



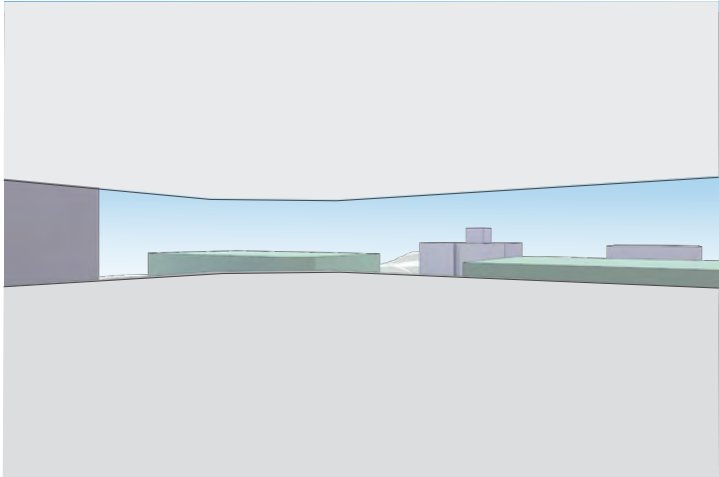
View location - Towards Northeast



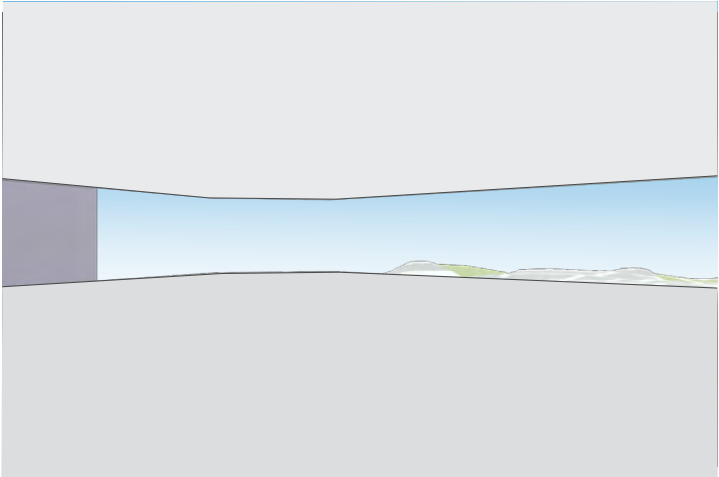
View towards south-east at level 14



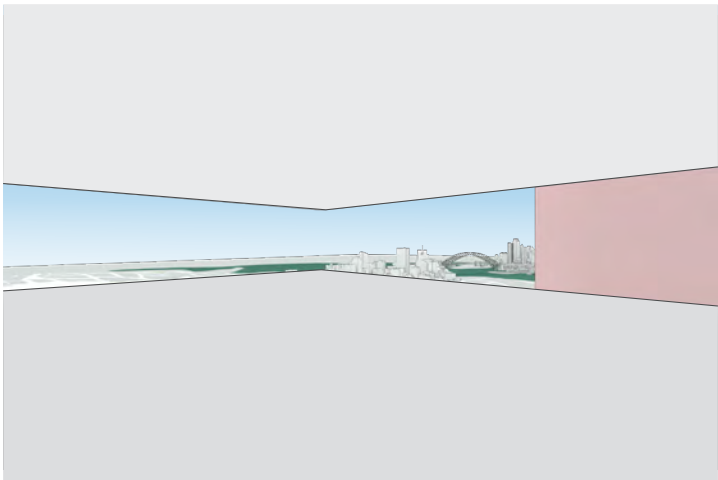
View towards south-east at level 23



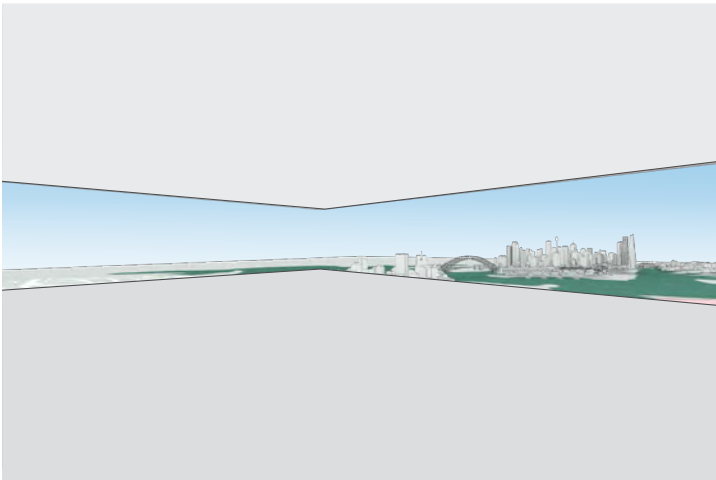
View towards the north-east at level 14



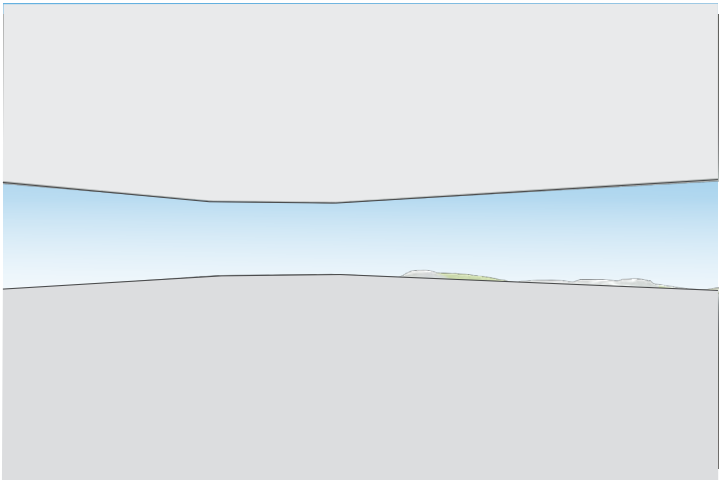
View towards the north-east at level 23



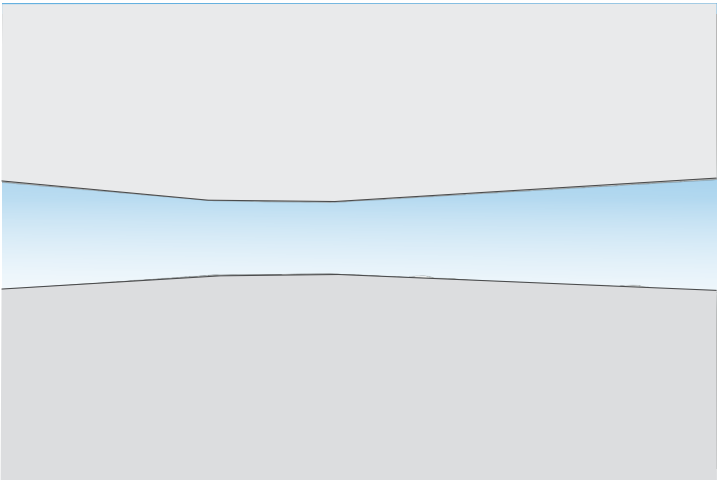
View towards south-east at level 32



View towards south-east at level 37



View towards the north-east at level 32



View towards the north-east at level 37



Site analysis

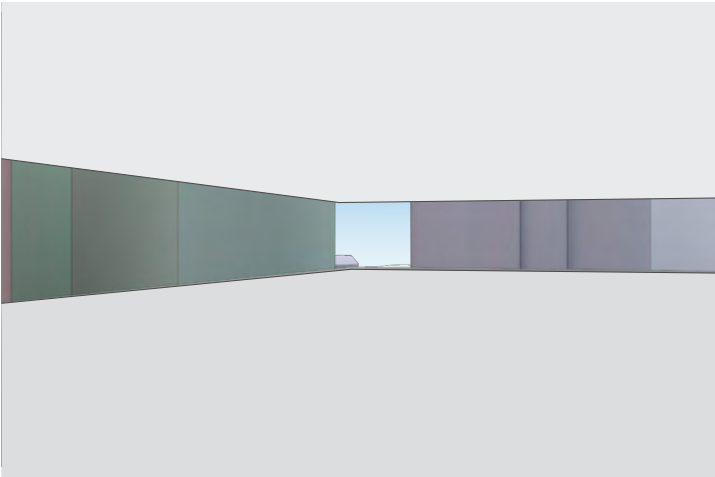
Views towards the west are largely obstructed by the adjacent proposed development.  
Views towards the north open up only at higher levels.



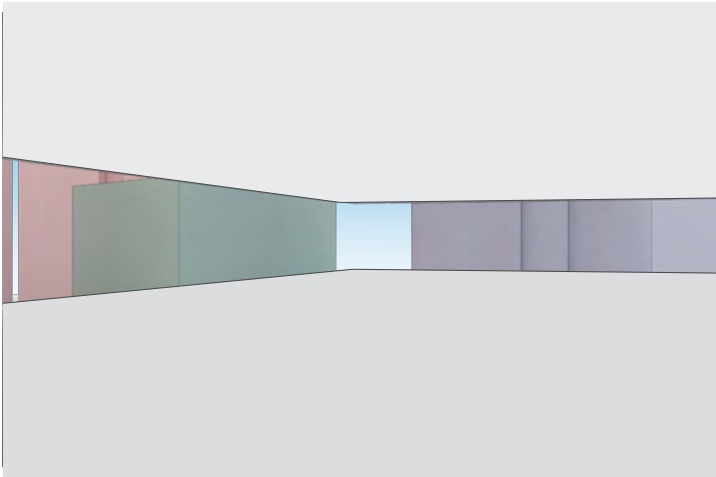
View location - Towards Southwest



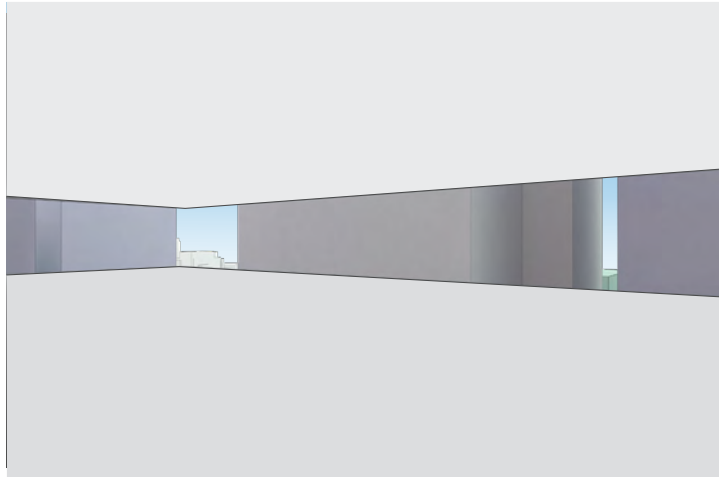
View location - Towards Northwest



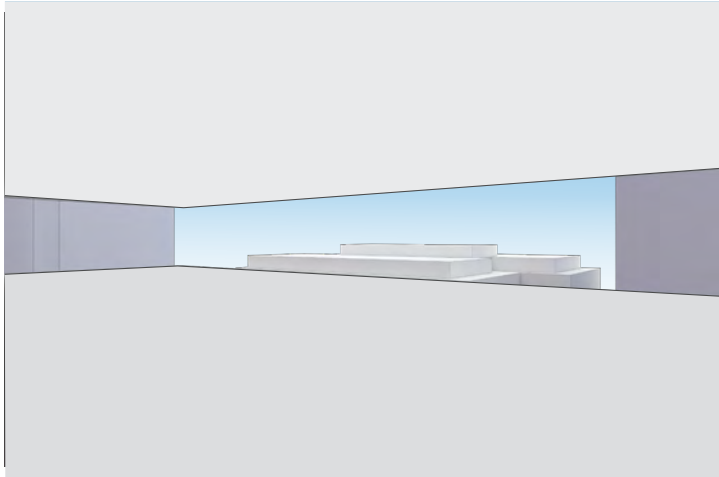
View towards the south-west at level 14



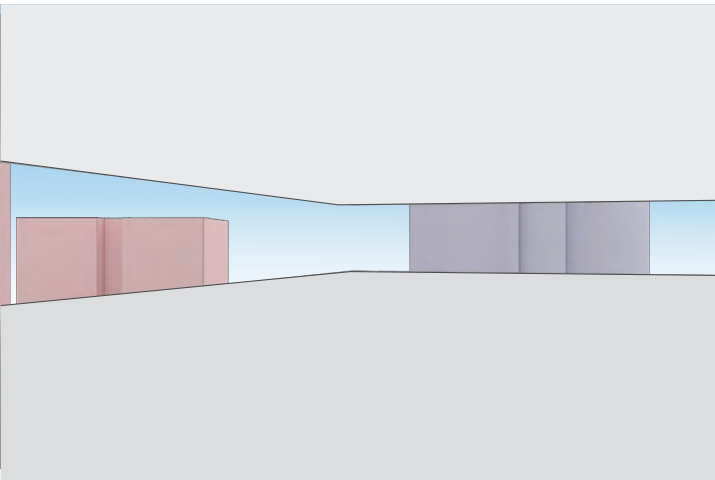
View towards the south-west at level 23



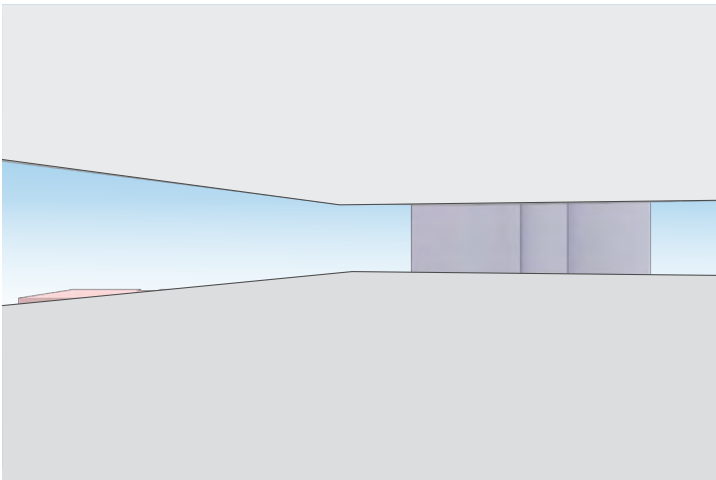
View towards north-west at level 14



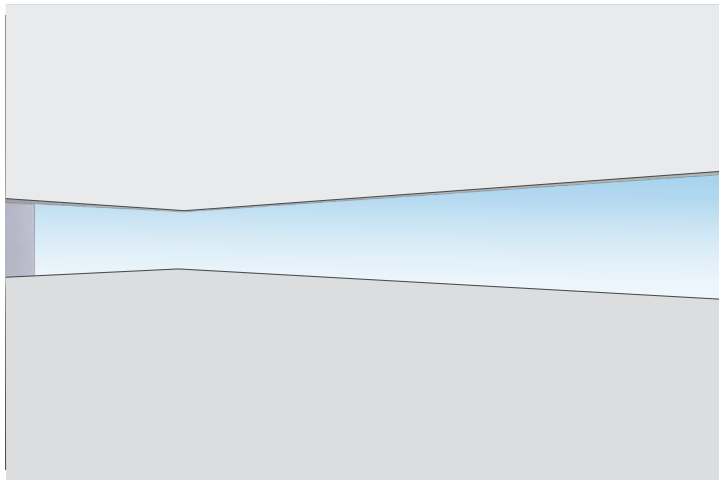
View towards north-west at level 23



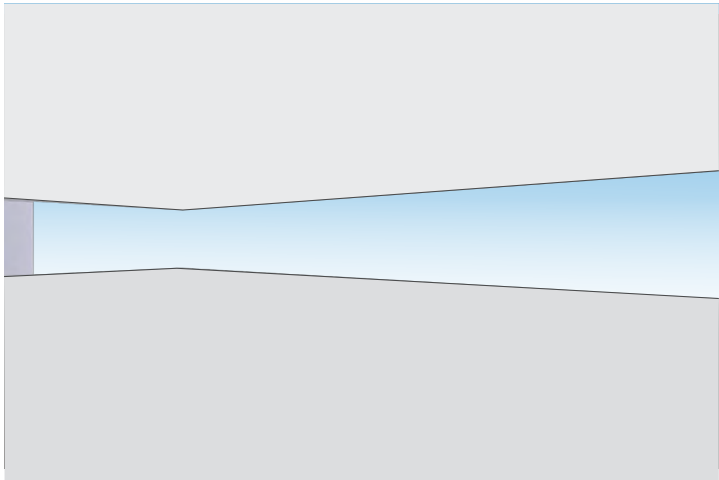
View towards the south-west at level 32



View towards the south-west at level 37



View towards north-west at level 32



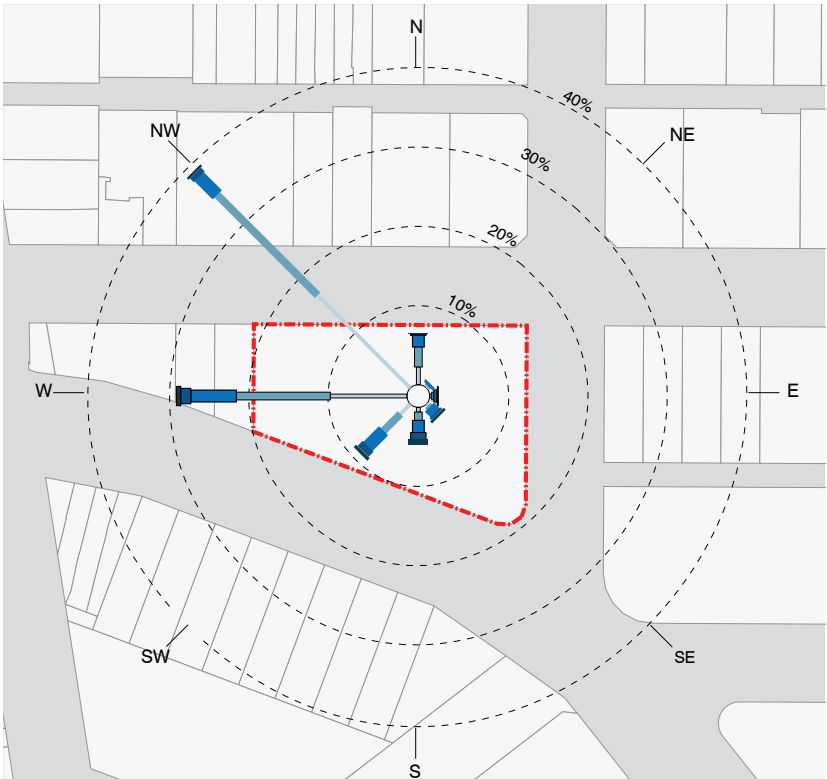
View towards north-west at level 37

Site analysis

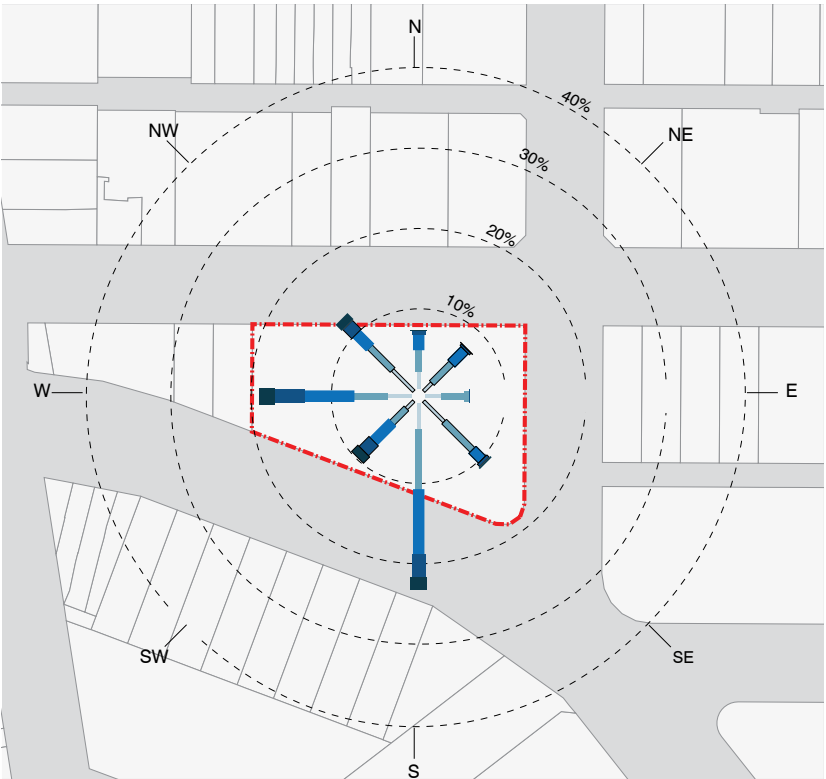
Prevailing wind

The wind rose from the Australia Government Bureau of Meteorology demonstrates that:

- In winter the prevailing winds are from the west and north-west in the morning and tend to change in the afternoon to be predominately from the south.
- In summer prevailing winds in the morning are from the south, while in the north-easterly breeze picks up and dominates in the afternoon and evening.
- Existing and proposed tall buildings in the vicinity of the site also generate specific wind tunnel environments.

