

PLANNING PROPOSAL

Amendment to Lane Cove Local Environmental Plan 2009 to Permit Shop Top Housing as an Additional Permitted Use and Additional Building Height

2 Greenwich Road, Greenwich (Lot 1 in DP 662215 and Lot 2 in DP 56604)

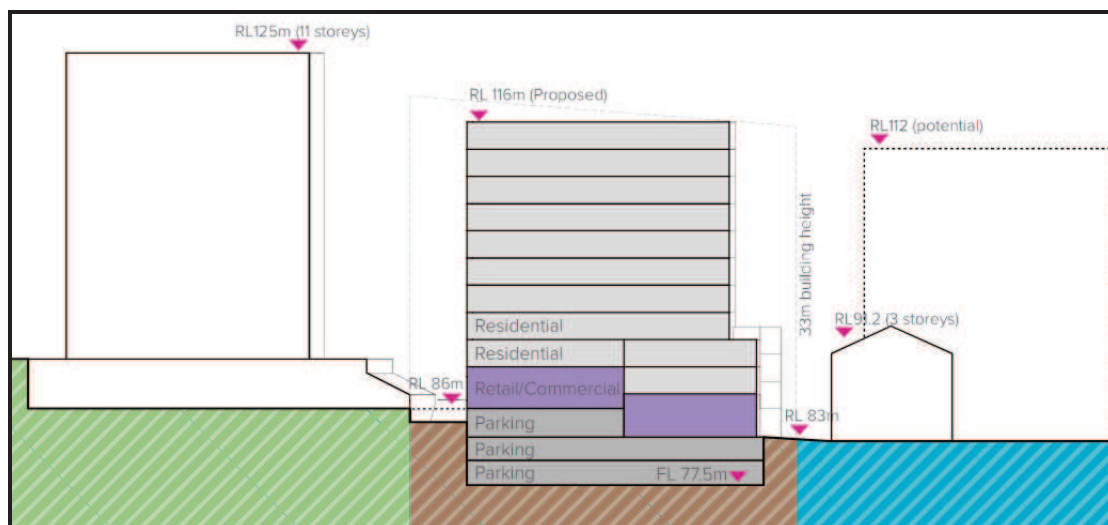


Figure 14. Concept Section (Roberts Day, 2017)