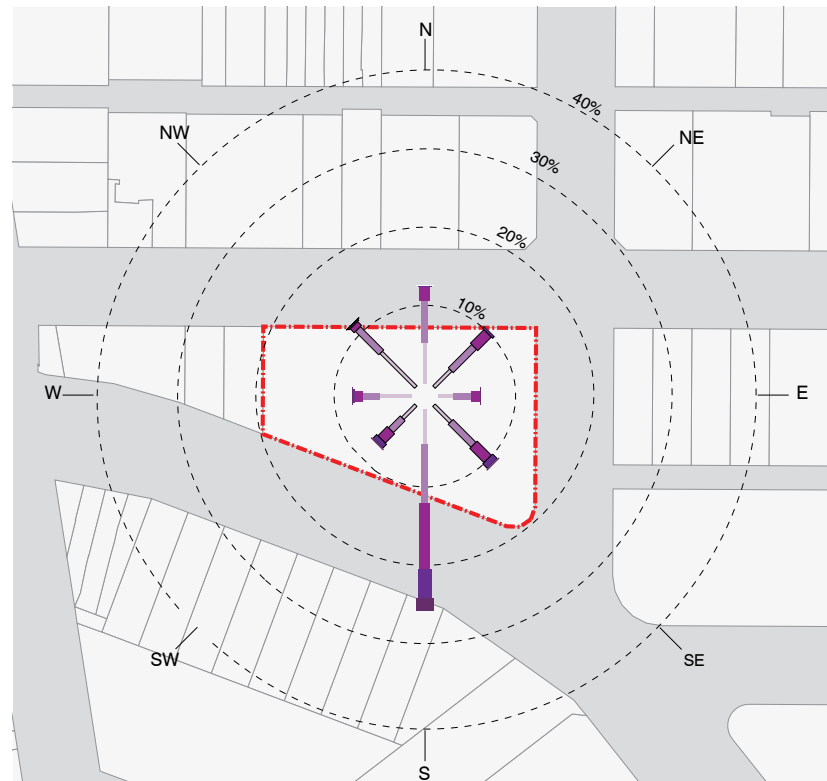
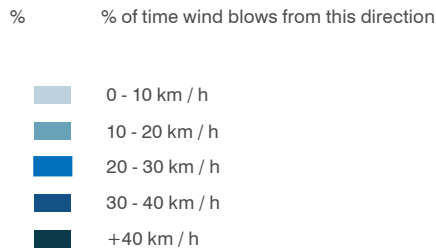


9am Winter

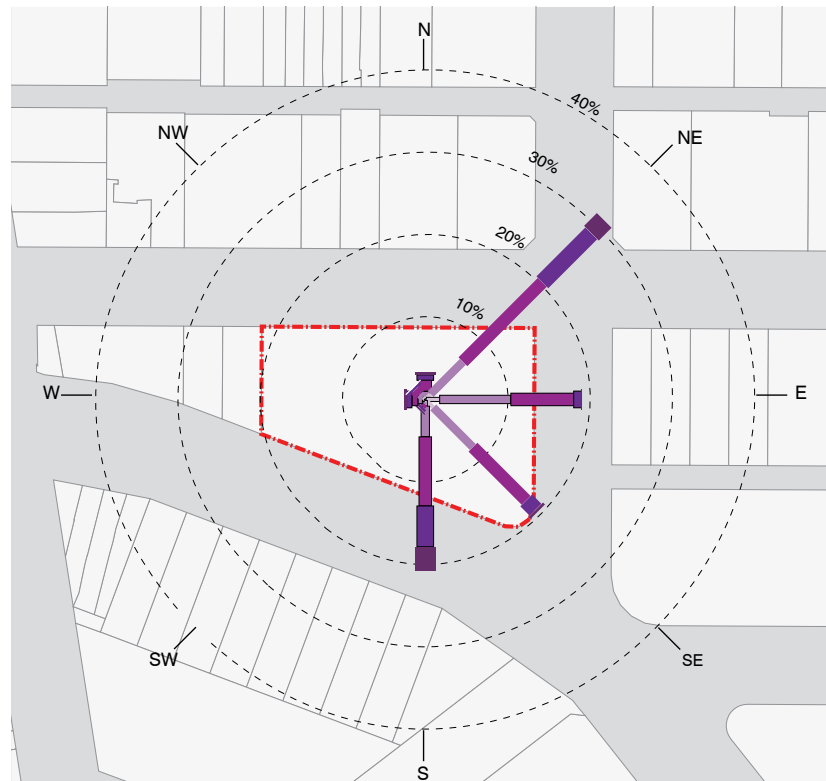


3pm Winter

Winter Wind direction

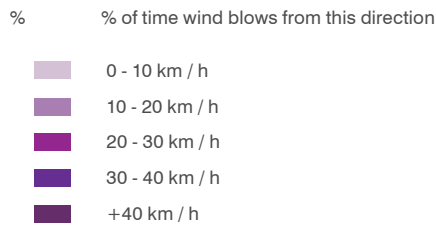


9am Summer



3pm Summer

Summer Wind direction



Source: Australia Government Bureau of Meteorology

Legend  
Subject site

### 3.4 Summary of opportunities and constraints

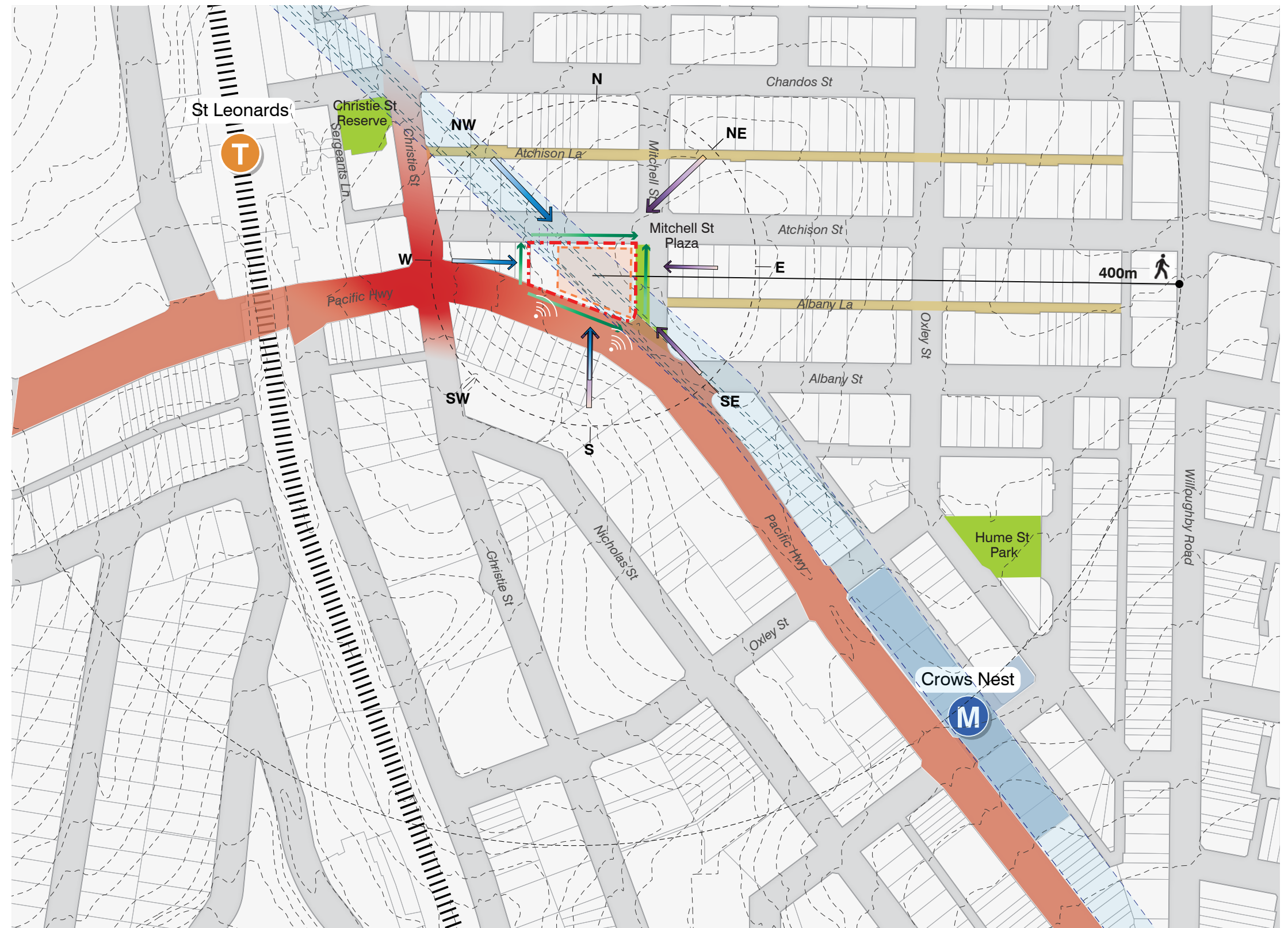
#### Constraints

In summary, the key constraints impacting the subject site and indicative concept design include:

- Traffic noise from the busy Pacific Highway;
- Strong breeze and winds from a southerly direction throughout the year;
- Access for pedestrians approaching the site from St Leonards Train Station is compromised by traffic congestion on Christie Street, the rising gradient from Christie Street up to Mitchell Street and the hostile and noisy environment of the Pacific Highway;
- Lack of shelter or activation for pedestrians along the frontages of adjacent properties;
- The proposal can not cast any additional shadow to Mitchell street plaza and Newlands park;
- New and proposed development in the immediate surrounds has a potential impact of views and privacy.

#### Metro corridor constraints

The site is above the proposed metro tunnel alignment, which impacts on the potential structural solution and basement depth for future development on the site.



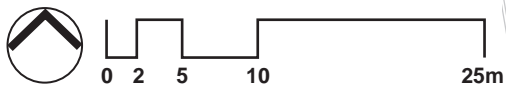
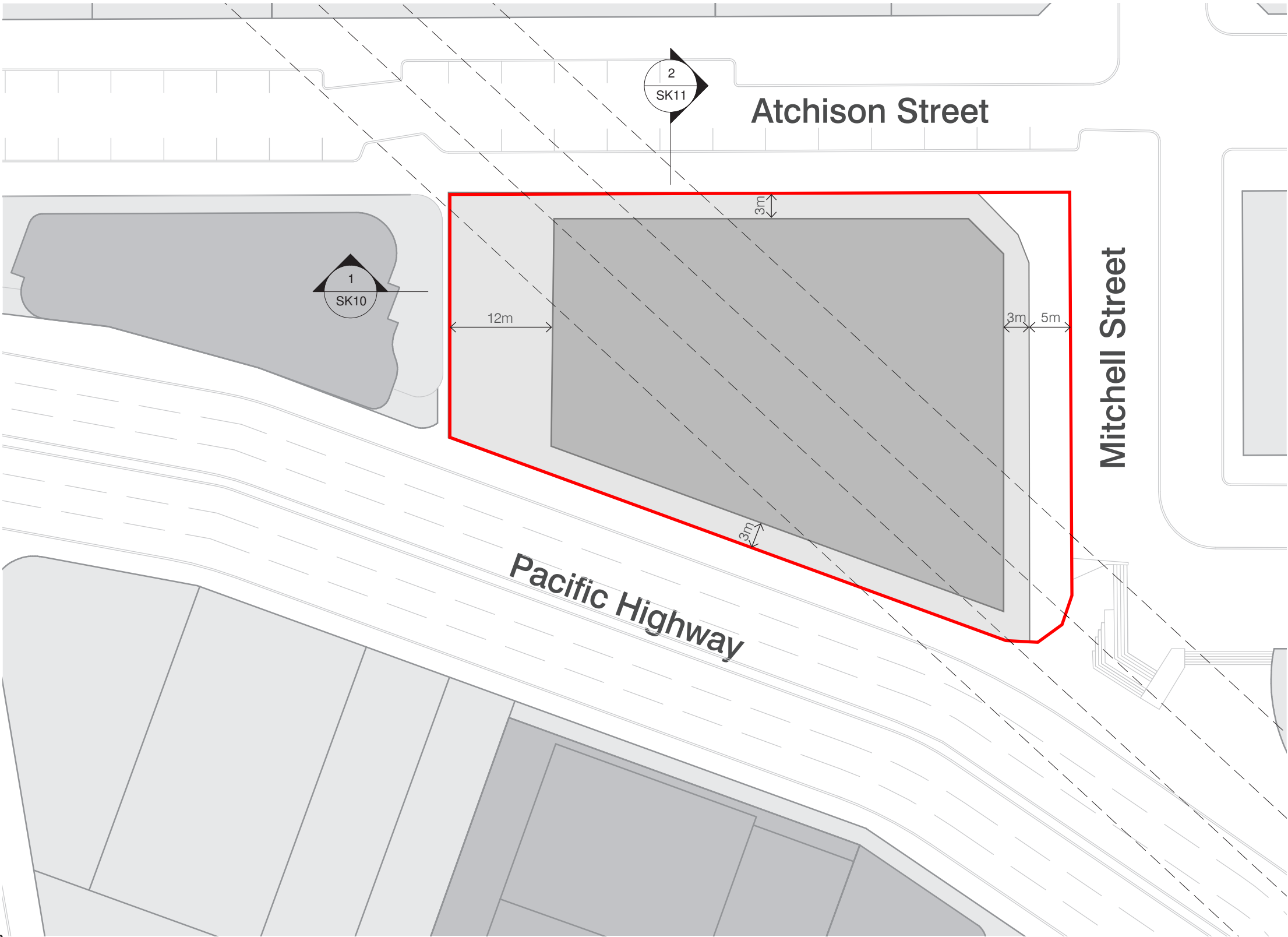


Summary of opportunities and constraints

Planning constraints

The site is subject to the following planning controls. All design options have considered the setbacks and envelope constraints below:

- Zero setback to Atchison Street.
- 3m ground level setback (1 storey) to Pacific Highway.
- 5m street setback to Mitchell Street.
- 3m whole of building setback to Mitchell Street.
- 3m above podium setback to Pacific Highway, Mitchell Street, and Atchison Street.
- Corner sites to maintain a consistent podium height to all street frontages.

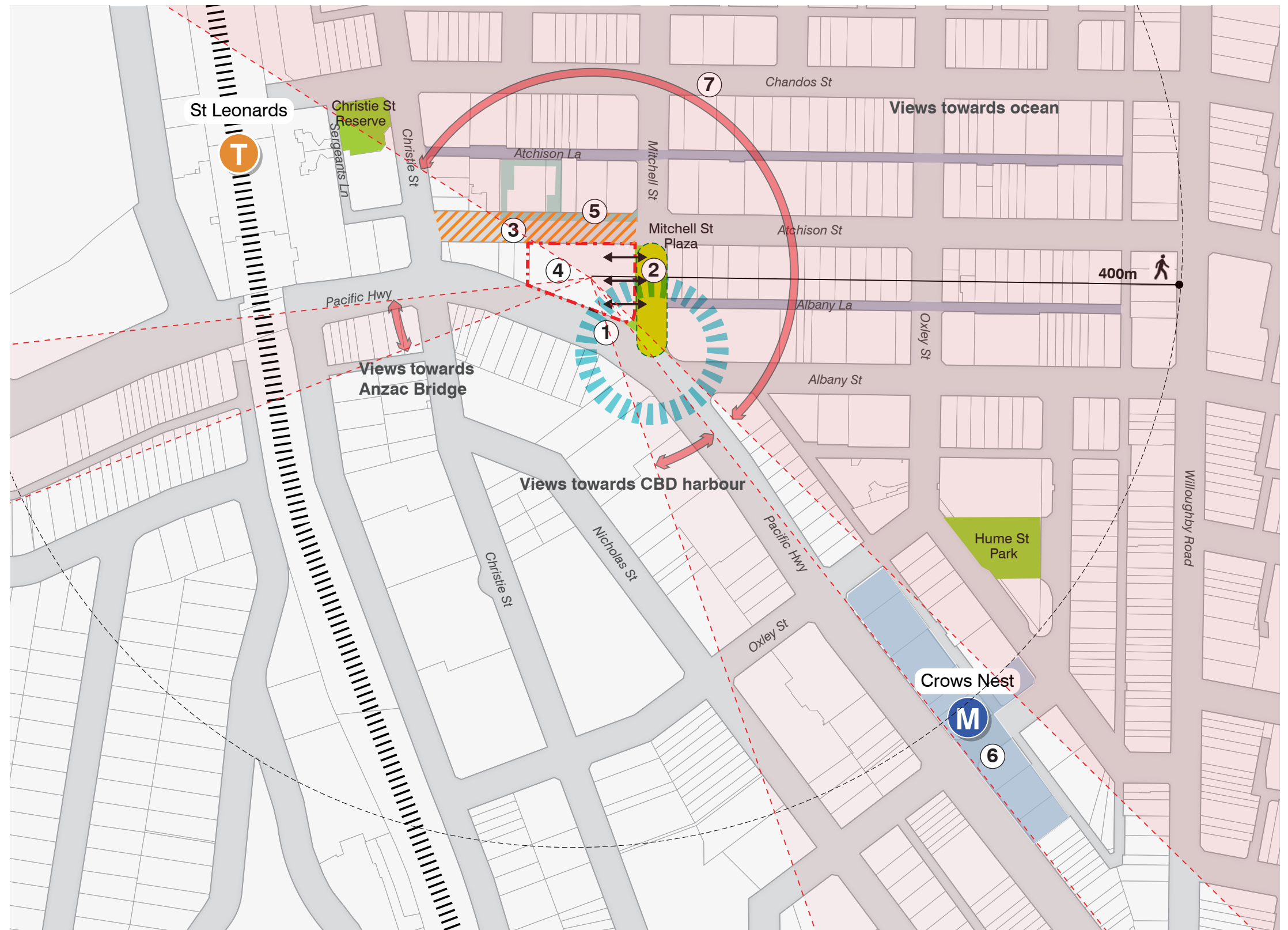


## Summary of opportunities and constraints

### Opportunities

Taking into account the site constraints, there is significant opportunity to:

1. Create an iconic gateway development at the high point of St Leonards and on the important vista at the bend in the Pacific Highway.
2. Capitalise on and integrate the Mitchell Street Plaza public domain into the site, ensuring that the podium provides a high quality interface, activation and good integration.
3. Contribute to the activation of the public domain and pedestrian environment along Atchison Street. There is an opportunity to strengthen the character of Atchison Street as a civic, retail and dining street with active frontages, reduce the traffic role of Atchison Street and create a stronger focus for pedestrians.
4. Provide commercial and non-residential uses as part of the employment strategy to support the long term investment in the broader Centre.
5. Improve walking connections and gradients to the proposed Crows Nest Metro Station.
6. Capitalise on the excellent views that will be available from level 35 onwards, particularly towards the east.





In developing the indicative concept design plan we explored principles and key moves which would ensure that the design is founded on best practice urban design and planning thinking.



# 4.0 Developing the indicative concept design

4.1 Principles

4.2 Key moves

4.3 Option summary





## 4.1 Principles

### 1 Support Mitchell Street Plaza

Provide an appropriate interface to the plaza with lobby entries and potential for outdoor dining to support the role of this open space as a focal point for the precinct.



### 2 Activate Atchison Street

Provide a ground floor interface that creates active edges to Atchison Street, and a high quality public domain generating opportunities for outdoor dining on footpaths to reinforce Atchison Street as the key day and night dining precinct.