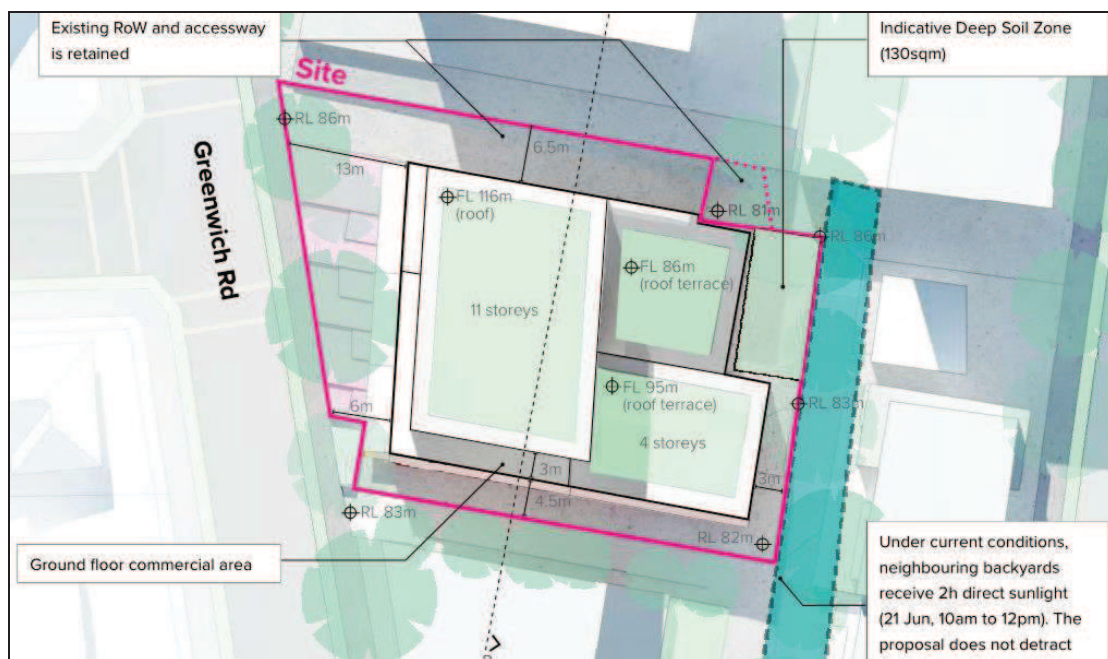


Figure 15. Concept Site Plan (Roberts Day, 2017)

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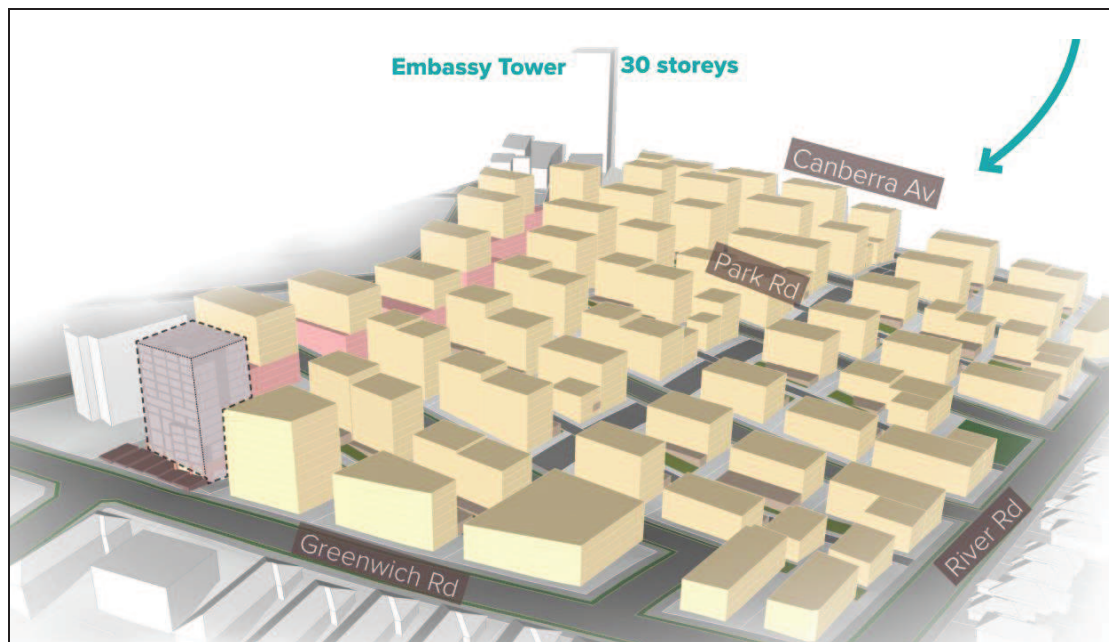


Figure 16. Concept Massing Model (Roberts Day, 2017)



Figure 17. Concept Design (Roberts Day, 2017)

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PART D JUSTIFICATION FOR PROPOSED LEP AMEDMENT

4.1 NEED FOR THE PLANNING PROPOSAL

The Department of Planning and Environment document "*A Guide to Preparing Planning Proposals*" includes the following questions in describing the need for the Planning Proposal.

4.1.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The proposed amendment to the LCLEP2009 to rezone the site for Shop Top Housing aligns with a number of state, regional and local strategic studies and reports including:

4.1.1.1 NSW 2021

NSW 2021 is a State strategic plan and was delivered in December 2012. It is a 10 year plan to *'rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen the local environment and communities'*.

It replaces the previous State Plan as the NSW Government's strategic business plan, setting priorities for action and guiding resource allocation. NSW 2021 is a plan for change with ambitious goals and challenging targets.