### 3 Employment opportunities

Create a highly efficient commercial tower that caters to the employment needs in the town centre, and is attractive to future tenants.



### 4 Landmark built form and tower envelope

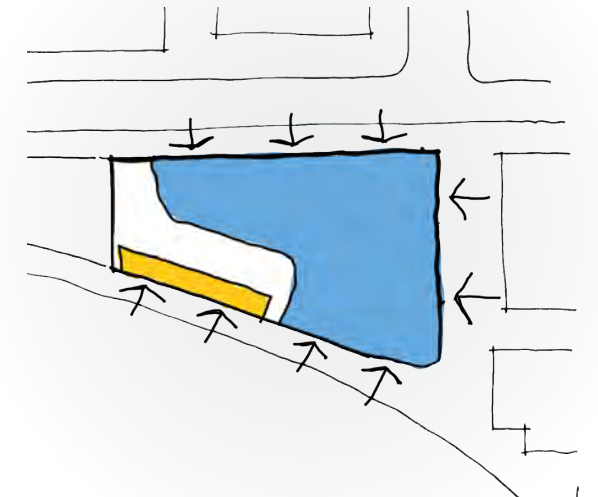
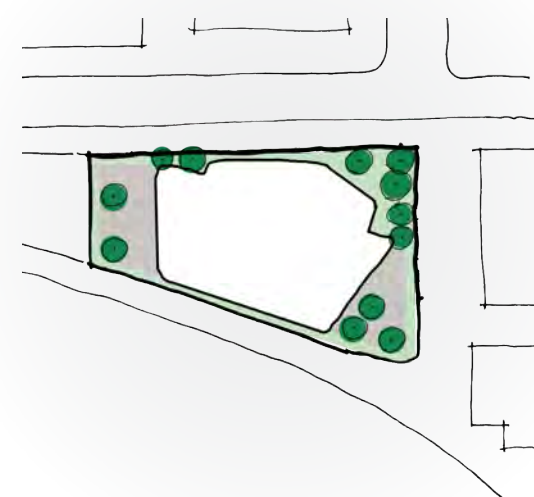
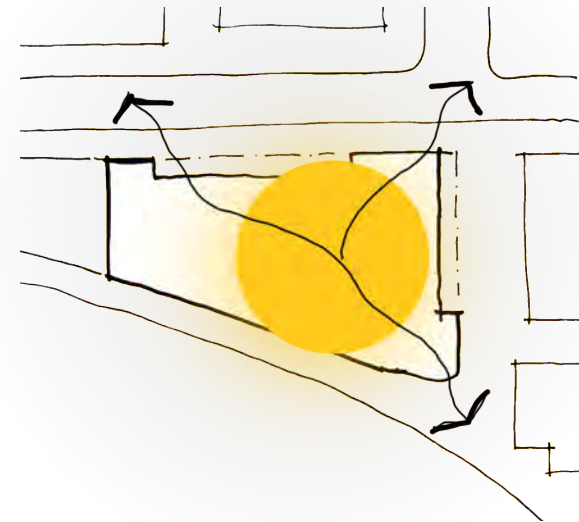
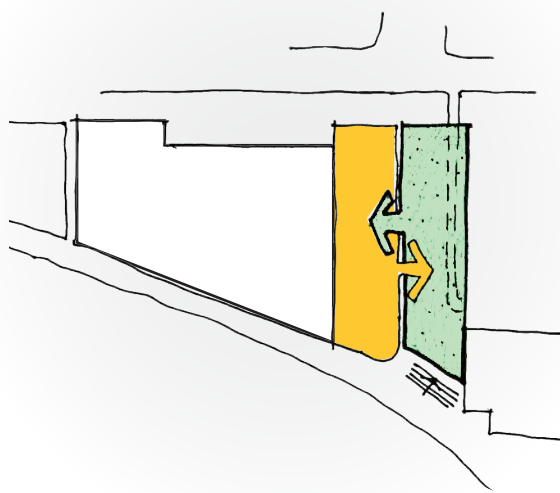
Ensure that the podium has active ground uses, engages with the public domain and has well distributed and clear building entries. The tower form should be slender and articulated and designed to maximise separation from other towers for view sharing and to minimise the effect of 'tower crowding'.



## 4.2 Key moves

The design is underpinned by the following key moves:

### Urban design key moves



#### 1 Open space

The site fronts Mitchell Plaza which has recently been upgraded and is a focal landscaped open space for the town centre, with a shared way connection to Atchison Lane. The site's redevelopment could provide an active and permeable frontage to the western side of the Plaza. Operable and transparent lobby frontages at ground level would allow activity to spill into the open space, and the open space to visually expand into the lobby area.

#### 2 Through site link

The ground floor would provide permeability through the site via lobbies during business hours. Escalators would provide a convenient means of negotiating the steep terrain.

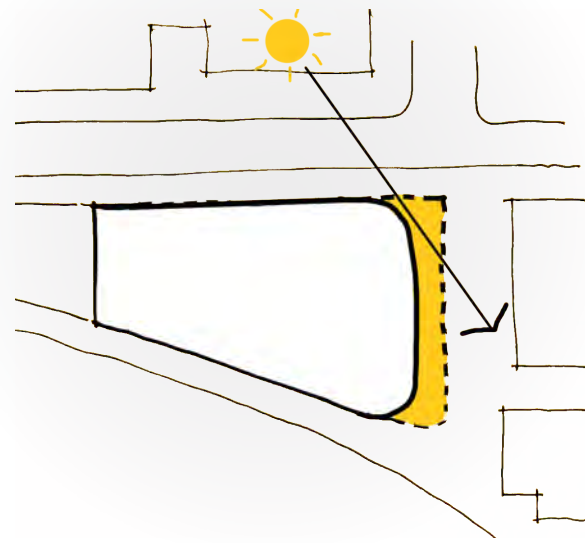
#### 3 Biophilia and Workplace Design

The podium roof as well as a number of special floors within the tower are designed to provide generous landscaped outdoor spaces. These provide amenity to workers as well as greenery on the building facade.

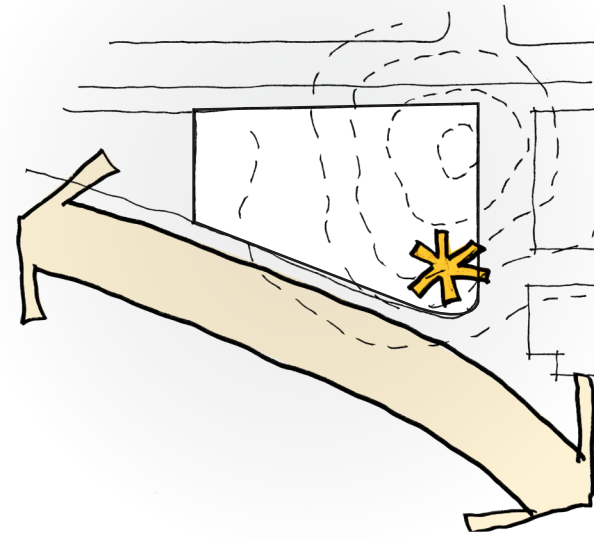
#### 4 Retail activation

Proposed Retail along the Pacific Highway has the opportunity to activate what is currently a poor pedestrian environment.

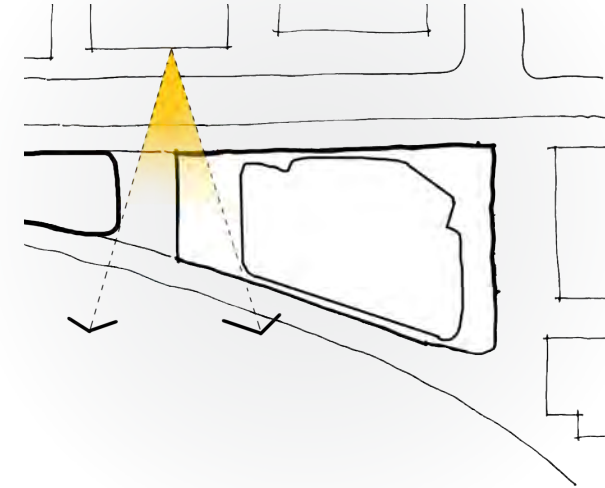
## Key moves

**5 Podium setback**

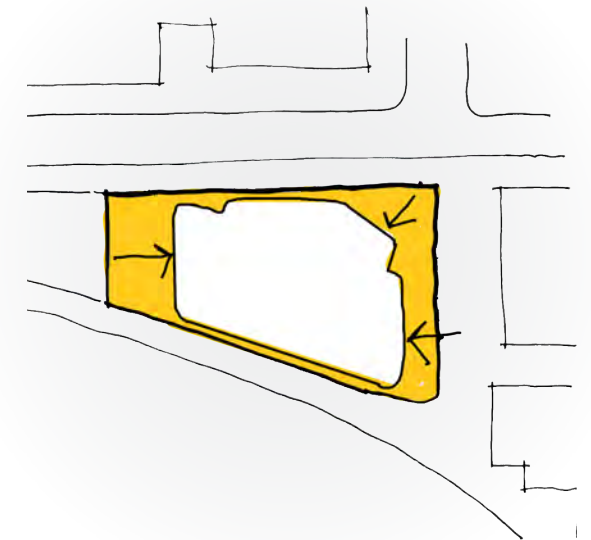
The podium footprint has been set back at the corner of Mitchell and Atchison Streets to ensure that no additional overshadowing is created on Mitchell Street Plaza. The setback also provides wider footpaths for outdoor dining opportunities.

**6 Iconic corner**

The tower is proposed for the topographic high point of St Leonards, and on the bend in the Pacific Highway. The site is the town centre and gateway, and is a natural location for a tall slender tower marking the vista. The tower proportions have been designed to ensure a sensitive architectural form on the corner.

**7 Tower separation and view sharing**

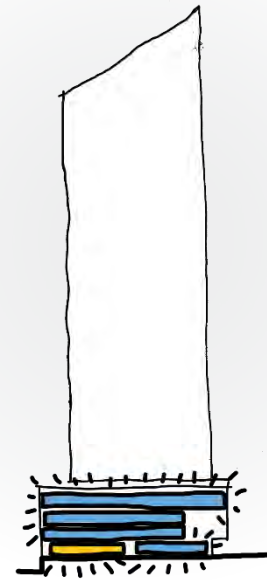
The tower is set 18m back from the Western boundary to ensure separation with the proposed redevelopment of neighbour at 619-621 Pacific highway, and to reduce visual 'tower crowding'.

**8 Tower and podium articulation**

The tower form is set back from the podium, and articulated up the tower elevation with sky-gardens.

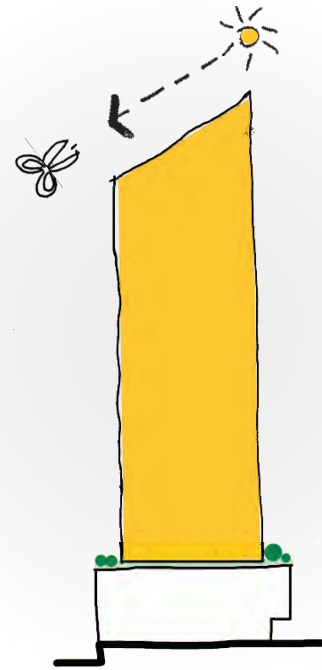
## Key moves

### Architectural key moves



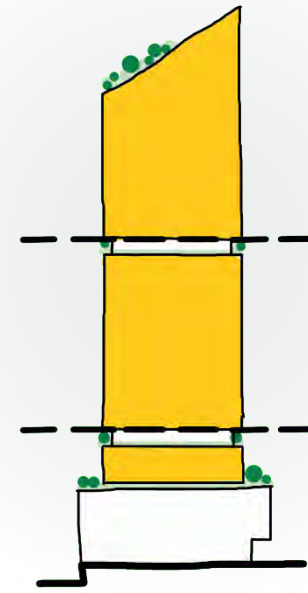
#### 1 The podium

Proposed podium uses will be clearly expressed on the outside of the building. Double height spaces in the lobby zones will provide articulation on the facade and provide opportunities for collaborative working environments that interfacing with the public domain.



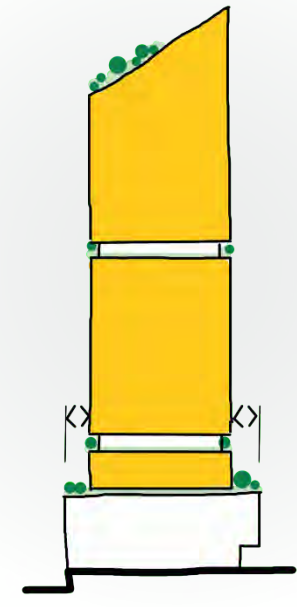
#### 2 Building form

The building envelope has been determined by shadow modelling, to ensure that there is no additional overshadowing to Newlands back. The sloped crown enhances the elegant form of the tower in relation to natural topography.



#### 3 Proportions

By splitting the tower form into 2 distinct elements- core and workplace, the bulk is reduced and an elegant form created. The building articulation clearly defines the podium and tower, which is further articulation through location of special floors with sky-garden and plant-room elements.



#### 4 Setbacks

The tower is set back from podium edges to reduce its apparent bulk and scale when viewed from ground level.





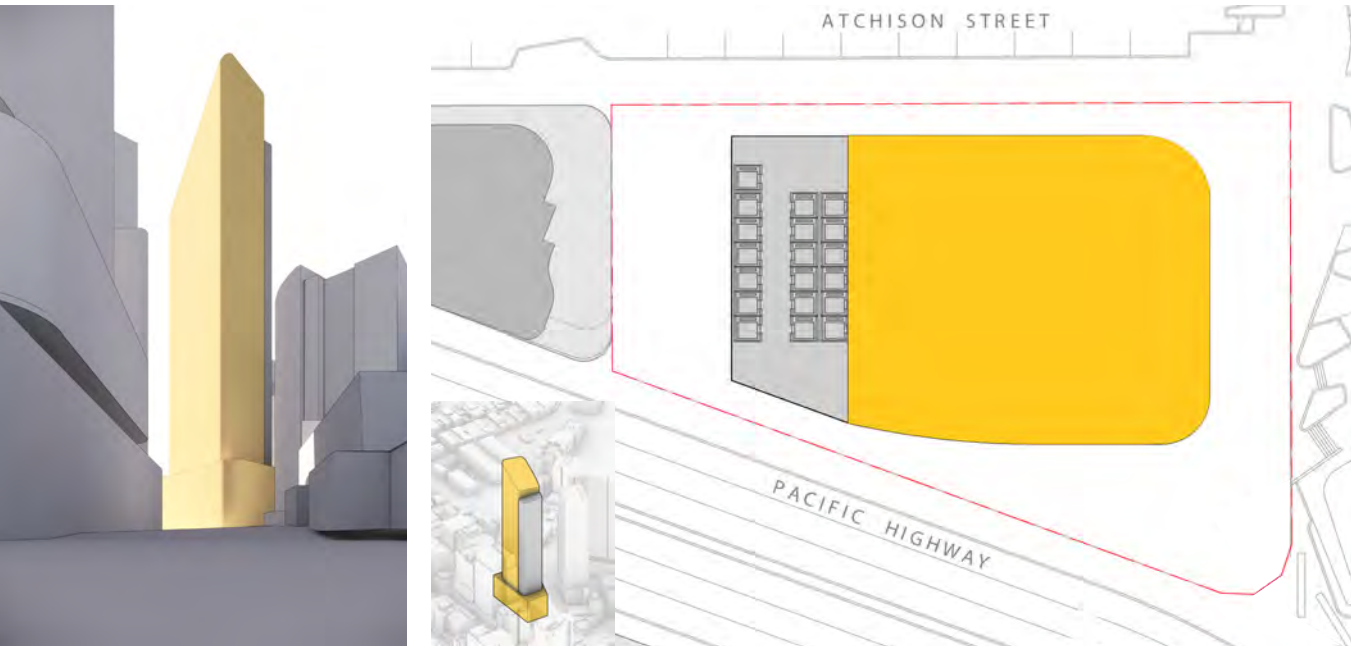


4.3 Option summary

A number of tower configurations were tested to respond to the design principles and site constraints while achieving a feasible commercial building. These include:

- Testing different core locations, environmental outcomes and core location feasibility with the sloped crown, as well as impact on views available from floors
- Testing floor-plate types and flexibility for multiple tenancies
- Avoiding tower crowding

1 Option 1: A tower form running east-west

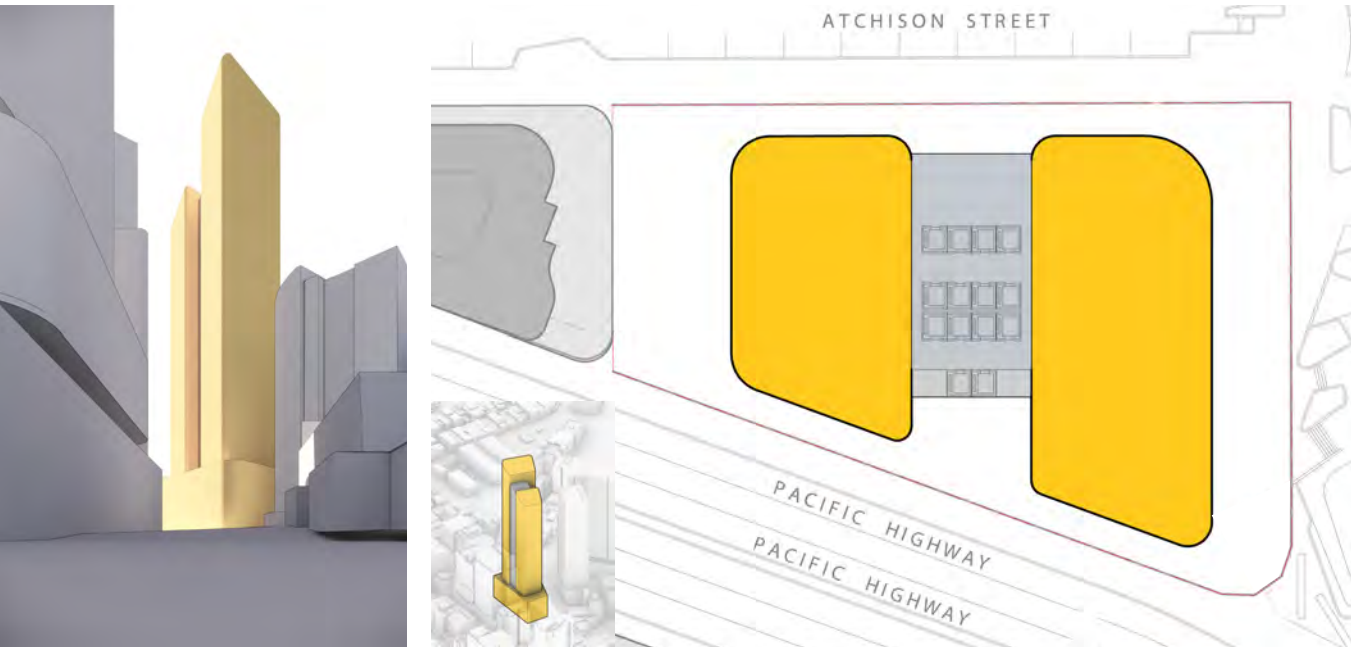


⊗	⊕	⊗	⊕
Maximised height to solar envelope	Optimised floor-plate connectivity	Optimised floor-plate sub-divisibility	Optimised View and environmental performance

- Achieves minimum separation and setback requirements.
- Side core results in clear floor-plate with solid façade against the neighbouring tower.
- Large north façade would require high performing solution to deal with heat gain and glare.
- The core location is positioned in the lowest part of the envelope which cannot be maximized in terms of height, and therefore cannot serve the top floors
- The long floor-plate will result in loss of NLA if it is required to be subdivided.

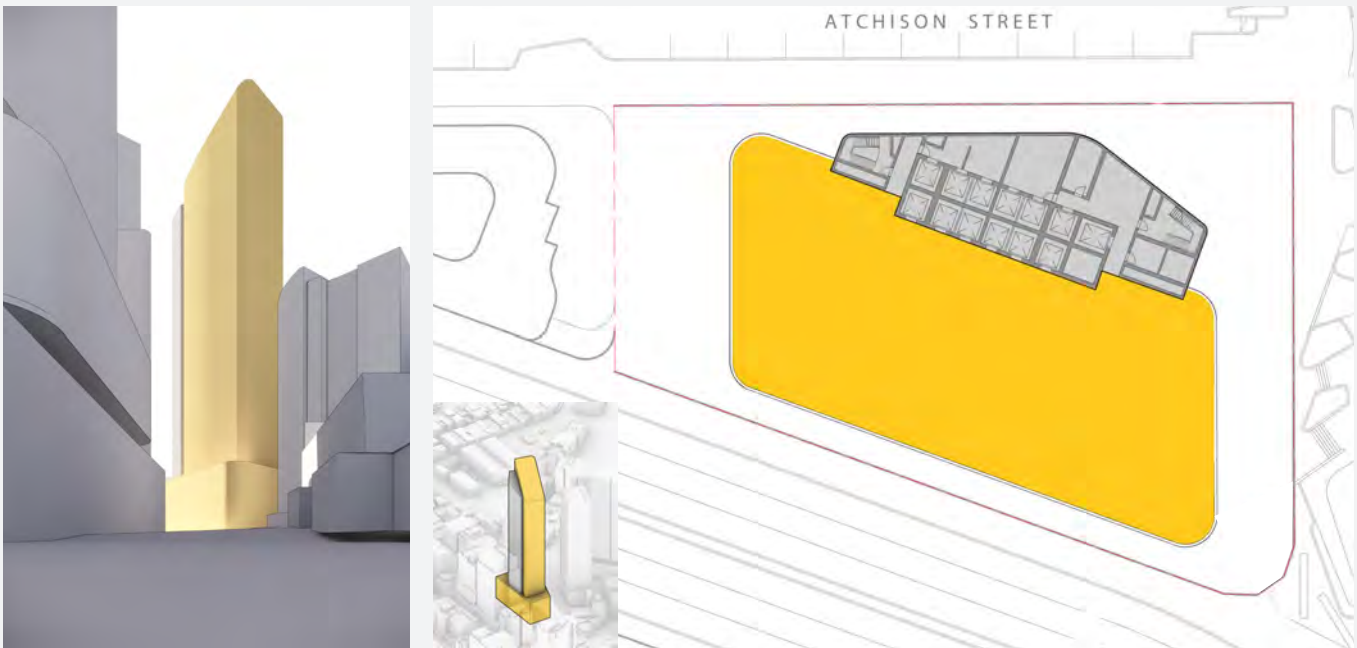
Option summary

2 Option 2: Split tower form with shorter floor plate to the east



<div><div></div><div>+</div></div>	<div><div></div><div>×</div></div>	<div><div></div><div>+</div></div>	<div><div></div><div>×</div></div>
Maximised height to solar envelope	Optimised floor-plate connectivity	Optimised floor-plate sub-divisibility	Optimised View and environmental performance
<div><div></div><div>– Achieves good articulation of tower form with appropriate floor-plate efficiency.</div><div>– Only part of the floor-plate will achieve good views and amenity with large zone obscured by core, resulting in poor quality to western workplace zone.</div><div>– The floor-plate will feature excellent sub-divisibility, however horizontal connectivity is quite poor.</div><div>– Lift core is entirely positioned in the proposed zone of influence for the Sydney Metro.</div></div>			

3 Option 3 (Preferred): Tower located diagonally across the site



<div><div></div><div>+</div></div>	<div><div></div><div>+</div></div>	<div><div></div><div>+</div></div>	<div><div></div><div>+</div></div>
Maximised height to solar envelope	Optimised floor-plate connectivity	Optimised floor-plate sub-divisibility	Optimised View and environmental performance
<div><div></div><div>– Achieves appropriate articulation of the building mass with lift core located in optimal location given the proposed zone of influence for the Sydney Metro.</div><div>– The north core provides excellent solar protection with the entire floor-plate enjoying good views.</div><div>– The floor-plate has excellent efficiency, connectivity and when subdivided the NLA loss is minimised.</div><div>– The core is positioned in such a way that with the sloping crown, the building envelope can be maximized through a stepped floor-plate.</div></div>			







# 5.0 The indicative concept design

5.1 Indicative design

5.2 Indicative floor plan

5.3 Indicative sections

5.4 Floor-plate analysis



## 5.1 Indicative concept design

601 Pacific Highway will be one of the key commercial buildings for St Leonards Town Centre. The indicative concept design results in a design outcome which will strengthen the town centre with active and engaging ground floors and provide an iconic tower appropriate to its strategic location.

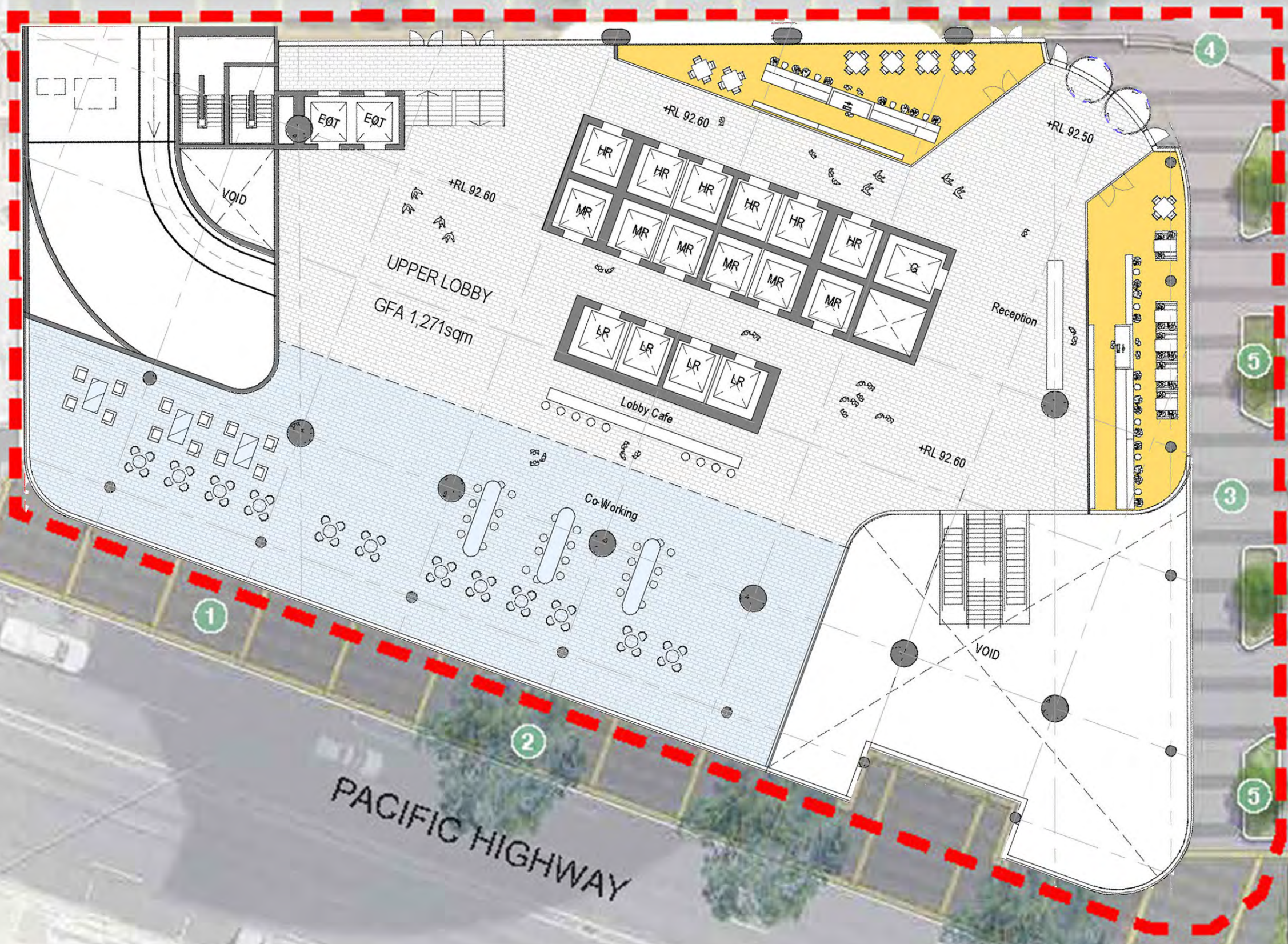


0 4 8 12 16 20M

Proposed ground floor plan at Mitchell St Plaza/ Atchison Street level (Oc...



(existing paving work to be retained)



**MITCHELL STREET**  
(existing work to be retained)

**PACIFIC HIGHWAY**



## Indicative concept design



*Indicative concept render - Atchison Street corner looking west with Mitchell St Plaza to the left*



## Indicative concept design



Indicative concept render -looking north-west along the Pacific Highway



## Indicative concept design

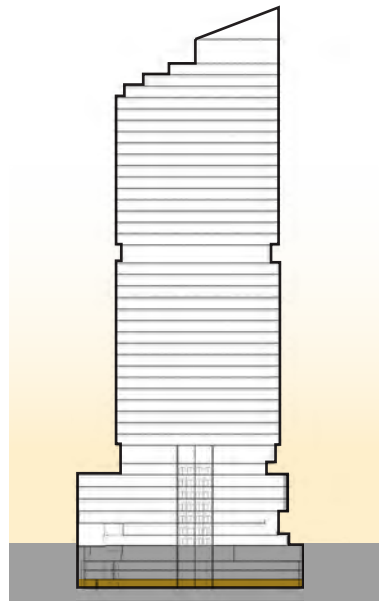


Indicative concept render - Lobby view from Pacific Highway, looking North, with Mitchell St Plaza to the right



## 5.2 Indicative floor plan

Indicative floor plan - Level B4 Basement

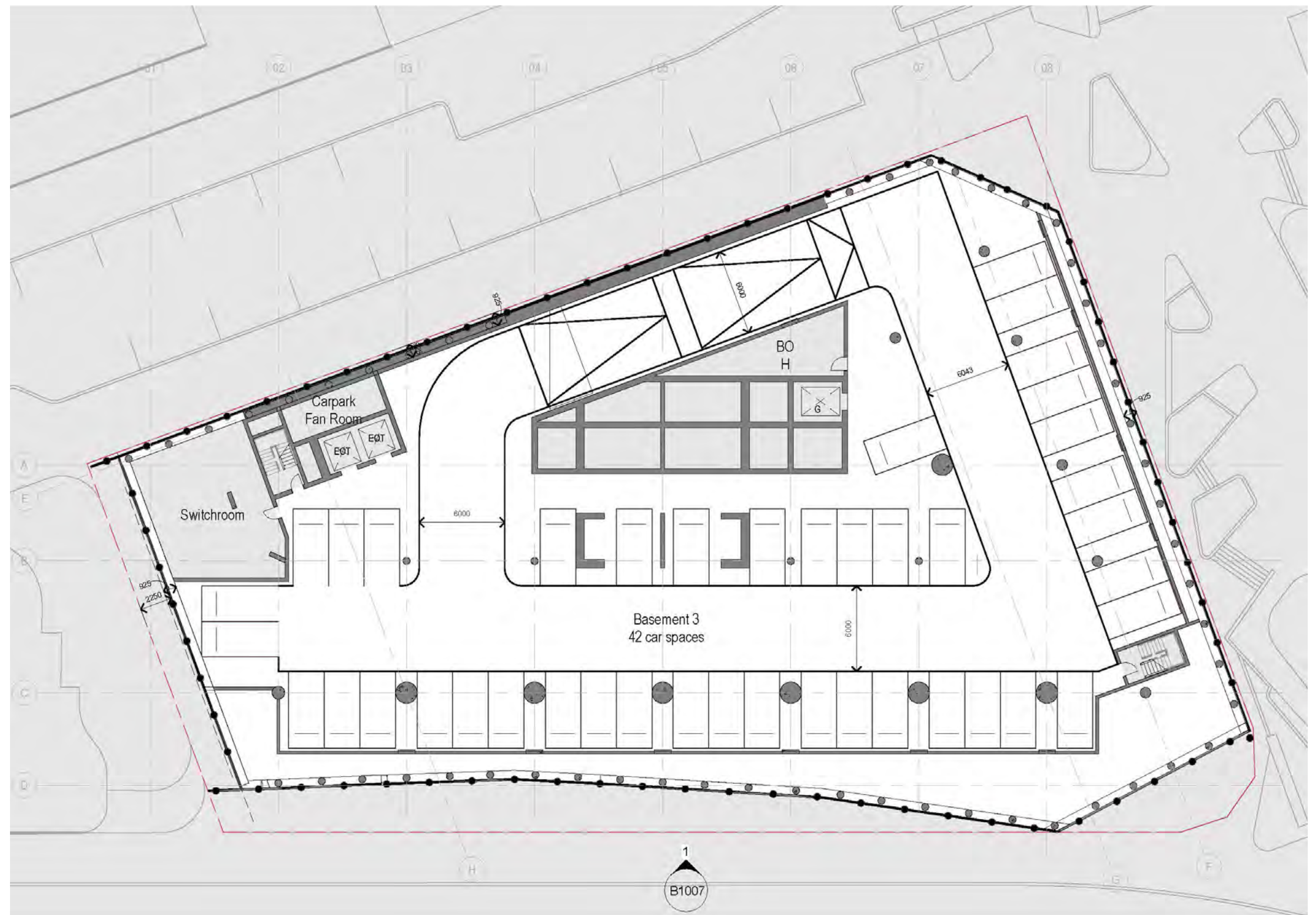
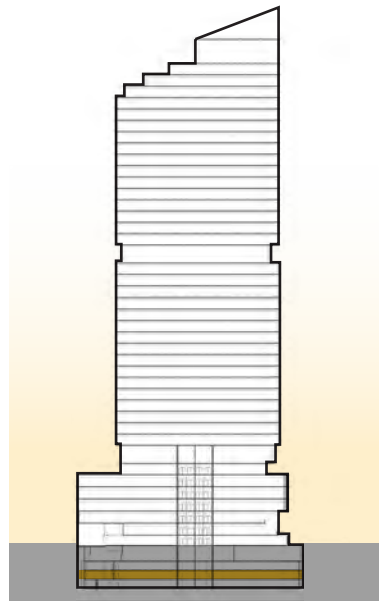


0 2.5 5.0 7.5 10 20m

Indicative basement 4 plan

## Indicative floor plan

## Indicative floor plan - Level B3 Basement

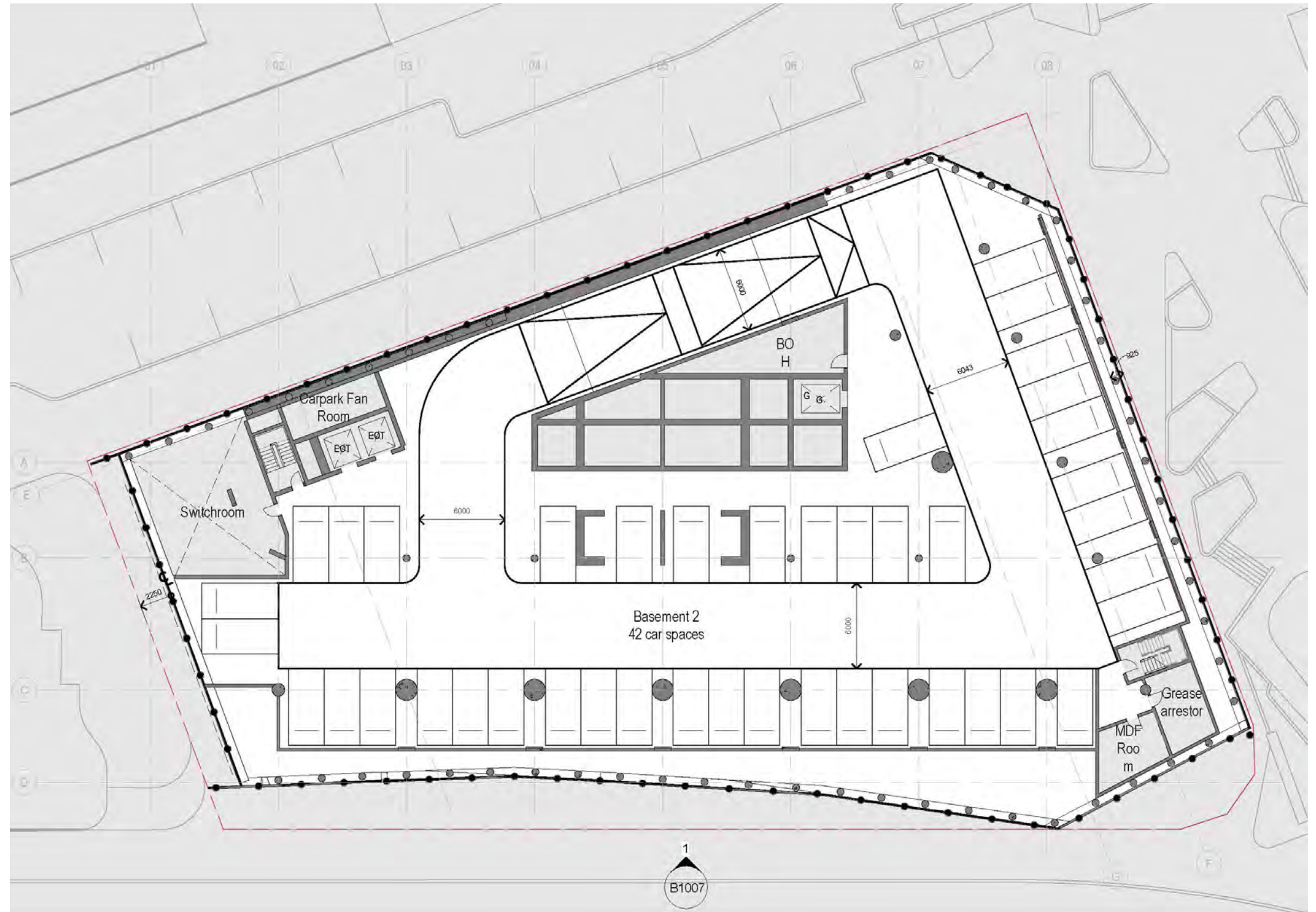
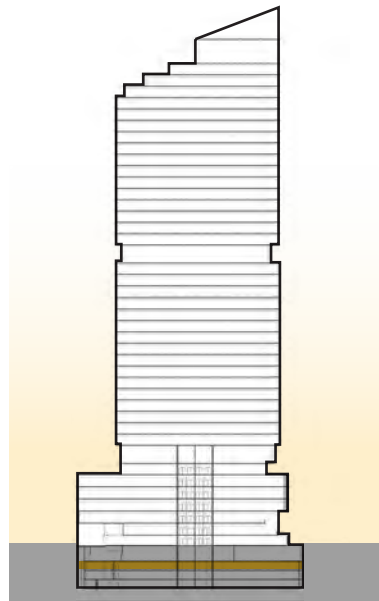