The NSW 2021 Plan identifies five key strategies that the Plan is based around including:

- Rebuild the economy;
- Return quality services;
- Renovate infrastructure;
- Strengthen our local environment and communities;
- Restore accountability to government.

Key priority actions and targets outlined in each strategy are discussed below as they relate to the proposed future provision of Shop Top Housing on the subject site.

Rebuild the Economy

The Government's number one priority is to restore economic growth and establish NSW as the first place in Australia to do business. The proposal will positively contribute to the economy through the provision of employment-generating development in the form of ground floor commercial space. Combined with the additional jobs created through the expansion of the Northside Clinic on its new site (SSD 7588), the jobs sustained by the commercial space will result in a net employment increase in the area.

Further to the above, the proposal will stimulate additional commercial activity in the locale with positive connotations for surrounding businesses. Similarly the provision of new jobs and services close to where people live, work and visit will improve the overall level of service-provision in the area.

In accordance with the above, the proposal will support the attainment of the following targets:

- *Grow business investment by an average of 4% per year to 2020.*
- *Grow GSP per capita by an average 1.5% per year to 2020 with specific industry growth targets.*
- *Grow employment by an average of 1.25% per year to 2020.*

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Further, the proposal provides the opportunity to improve the availability and affordability of housing through additional supply and diversity. As such the proposal will positively contribute towards dwelling targets.

Return Quality Services

The Government's goal to return quality services includes targets relating to the improved efficiency of the road network, increased use of public transport and walkability. The provision of commercial premises and residential accommodation on a highly accessible site close to bus stops and train stations will promote the adoption of active transport modes by site users. As such the proposal will contribute to the attainment of the following targets:

- *Improve the efficiency of the road network during peak times on Sydney's road corridors.*
- *Increase the share of commuter trips made by public transport.*
- *Increase the proportion of total journeys to work by public transport in the Sydney Metropolitan region.*
- *Increase walking and cycling.*

In accordance with the above paragraphs, the proposed Additional Permitted Use is consistent with NSW 2021 in that it will positively contribute to the economy by providing a compatible land use supporting the provision of jobs and housing in highly accessible locations.

4.1.1.2A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney was introduced by the NSW Department of Planning and the Environment (DPE) in December 2014 and replaced the Metropolitan Plan for Sydney 2036. A Plan for Growing Sydney supports and implements the NSW 2021 State Plan, which identifies restoring economic growth as its number one priority.

The plan presents a strategy for accommodating Sydney's future population growth. It balances the need for more housing, but also cultivates the creation of strong and resilient communities within a highly-liveable city whilst protecting the natural environment and biodiversity. A Plan for Growing Sydney will provide a framework for strengthening the global competitiveness of Sydney, in order to facilitate strong investment and jobs growth.

The Strategy has set four overarching goals as its vision for Sydney:

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

These goals are guided by three key principles:

- *Principle 1: Increasing housing choice around all centres and transport gateways.*
- *Principle 2: Stronger economic development in strategic centres and transport gateways.*
- *Principle 3: Connecting centres with a networked transport system.*

Specifically, the Lane Cove LGA is located within the North subregion, which is envisaged as an attractive place to live, work and visit with a thriving economy. Suitable locations for new housing and jobs are to be coordinated with infrastructure and located around Priority

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Precincts, established and new centres, and along public transport corridors. The proposed development aligns with the strategic directions of the Plan through the provision of new housing and jobs within a highly accessible, established urban area in proximity of strategic centres.

The following outlines in greater detail a number of key directions identified in the Plan for Growing Sydney that the proposed rezoning can demonstrate alignment to.