Indicative basement 3 plan



## Indicative floor plan

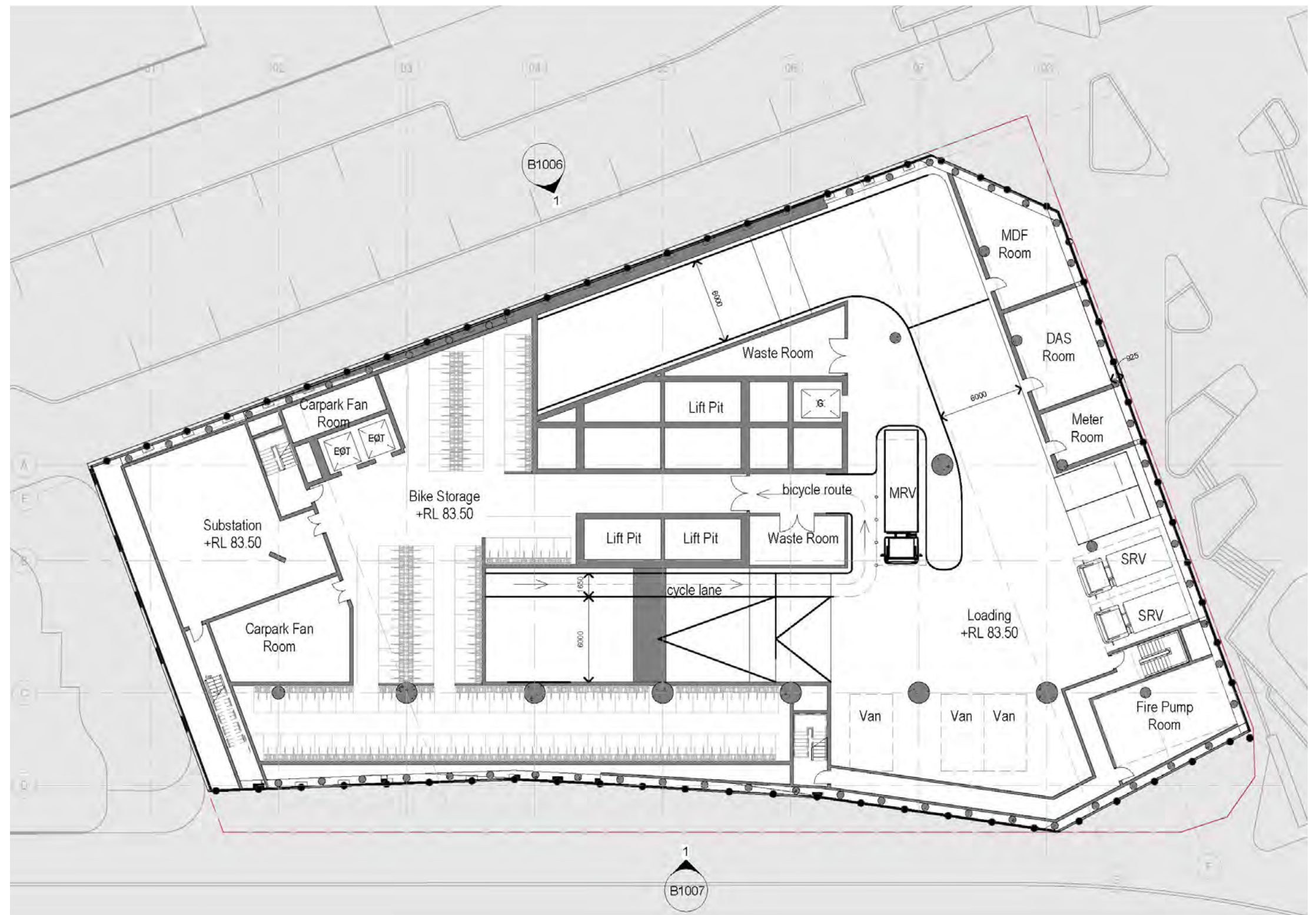
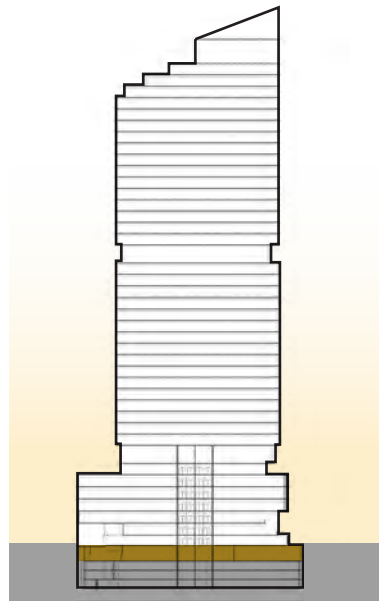
## Indicative floor plan - Level B2 Basement



Indicative basement 2 plan

## Indicative floor plan

## Indicative floor plan - Level B1 Basement

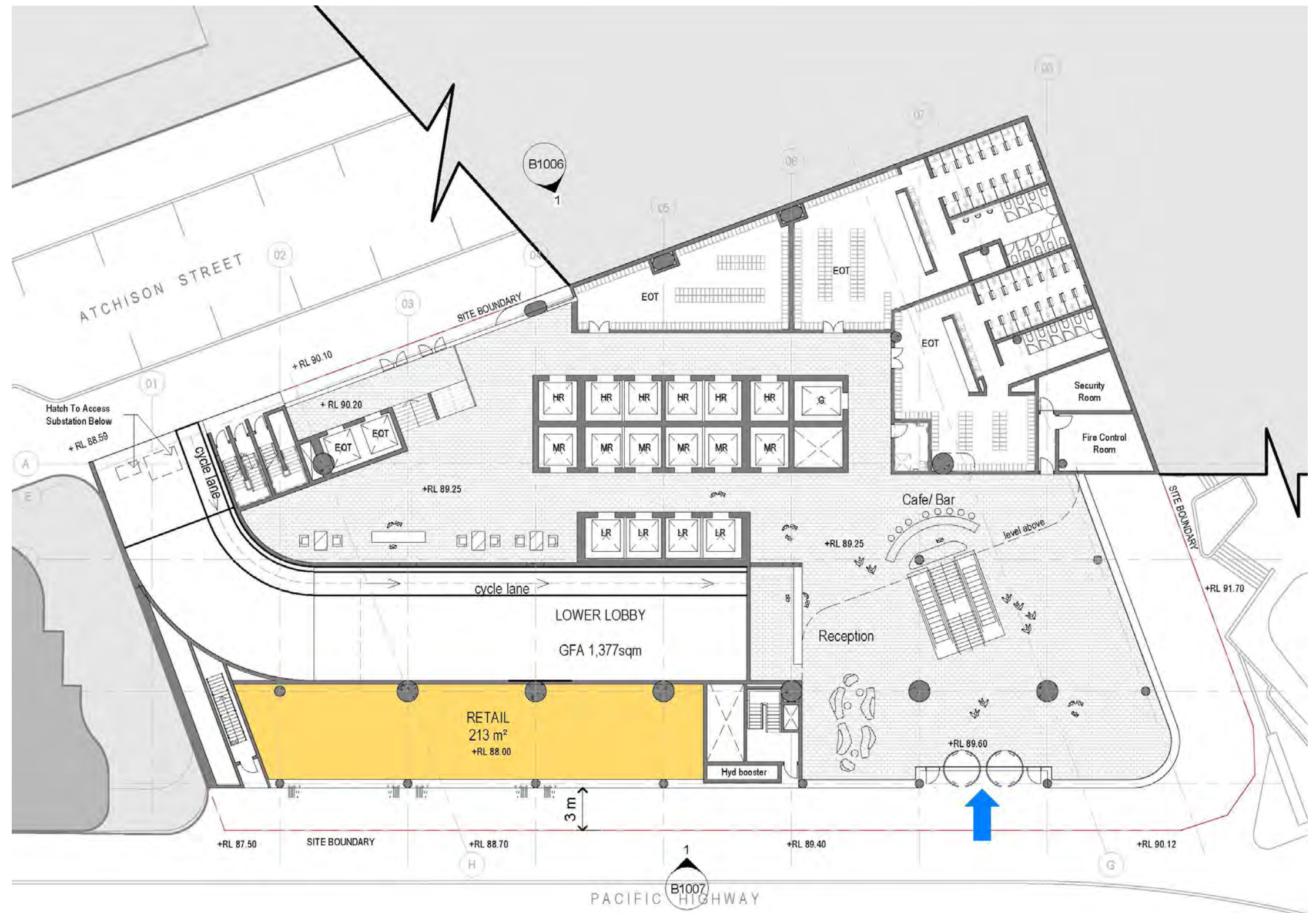
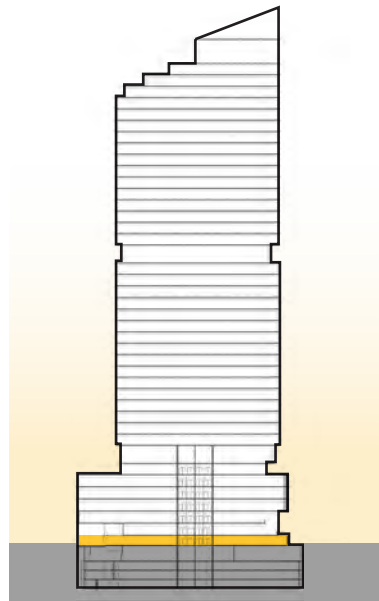


Indicative basement 1 plan

0 2.5 5.0 7.5 10 20m



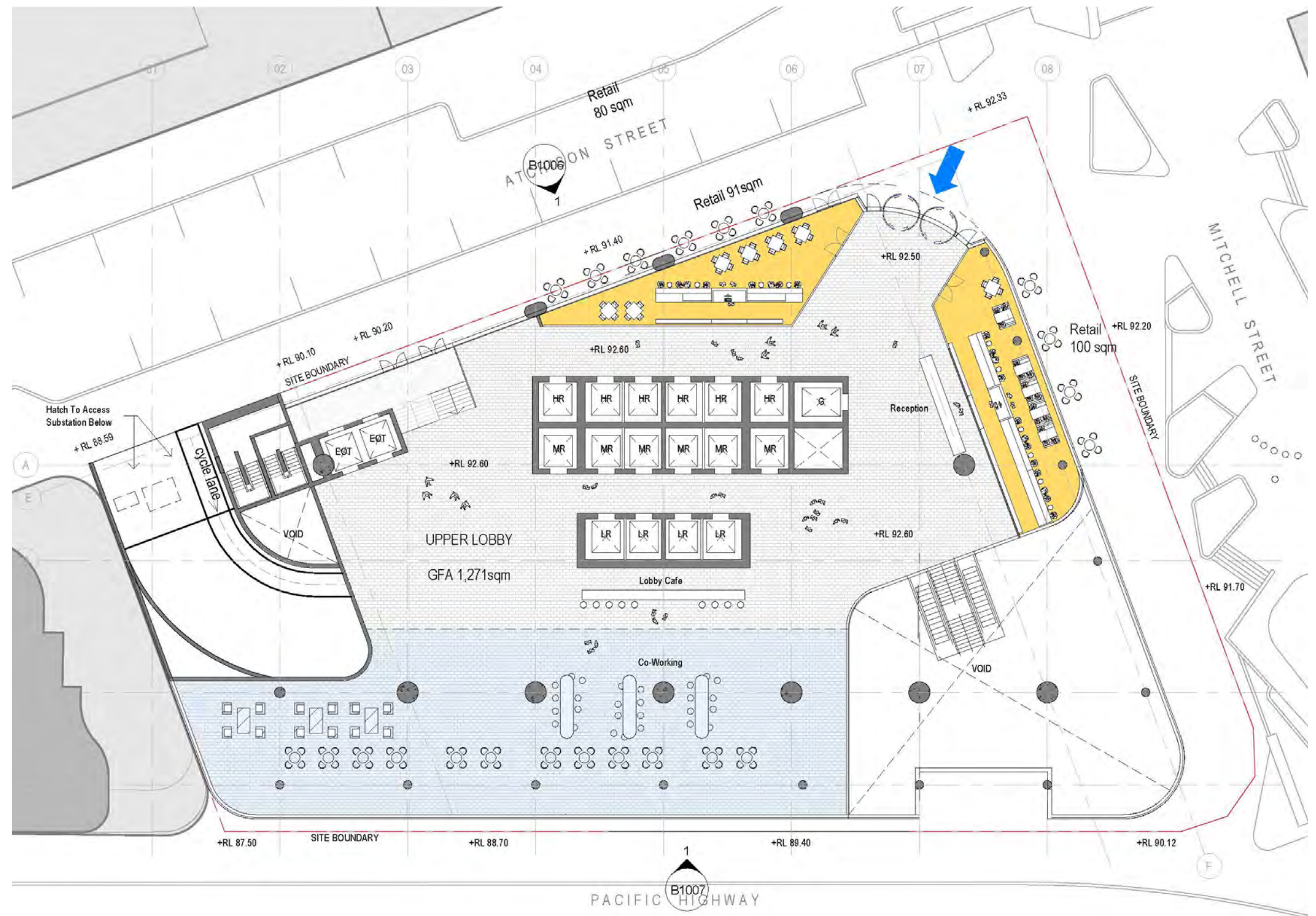
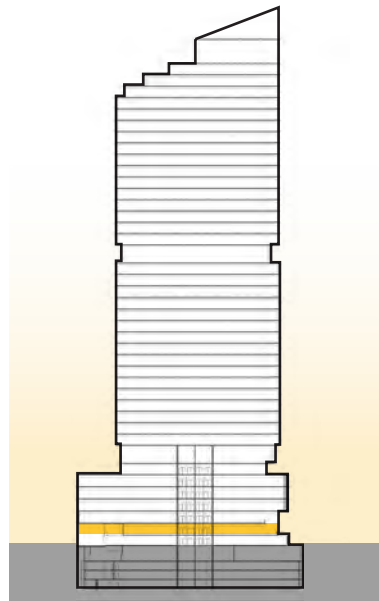
## Indicative floor plan

Indicative floor plan - Ground Level  
Lower Lobby Plan

Indicative ground floor plan- Pacific Highway level



## Indicative floor plan

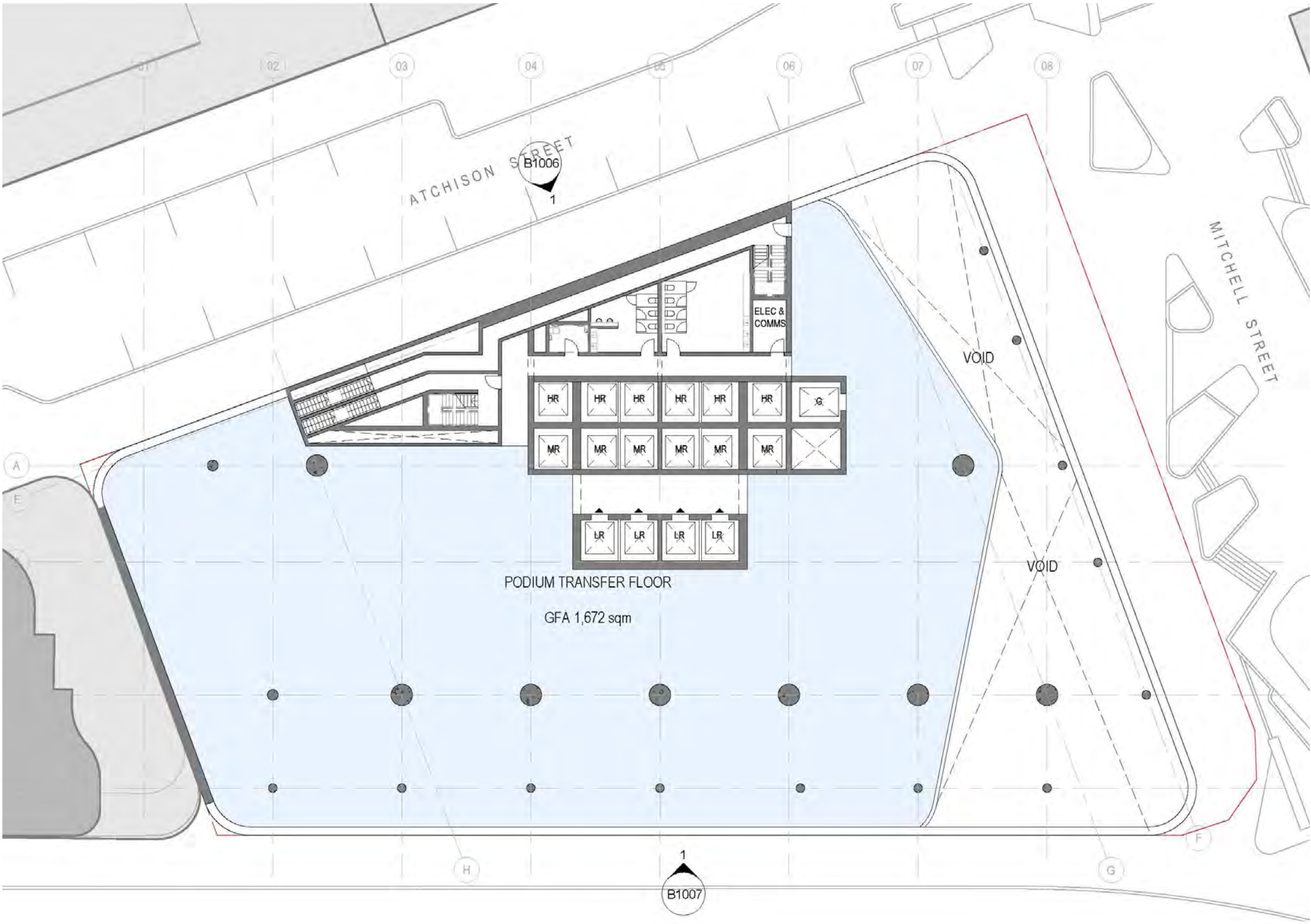
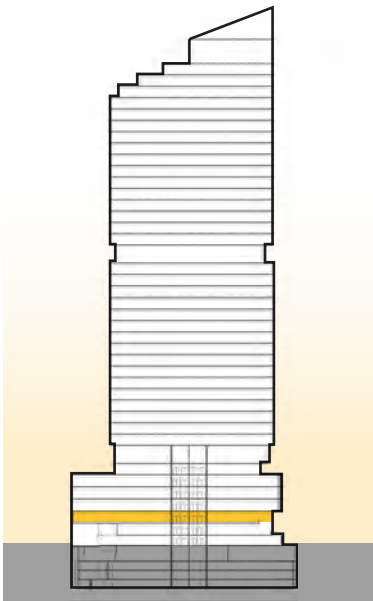
Indicative floor plan - Level 01  
Upper Lobby Plan

Indicative ground floor plan- Atchison St and Mitchell St Plaza level



Indicative floor plan

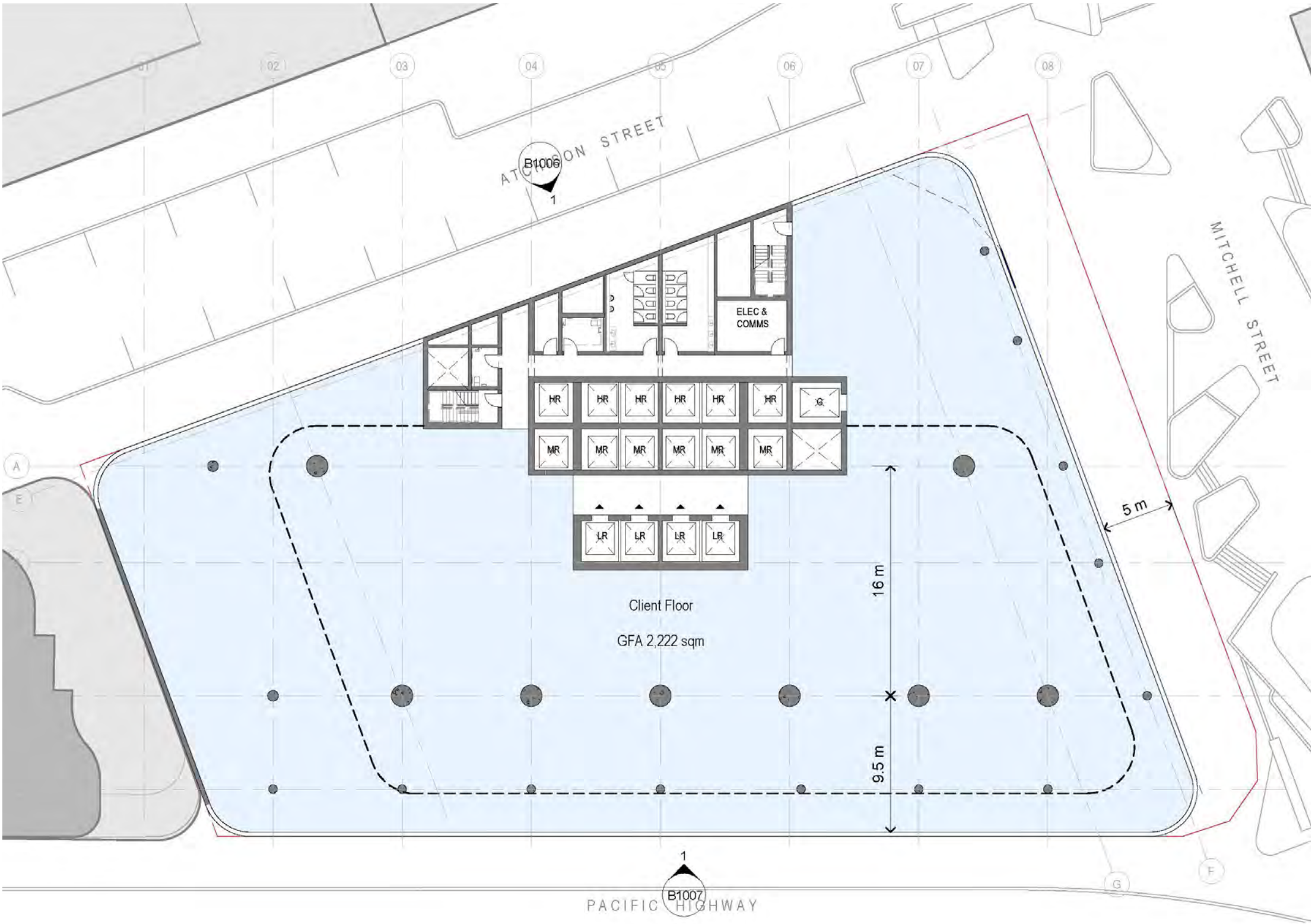
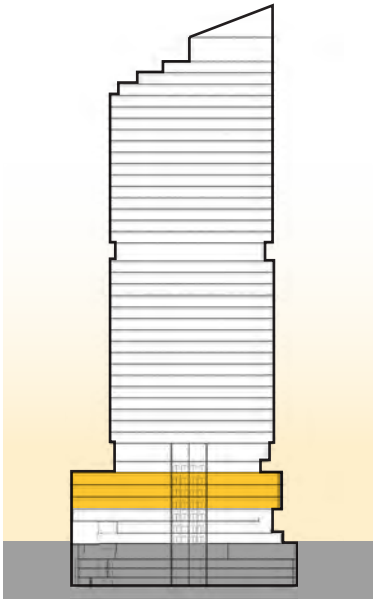
Indicative floor plan - Level 02  
Podium Plan



Indicative podium transfer floor plan

Indicative floor plan

Indicative floor plan - Level 03  
Typical Podium Plan

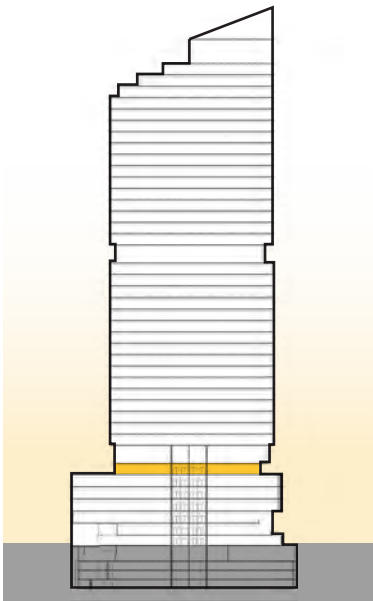


Indicative typical podium client floor



Indicative floor plan

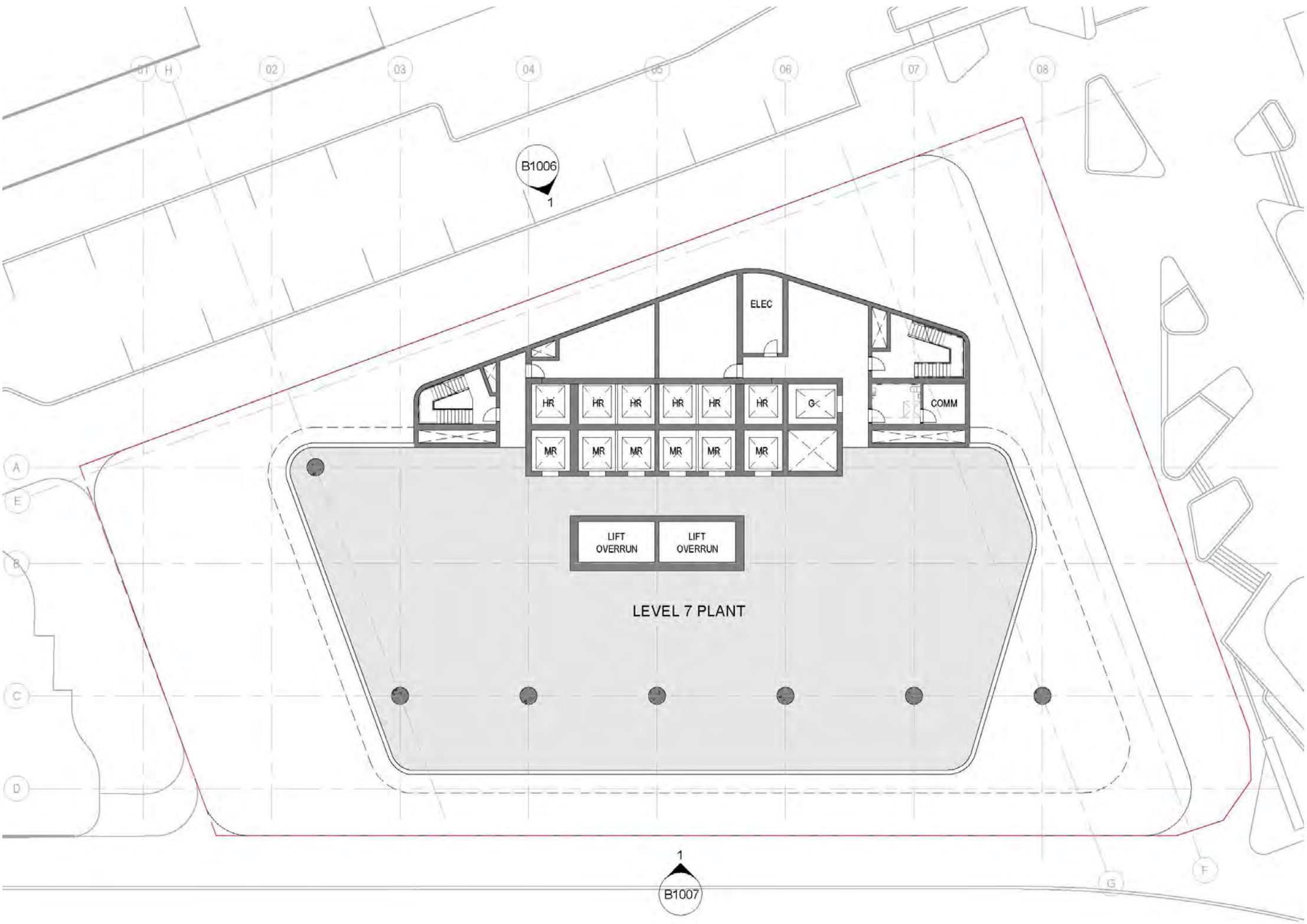
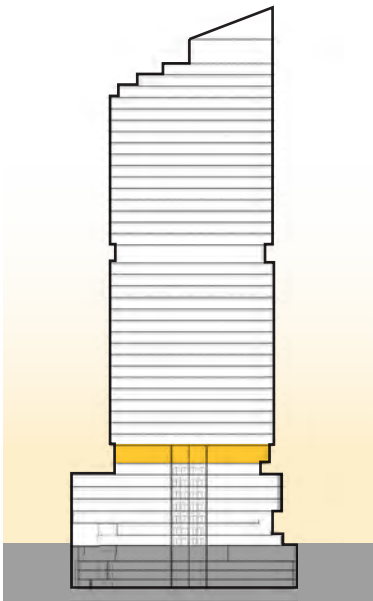
Indicative floor plan - Level 06  
Client Floor



Indicative L06- special tower client floor

Indicative floor plan

Indicative floor plan - Level 07  
Lower Plant

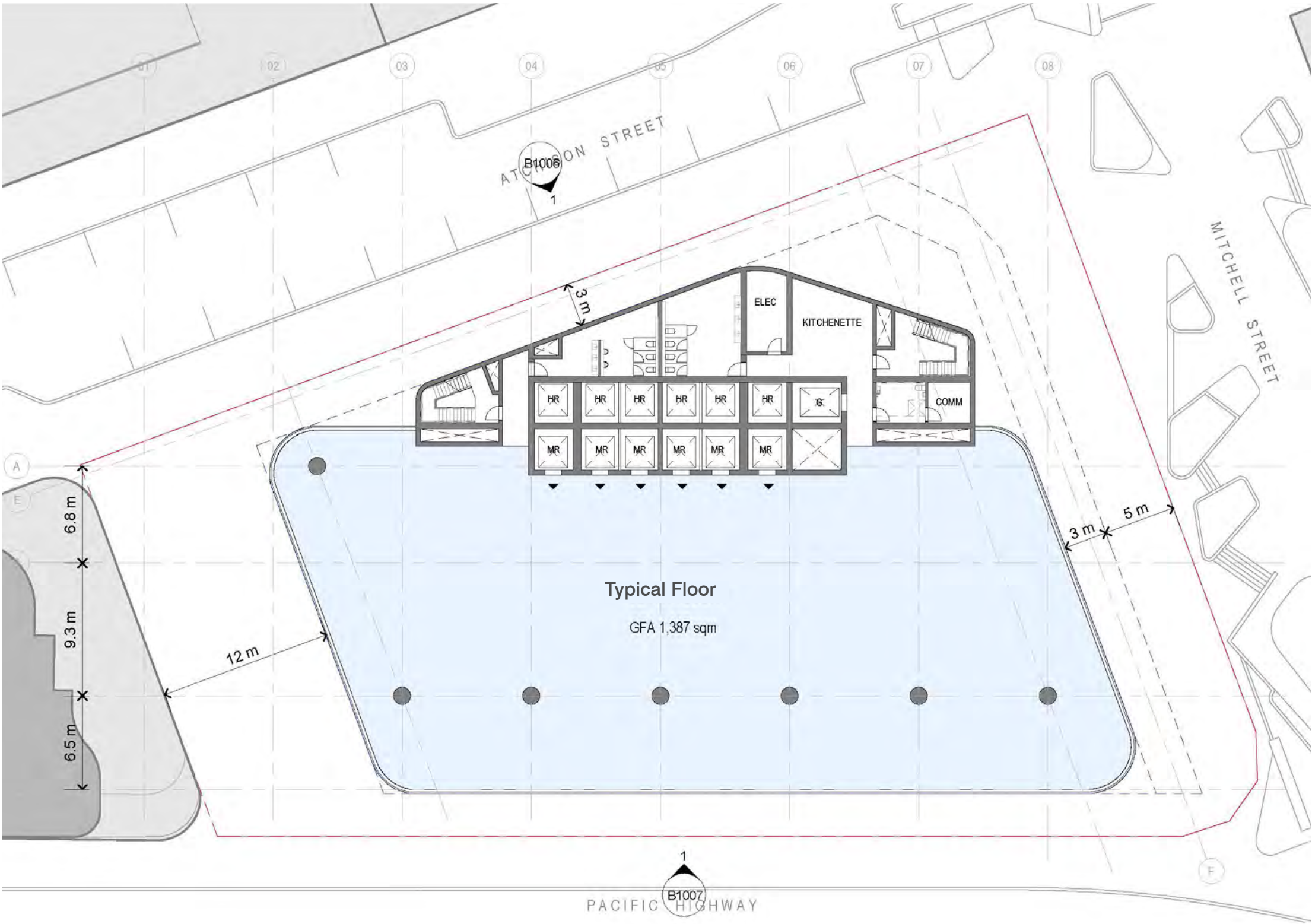
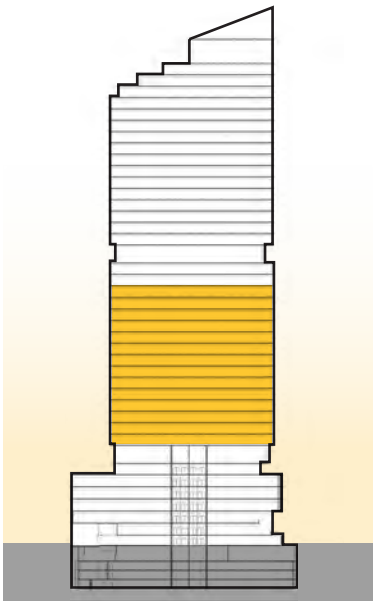


Indicative Level 07 lower plant plan



Indicative floor plan

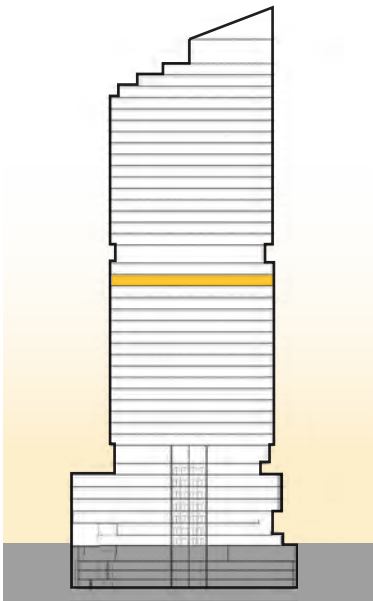
Indicative floor plan - Level 08-21  
Typical Mid Rise Level



Indicative typical mid rise floor plan

Indicative floor plan

Indicative floor plan - Level 22  
Client Floor

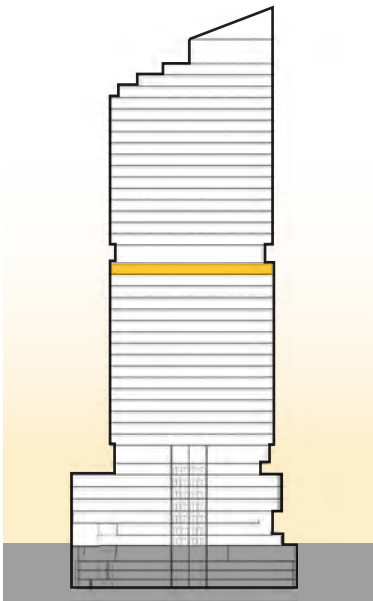


Indicative L22- special client floor plan with sky-garden



Indicative floor plan

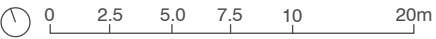
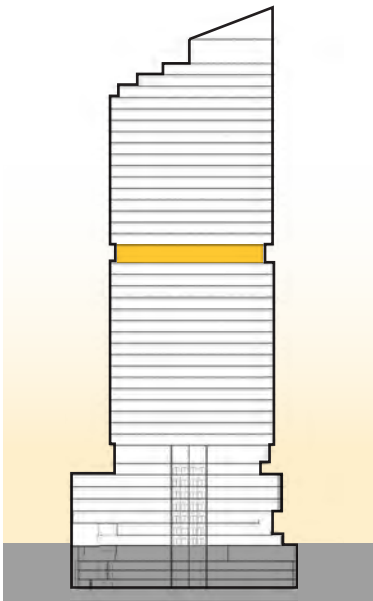
Indicative floor plan - Level 23  
Client Floor



Indicative L23- special client floor plan with sky-garden

Indicative floor plan

Indicative floor plan - Level 24  
Upper Plant

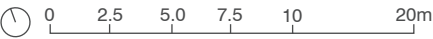
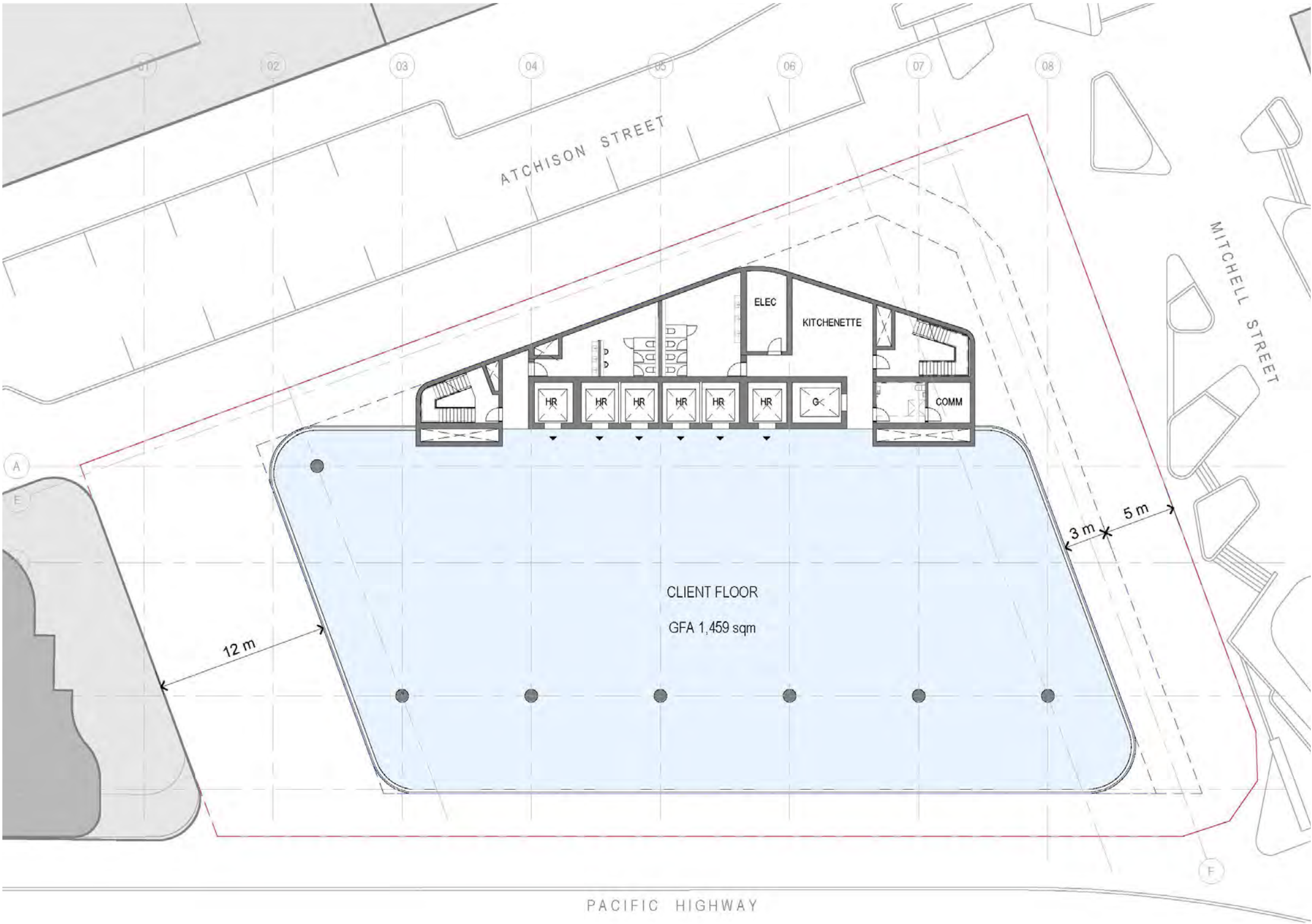
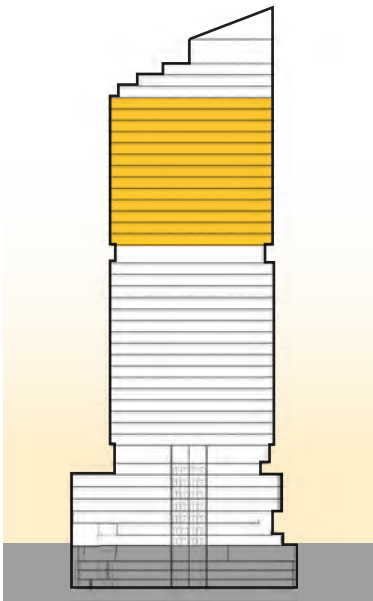


Indicative L24- indicative upper plant



Indicative floor plan

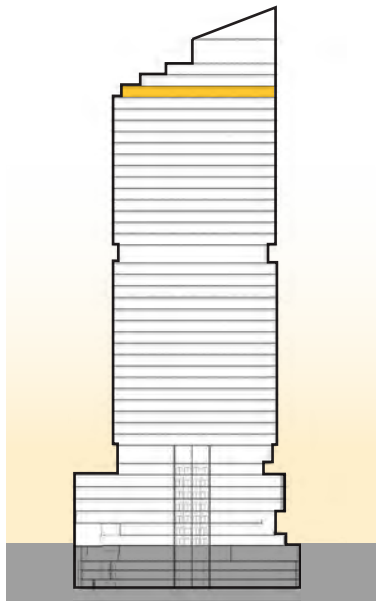
Indicative floor plan - Level 25-37  
Typical High Rise Plan