Table 3. Strategic Directions (A Plan for Growing Sydney, 2014)	
Strategic Direction	Strategic Justification of the Proposal
1.6 Expand the Global Economic Corridor	Greenwich forms part of the Global Economic Corridor and as such is emphasised as an economic cluster of globally competitive industries and knowledge jobs. It is estimated that by 2030 there will be demand for around 190,000 new stand-alone office jobs and the proposed rezoning will support the role of St Leonards and the Pacific Highway corridor as major office markets. In accordance with the important economic role of the Global Economic Corridor in providing jobs and supporting the continued growth of global Sydney, the proposed rezoning will expand employment opportunities on the site through the provision of commercial premises as a component of mixed use development. This will retain the use of the site for employment generating activities and service provision. Whilst the proposal will allow for mixed use development incorporating residential components within the Global Economic Corridor, a suitable quantity and diversity of employment land uses will be maintained. Further, the provision of shop top housing on the site is considered to provide a suitable transition between commercial development to the north and residential development to the east, south and west. Overall, the proposed rezoning will provide new employment opportunities and mixed-use activities within the Global Economic Corridor to support the continued growth of Sydney's economy.
1.7 Grow Strategic Centres – providing more jobs closer to home	St Leonards is identified as one of Sydney Strategic Centres and accordingly the rezoning of the site to accommodate businesses and housing will reinforce the role of St Leonards and focus growth in this strategic centre in accordance with the Strategic Direction. The proposed rezoning will provide opportunities for the establishment of new businesses in this highly accessible centre, and also create opportunities for people to live close

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	to their place of work, enhancing the overall attraction and amenity of Greenwich and St Leonards. The zoning and built form controls proposed will contribute to a balanced regulatory environment that will ensure the compatible co-location of complementary land uses in accessible locations that will positively contribute to the growing role of St Leonards in Sydney.
1.9 Support priority economic sectors	The proposed rezoning will accommodate priority industries through the provision of commercial premises. The maintenance of land for business and office premises combined with planning controls that enable higher densities of development as well as some residential accommodation in appropriate locations, will provide further opportunities for the establishment of priority industries.
1.11 Deliver infrastructure	The subject site is highly accessible by public transport, is in a walkable location and is also serviced by an extensive road network. This level of accessibility will be even further augmented through the delivery of planned rail projects.
2.1 Accelerate Housing Supply Across Sydney	The proposed rezoning will allow residential development on the site with positive implications for housing affordability and availability. The provision of new housing in accessible locations close to people's places of employment and other amenities will promote a high standard of living for Sydney's growing population and represents a sustainable model of accommodating growth. A Plan for Growing Sydney nominates the most suitable area for urban renewal as those close to jobs, public transport and strategic centres, all of which are provided within Greenwich and St Leonards.
2.2 Accelerate Urban Renewal across Sydney - providing homes closer to jobs	The proposed rezoning will support the renewal of the area which is considered highly appropriate given the location of the site in proximity of major transport, other hard and soft infrastructure and nominated strategic centres. In accordance with A Plan for Growing Sydney, new housing will be connected to job-rich areas and public transport.
2.3 Improve housing choice to suit different needs and lifestyles	Responding to Sydney's changing demography and family-types, the proposed rezoning will support a range of housing types, including for singles and couples whom are

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	identified in A Plan for Growing Sydney as the most significant growth sector. Reflecting demand, the proposal will provide housing in immediate proximity of transport infrastructure as well as jobs and amenities to support balanced lifestyles. Whilst the Urban Design Report (Appendix 1) does not currently demonstrate the future housing mix for the purpose of the Planning Proposal, the rezoning of the site will however facilitate mixed use development capable of providing significant housing choice to meet the demands of the LGA and wider region.
3.1 Revitalise existing suburbs	The rezoning of the site for mixed use development will support the revitalization of the area through the provision of new business premises and residential accommodation in close proximity of established infrastructure, services and employment centres. This represents a sustainable model of development that will contribute to the efficient use of land and other resources and contribute to the building of vibrant communities.
3.3 Create healthy built environments	Through enabling the creation of mixed use communities that provide residents and workers with convenience and active transport networks, the rezoning will support healthy lifestyles.
North Subregion	The Lane Cove LGA is identified within the North Subregion and in accordance with the priorities for this Subregion the rezoning will provide jobs and housing supported by key infrastructure and services, creating a liveable and resilient community. The proposal wholly reflects the priorities for the North Subregion, including a competitive economy which the creation of new employment opportunities will promote as well as accelerated housing supply, choice and affordability which the provision of new accommodation in mixed use development will espouse. In accordance with the specific priorities for St Leonards the rezoning will provide capacity for additional mixed use development incorporating commercial premises and new housing.