Indicative typical high rise plan

Indicative floor plan

Indicative floor plan - Level 38  
Terrace Floor

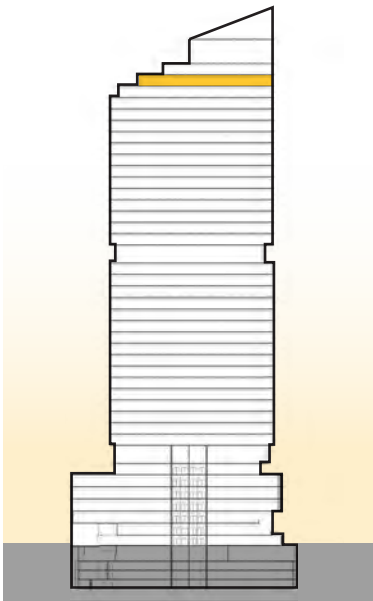


Indicative level 38 plan



Indicative floor plan

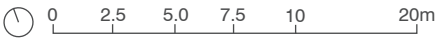
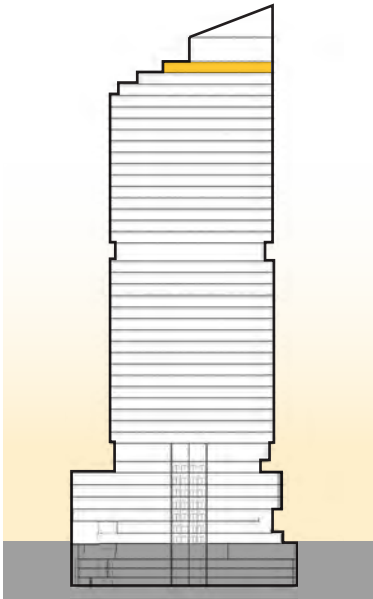
Indicative floor plan - Level 39  
Terrace Floor



Indicative level 39- terrace floor plan

Indicative floor plan

Indicative floor plan - Level 40  
Terrace Floor

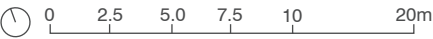
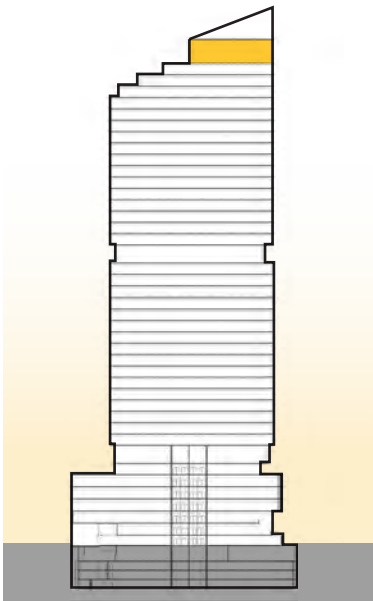


Indicative level 40 plan- terrace floor



Indicative floor plan

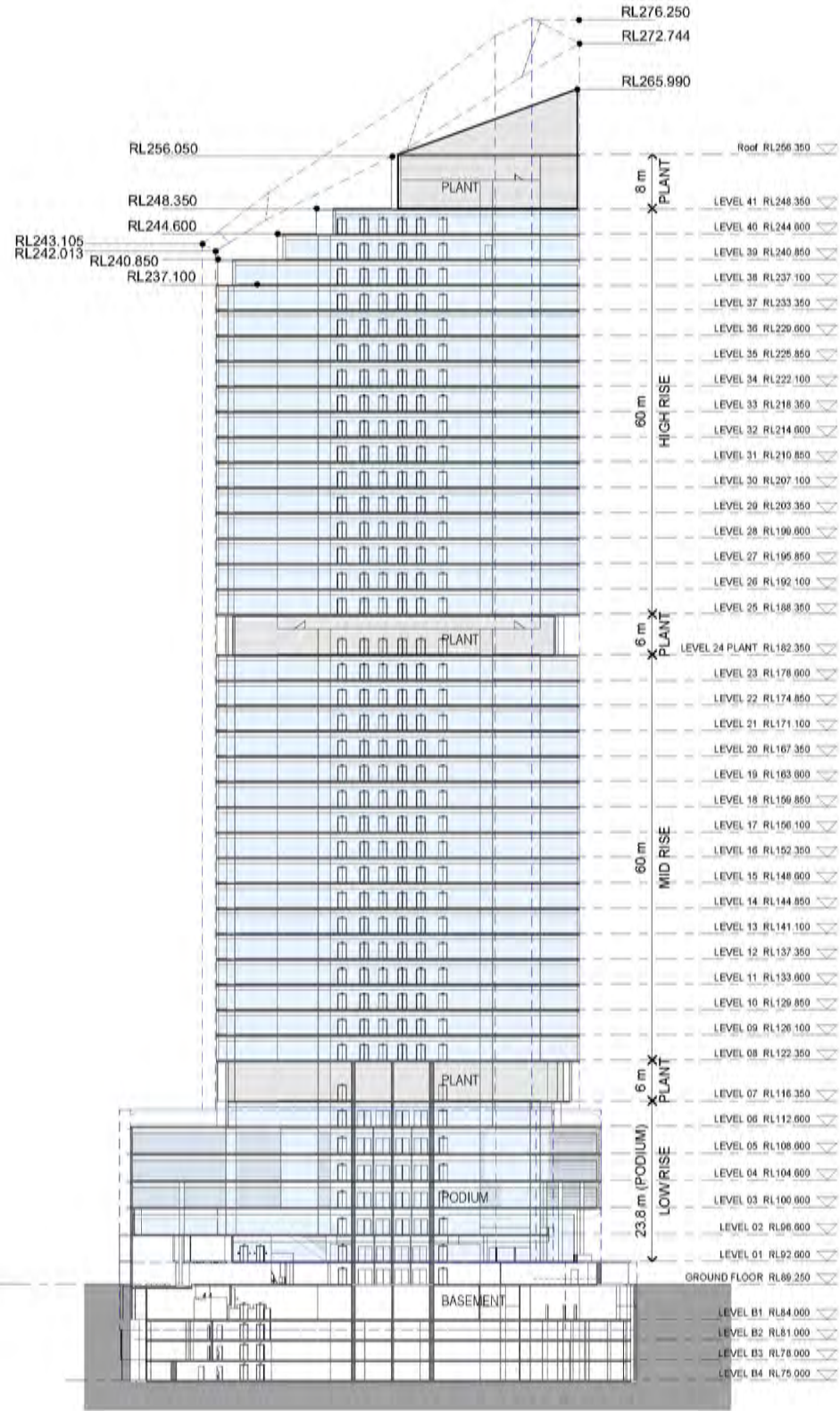
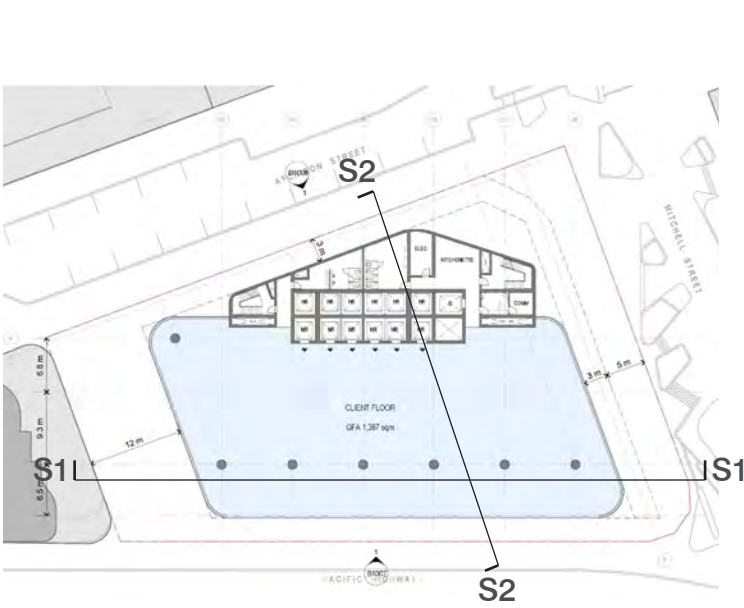
Indicative floor plan - Level 41  
Roof Plant



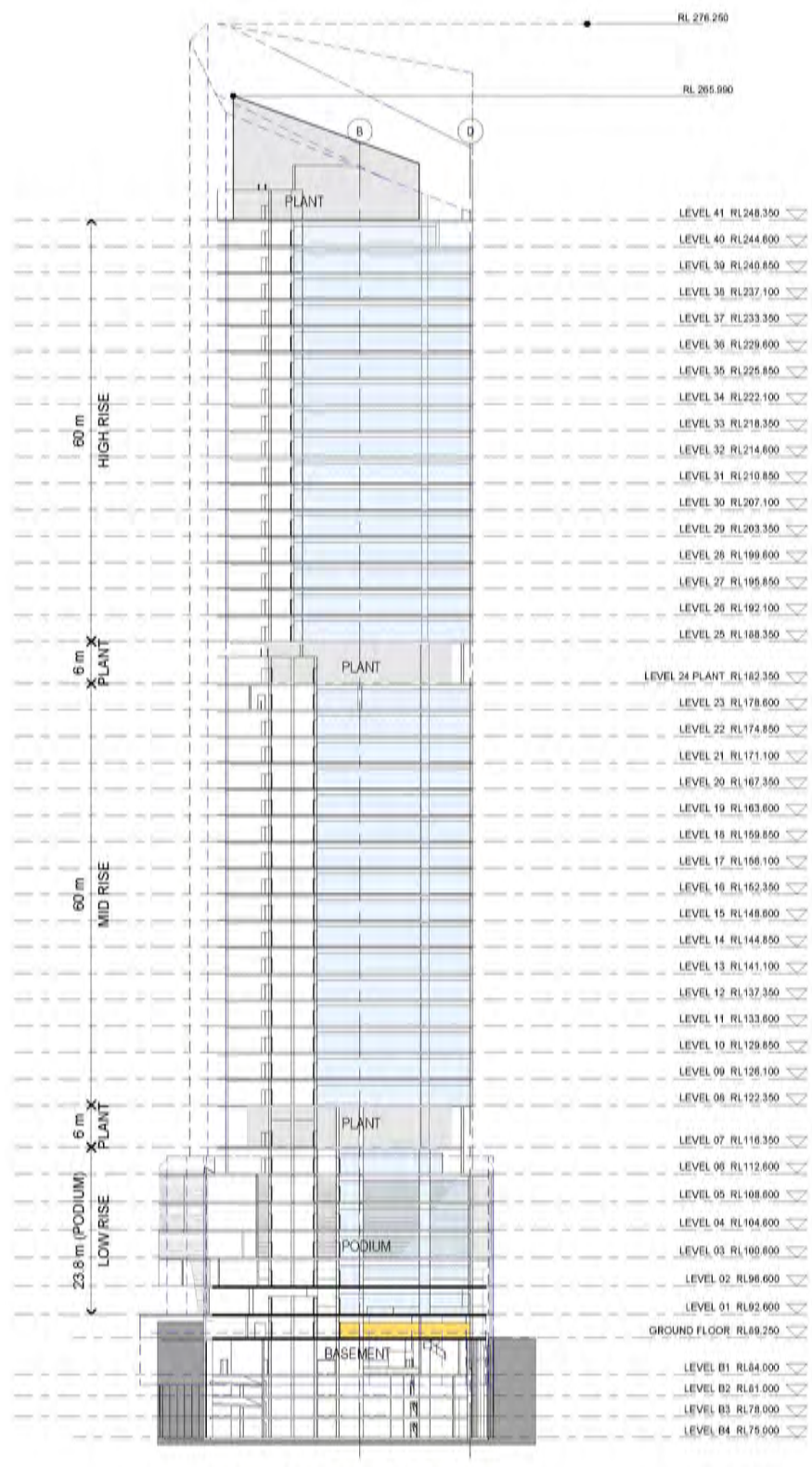
Indicative level 41- Roof plant



5.3 Indicative Sections



section1 showing the permissible envelope in blue dotted line



section2 showing the permissible envelope in blue dotted line



# 6.0 Assessment

6.1 Shadow analysis

6.2 Visual impact

6.3 Aviation height limits

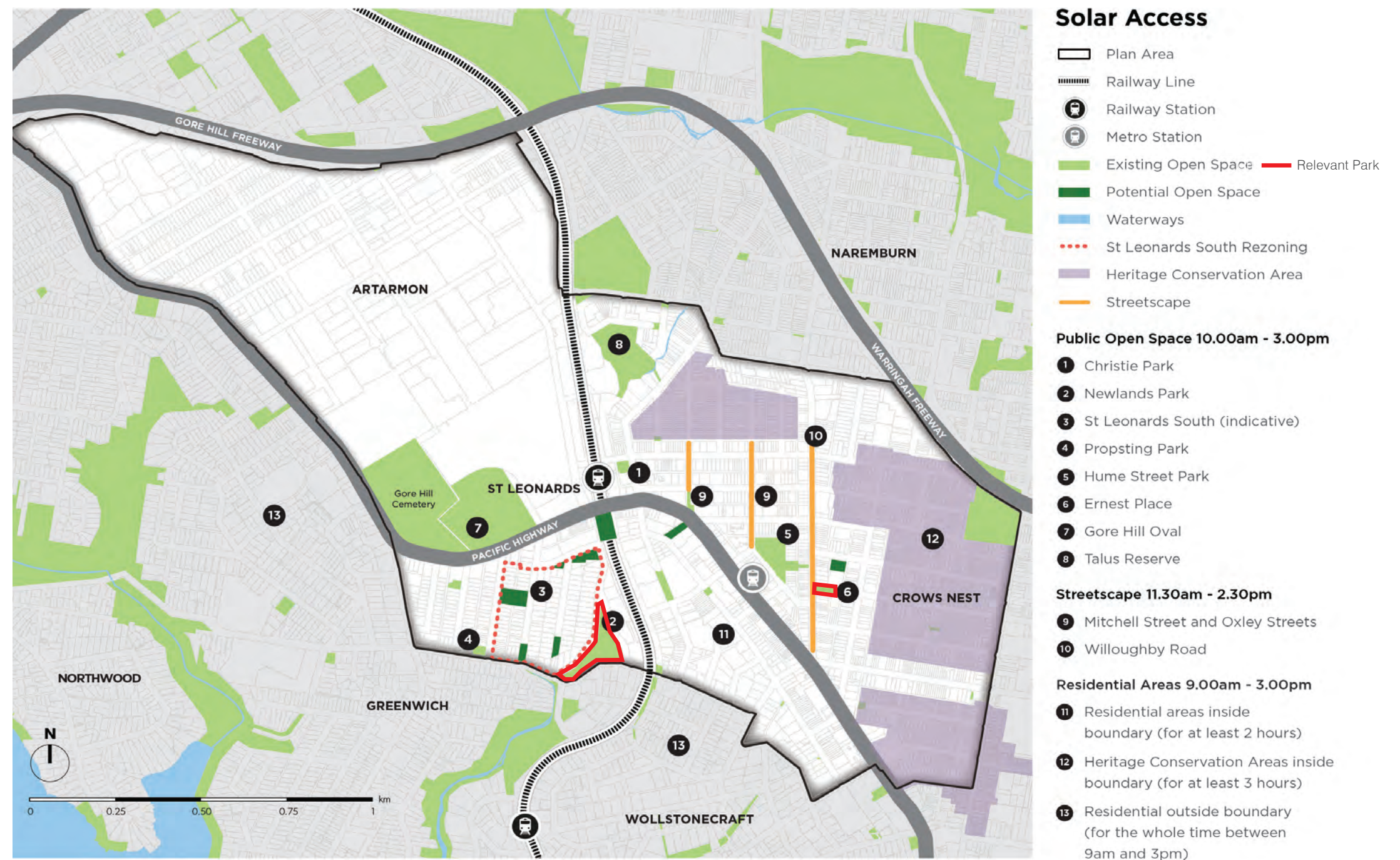
## 6.1 Solar amenity

The site is located within the North Sydney Planning Area. All relevant planning strategies have been taken into consideration in developing the reference envelope. These documents include Greater Sydney Region Plan, North District Plan, the North Sydney Local Strategic Planning Statement (LSPS) 2020, St Leonards and Crows Nest Station Precinct Interim Statement, St Leonards/Crows Nest Planning Study, St Leonards Place-making and Design study and the St Leonards Crows Nest 2036 Plan.

The St Leonards Crows Nest 2036 Plan nominates solar access controls (see solar access map and controls, right) for the St Leonards and Crows Nest area which stipulate:

- No additional shadow to Newlands Park and Ernest Place from 10am-3pm, in mid-winter (21 June).
- 
- No additional shadow to Mitchell Street Plaza and Willoughby Road from 11:30am-2:30pm in mid-winter (21 June).
- Residential areas inside the precinct boundary are to receive sunlight for at least 2 hours between 9:00am–3:00pm on 21 June.
- Heritage Conservation Areas inside the precinct boundary are to receive sunlight for at least 3 hours between 9:00am – 3:00pm on 21 June.

The following pages illustrate solar testing to each of these protected areas.



Solar access map (Source: The St Leonards and Crows Nest 2036 Plan - p38)



6.2 Solar analysis

Newlands Park, Ernest Place and Willoughby Road

The proposal does not create any additional overshadowing to Newlands Park between 10am and 3pm, on 21 June and therefore complies with controls for Newlands Park.

For Willoughby Road and Ernest Place the proposal does not create any additional overshadowing between 10am and 3pm on 21 June, and therefore complies with The St Leonards Crows Nest 2036 Plan which protects Ernest Place from 10.00am-3.00pm and Willoughby Road from 11:30am-2:30pm.