Demonstrated by the alignment of the proposal with key strategic directions, the provision of Shop Top Housing on the site is highly commensurate with A Plan for Growing Sydney.

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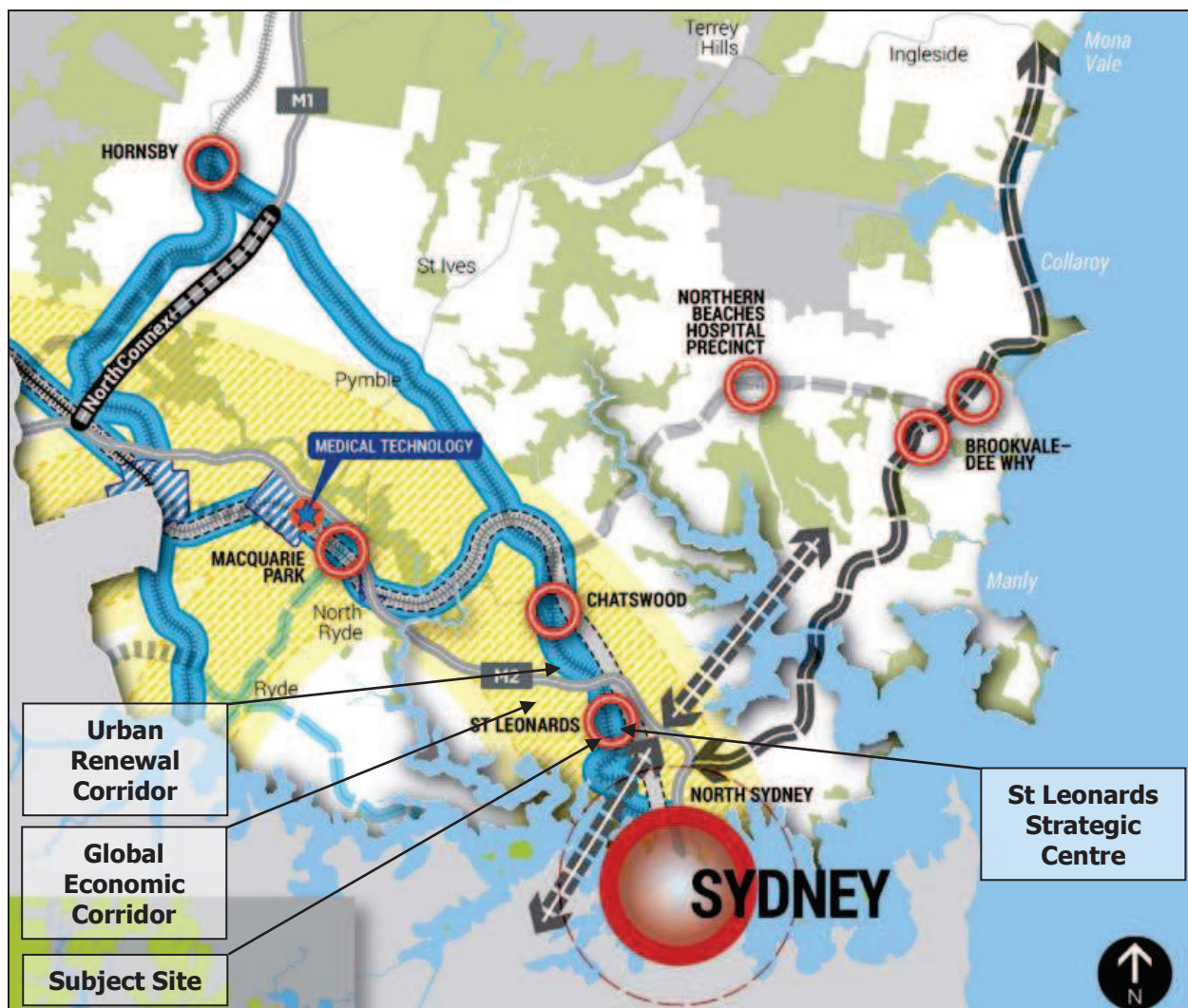


Figure 18. North Subregion (A Plan for Growing Sydney, 2014)

4.1.1.3 DRAFT NORTH DISTRICT PLAN

The draft North District Plan forms the overarching strategy for future planning in the area in order to deliver *a thriving modern economy co-existing within beautiful natural landscapes* in light of population growth and demographic change.

The Plan establishes a number of priorities and actions to guide growth, development and change, relating to productivity, liveability and sustainability. The priorities and actions relevant to the subject site, wider St Leonards centre and existing and proposed land uses are discussed as follows.

Productivity Priorities

Major centres, supported by improved transport, are identified as foci for jobs growth and diversity, whilst opportunities are also recognised in relation to health, education and knowledge clusters. St Leonards specifically is identified as a 'strategic centre' and 'collaboration area' and noted as a priority for investment and detailed land use planning. Jobs targets for St Leonards are to increase from 47,100 in 2016 to 54,000 in 2036 under the baseline scenario or 63,500 under the higher target, with a focus on knowledge-intensive industries.

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Planning for the St Leonards Collaboration Area will include considerations to:

- *leverage off the new Sydney Metro station at Crows Nest to deliver additional employment and residential capacity*
- *identify actions to grow jobs in the centre*
- *reduce the impact of vehicle movements on pedestrian and cyclist accessibility*
- *protect and enhance Willoughby Road's village character and retail/restaurant strip while recognising increased growth opportunities due to significant NSW Government infrastructure investment*
- *deliver new high quality open space, upgrade public areas, and establish collaborative place-making initiatives*
- *promote synergies between the Royal North Shore Hospital and other health and education-related activities, in partnership with NSW Health*
- *define the northern perimeter of St Leonards to protect the adjoining industrial zoned land for a range of urban services.*

In accordance with the priorities and actions for the North District and St Leonards, the proposed broadening and densification of uses on the site will increase the supply and diversity of available commercial floor space and housing in accessible locations. This directly responds to the strategic location of the site in proximity of new Sydney metro station at Crows Nest and the growing St Leonards strategic centre.

Liveability Priorities

Additional housing to improve diversity and affordability coordinated with transport, centres and services, is required in response to population growth and ageing. Specifically 196,350 more people are anticipated by 2036 with 75,100 additional people aged 65+.

By providing new residential accommodation within St Leonards in conjunction with commercial premises, a wide range of people will be accommodated, as required by the Plan's priorities. Housing affordability and choice will therefore be improved whilst promoting high standards of living through considered land use planning and design, ultimately creating a liveable and loveable place to live, work and visit.

Specifically the provision of shop top housing on the site will contribute to the delivery of the 1,900 new dwellings required for Lane Cove over the next five (5) years.

Sustainability Priorities

As well as growing, landscapes, waterways and biodiversity should be protected and enhanced and efficiency and resilience promoted. Sustainability also requires consideration of the extra 32,800 single person households forecast for 2036 and the 25,950 more dwellings by 2021.

The proposed rezoning will augment the efficiency with which land is used through the diversification and densification of uses that are highly compatible with surrounding development and coordinated with supportive infrastructure. The redevelopment of land that has been historically developed will promote the creation of a better quality environment built on the principles of sustainability.