21June 10.00am



21June 11.00am



21June 12.00pm



21June 1.00pm



21June 2.00pm



21June 3.00pm



21June 3.30pm



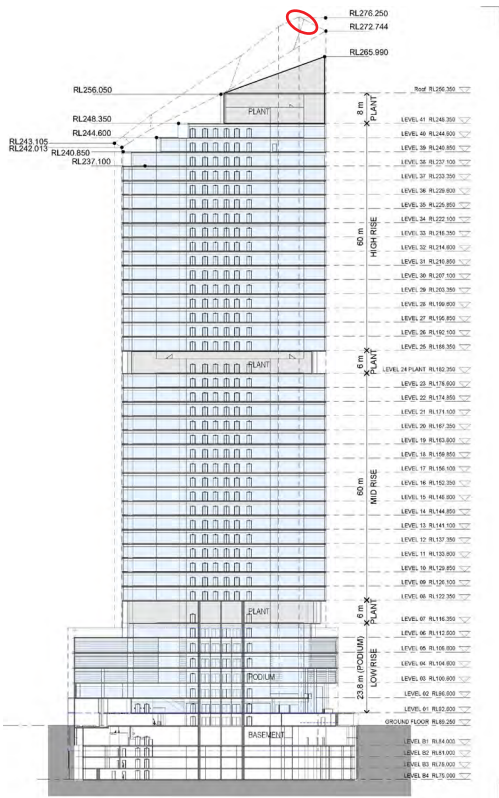
21June 4.00pm

- Legend
- Site boundary
  - Buildings under construction
  - DA Approved/ DA being prepared
  - High Likely development (under LUIIP)
  - 601 Pacific highway
  - Shadow path of building envelope at 601 Pacific highway



Willoughby Road (2pm-3pm)

The maximum envelope has been applied in testing shadows. The top edge of the maximum envelope (see red circled area below) would create a minor shadow impact on Willoughby road between 2.59pm and 3.00pm, as indicated on the detailed diagrams. However, once a building is designed within the envelope this one minute of overshadowing can be avoided. Therefore, the proposal is able to mitigate any shadow impacts on Willoughby Road.



section of the new proposal

- Legend**
- Site boundary
  - Buildings under construction
  - DA Approved/ DA being prepared
  - High Likely development (under LUIIP)
  - 601 Pacific highway
  - Shadow path of building envelope at 601 Pacific highway
  - Additional shadow impacts to Willoughby Road



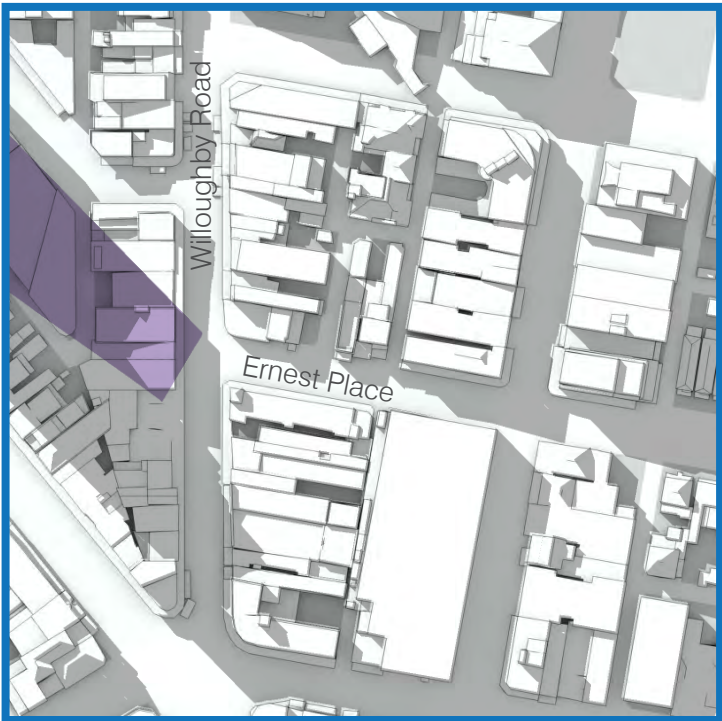
21June 2.00pm



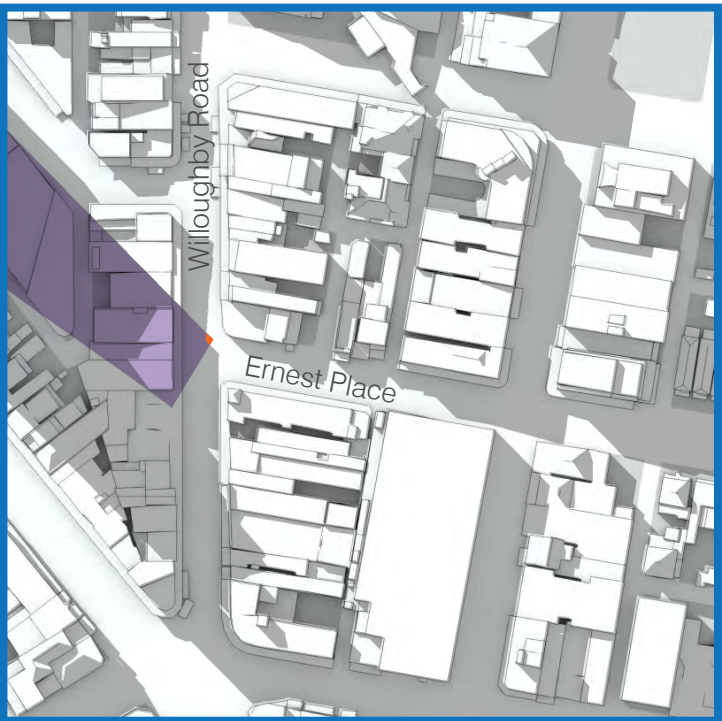
21June 2.30pm



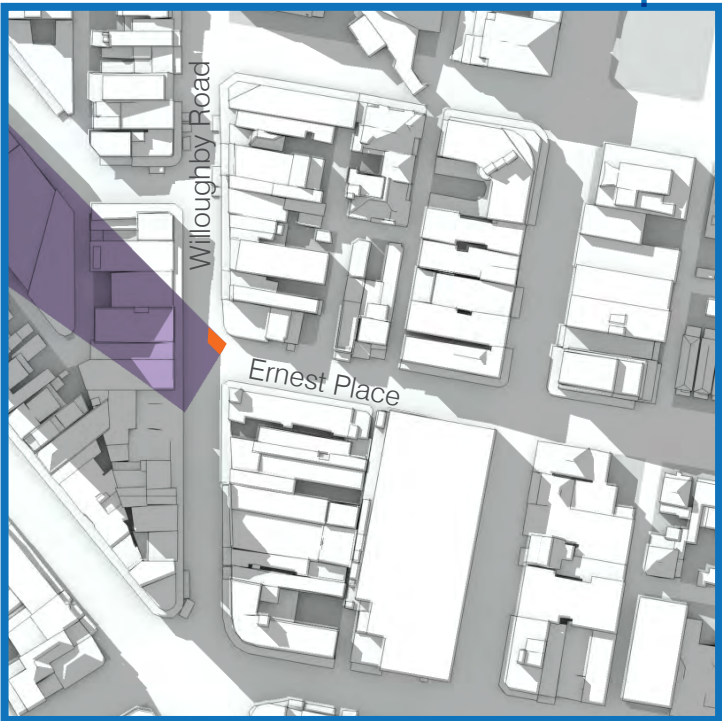
21June 3.00pm



21June 2.58pm (zoomed in)



21June 2.59pm (zoomed in)

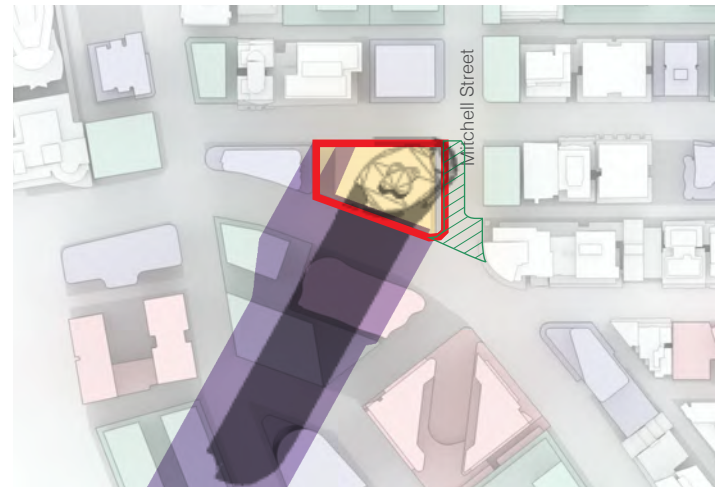


21June 3.00pm (zoomed in)

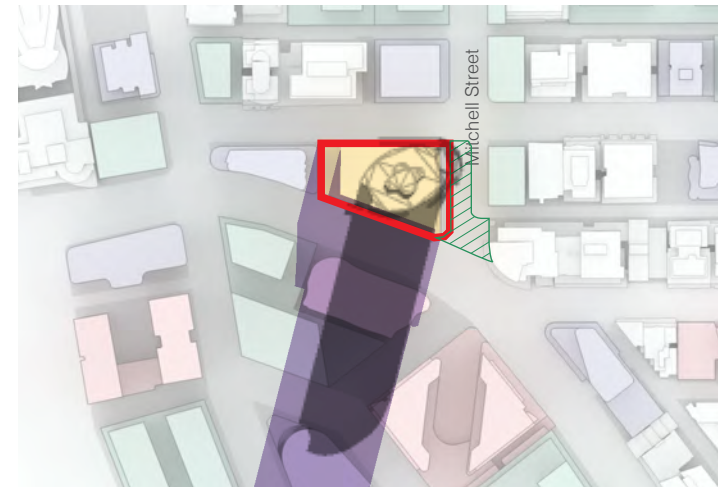


### Mitchell Street Plaza

The proposal includes a 5m street setback to Mitchell Street and 3m tower setback above podium resulting in a proposal that does not create any additional overshadowing to Mitchell Street Plaza beyond that created by the existing building, therefore complying with the St Leonards Crows Nest 2036 Plan.



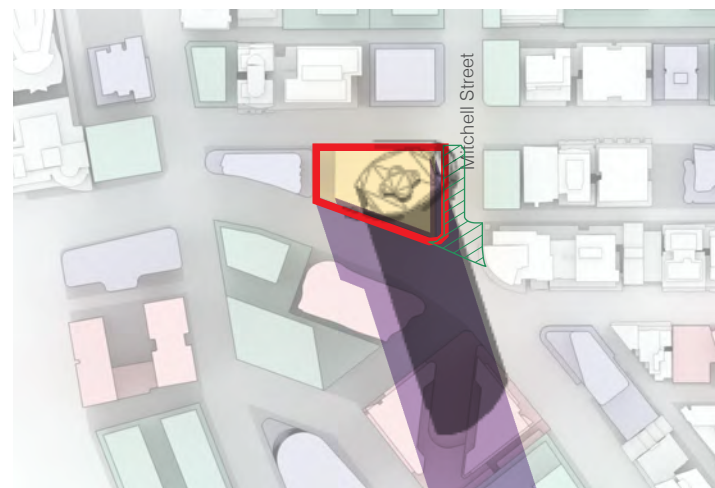
21June 10.00am



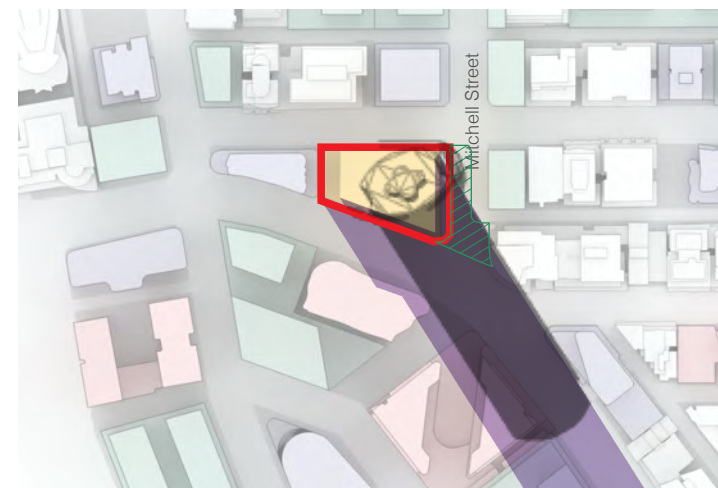
21June 11.00am



21June 12.00pm



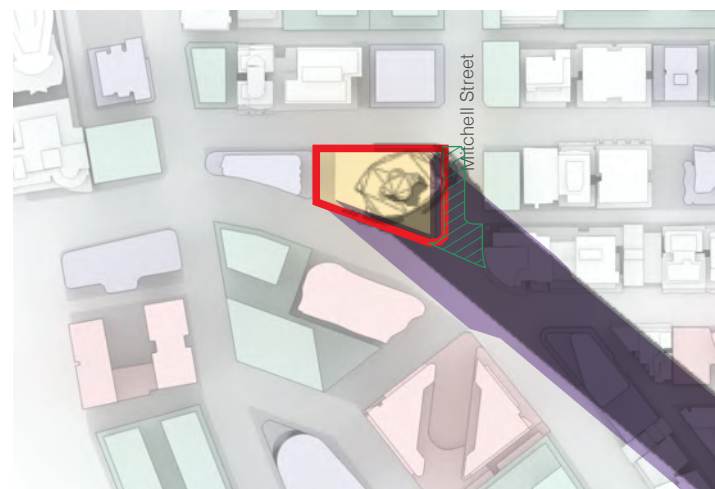
21June 1.00pm



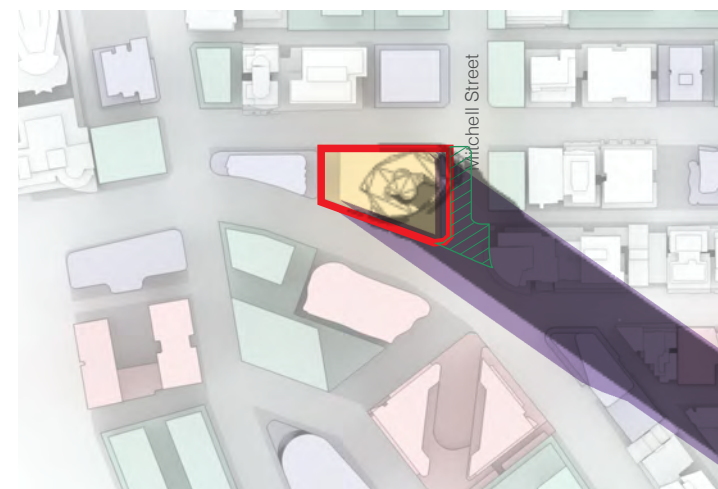
21June 2.00pm



21June 3.00pm



21June 3.30pm



21June 4.00pm

#### Legend

- Site boundary
- Proposed built form
- Mitchell street plaza
- Existing building shadow path
- Shadow overlap
- Shadow path of proposed building envelope



## 6.3 Solar analysis

### Residential areas and heritage conservation areas

The residential areas and conservation zone are outlined in the adjacent diagram. The diagram illustrates that:

- The vast majority of residential areas receive 5-6hrs of sunlight on 21 June, and a small portion of the R4 area adjacent to the rail corridor receives 4-5 hours, therefore complying with the St Leonards Crows Nest 2036 Plan which requires residential areas inside the precinct boundary to receive sunlight for at least 2 hours between 9:00am – 3:00pm on 21 June.
- The Conservation areas to the east of the site are not impacted by the proposal at all, therefore complying with the St Leonards Crows Nest 2036 Plan which requires heritage Conservation Areas inside precinct boundary to receive sunlight for at least 3 hours between 9:00am – 3:00pm on 21 June.



Indicative L23- special client floor plan with sky-garden

#### Legend

- Subject site
- > 6hrs
- 5-6hrs direct sunlight
- 4-5hrs direct sunlight
- 3-4hrs direct sunlight
- 2-3hrs direct sunlight
- 1-2hrs direct sunlight
- 0-1hrs direct sunlight
- < 1hr direct sunlight



## 6.4 Visual impact

The Visual Impact assessment takes into account views from all directions at a local(short) and suburban (medium) distance.

The assessment demonstrates that the proposal will have a moderate impact on views towards the precinct from the public domain. The views adjacent consider the importance of public views, timing of views and screening provided by approved and likely future development in the vicinity of the proposal. In most views, the proposal will partially obstruct views of the sky, however the proposal is consistent with the scale of future development in the centre and presents a slender form against sky.

When viewed from the Pacific Highway from the south and the north, and from Falcon Street, the proposal is partially obscured by approved and likely adjacent future development. From the Pacific Highway at Reserve Road, a large portion of sky view is preserved. When viewed from local vantage points in Willoughby Road, the proposal is shorter than other likely future development and has minimal impacts on views of the sky. When viewed from medium vantage points in Northbridge, Artarmon, Greenwich and Willoughby, the proposal has a moderate impact on the skyline. The tower will be particularly visible from Willoughby Road Crows Nest, however its visual impact is mitigated by the slender tower form, with sky-gardens, and approved and likely future adjacent development.



*Falcon Street, Pacific Highway and Willoughby Road*



*Shirley Road at Nicholson Street*



*Willoughby Road at Hallstrom Park between Small Street and Walter Street*



*Frenchs Road at Tulloh Street*





*Pacific Highway at Greenwich Road*



*Pacific Highway at Reserve Road*



*Naremburn Park - Station at Dalleys Road*



*Strathallen Avenue at Baroona Road*



*Willoughby Road and Clark Street*



*Willoughby Road and Albany Street*

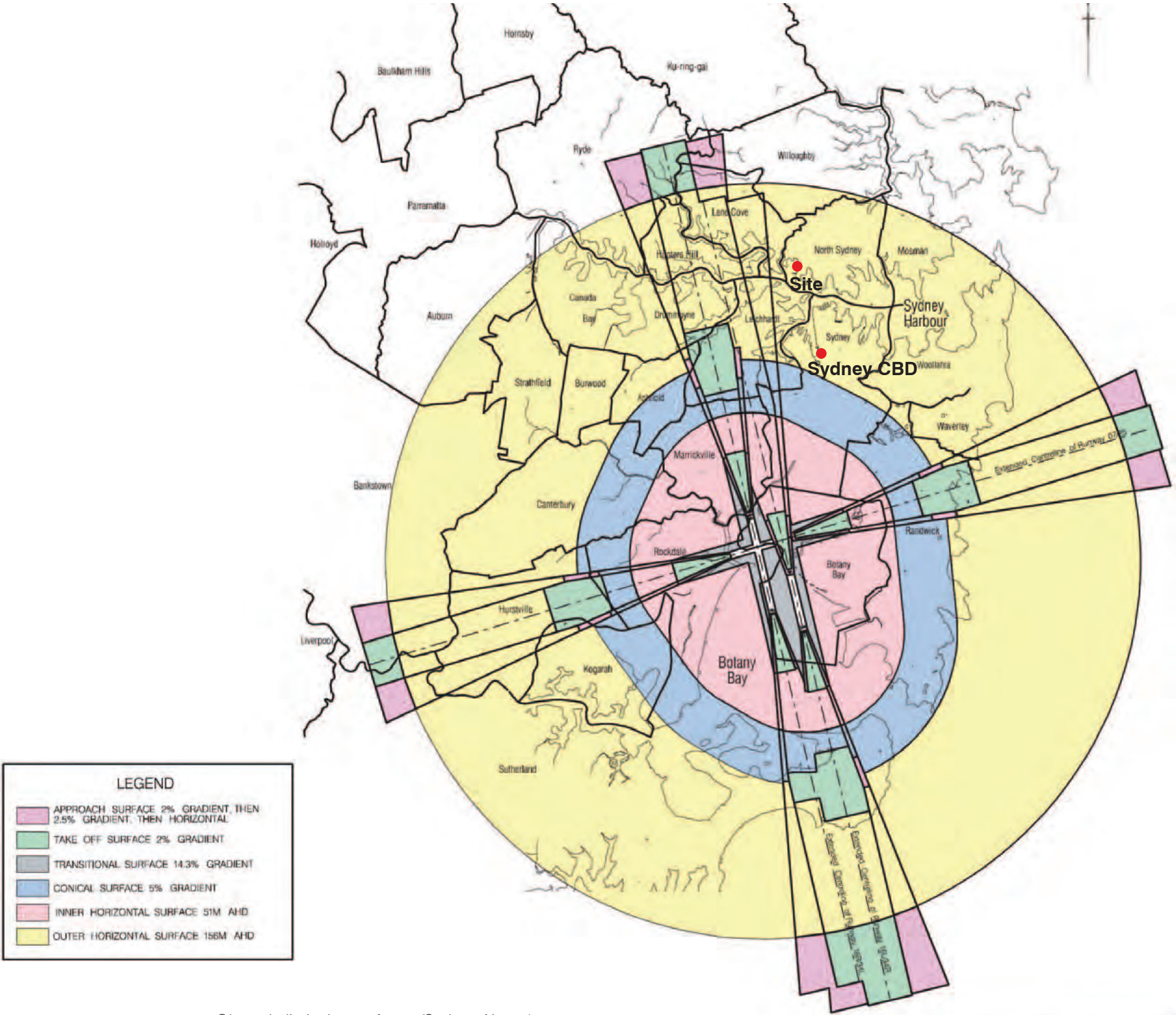


6.5 Aviation height limits

Aviation height limits apply to the site.

A preliminary aeronautical assessment has been completed by Avlaw consulting, which demonstrates that the proposed building would be located below the OLS, PANS-OPS and combined radar Assessment surfaces limits, as outline in the table prepared by Avlaw below:

Airspace Surface (Sydney Airport)	November 2017	February 2021
Obstacle Limitation Surfaces (OLS) - Conical Surface	156m AHD	156m AHD
Procedures for Air Navigation Services - Aircraft Operations (PANS-OPS)	335.2m AHD	340m AHD
Radar Terrain Clearance Chart (RTCC)	1100ft/335.28m AHD	1100ft/335.28m AHD
Combined Radar Departure Assessment Surfaces	(N/A)	455m AHD (N/A)



Obstacle limitation surfaces (Sydney Airport)







## 7.0 Conclusion





7.1 Conclusion and recommendations

The planning proposal for the site provides opportunity to facilitate the creation of an exciting new addition to St Leonards for both locals and visitors. It is designed to stimulate the economy and provide much needed quality commercial space close to transport, retail and other key amenities. The subject site is ideally suited to a landmark development, being one of the largest remaining sites in St Leonards and being located between St Leonards Train Station and the proposed Crows Nest Metro Station .

Having investigated the site and its context in detail, Architectus is confident that the Planning Proposal, and this indicative concept design that underpins it, represents the best urban design and public domain outcome for the site.

Key outcomes of the proposal include:

1

A proposal that supports Government's vision for the strategic context of the site in light of St Leonards and Crows Nest as Strategic Centres, leveraging the proposed metro station.

2

Providing high quality commercial office space for jobs to be retained and increased in the centre.

3

Enhanced the activation around Mitchell Street Plaza, and improved pedestrian amenity and environment on Atchison St and Pacific Hwy are important public benefits made possible by the proposal.

4

Renewal of the site with an iconic tower at the high point of the topography visually marks the importance of the strategic centre.







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