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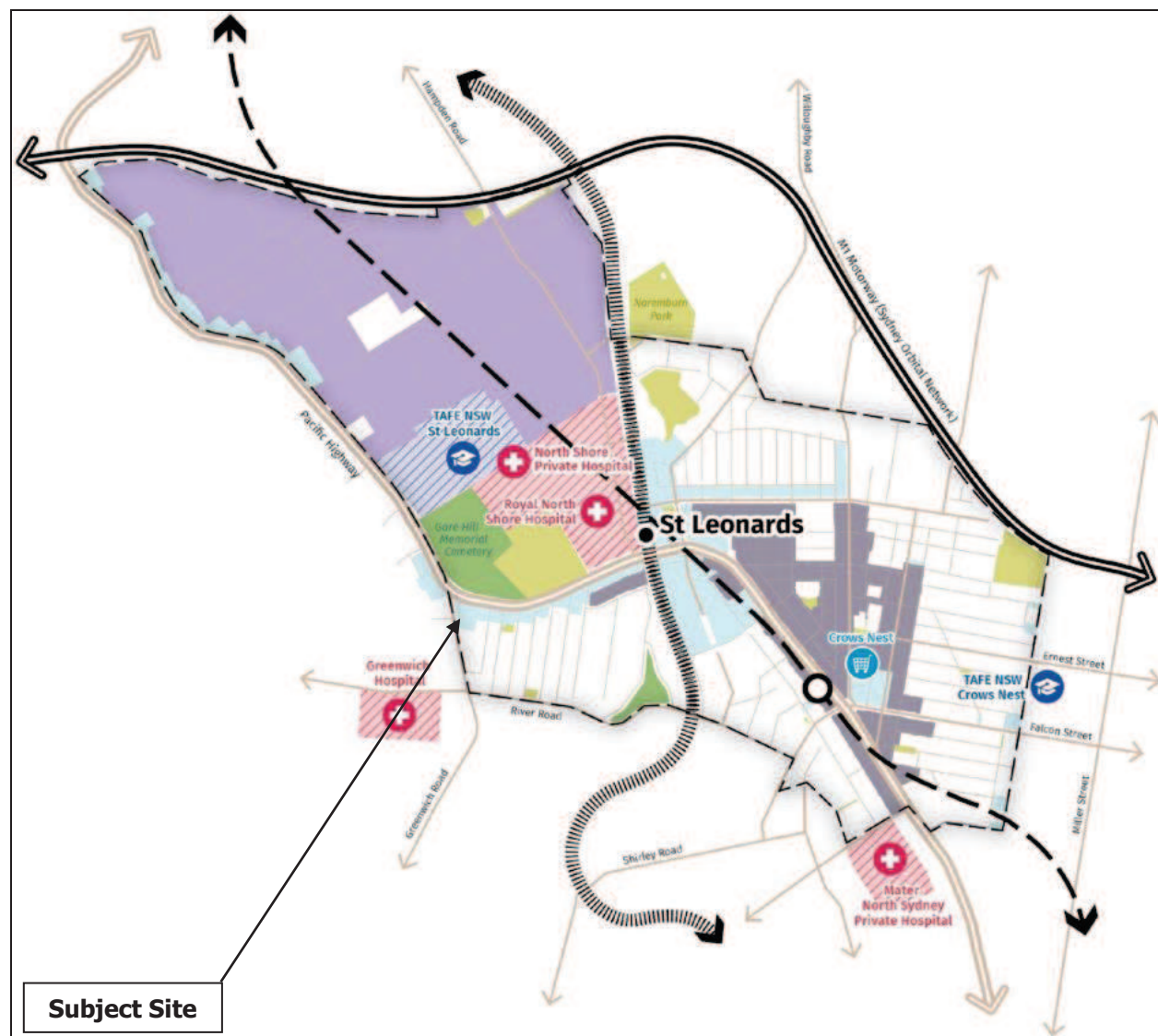


Figure 19. St Leonards Centre (Draft North District Plan, 2016)

4.1.1.4 ST LEONARDS AND CROWS NEST PRIORITY PRECINCT

The Department of Planning and Environment (DPE) has identified the site within the St Leonards and Crows Nest Priority Precinct, being an area comprising land within walking distance of the existing St Leonards station and proposed Crows Nest station as well as Artarmon's industrial and employment areas.

Strategic investigations will be undertaken of land within the Priority Precinct in order to identify infrastructure needed to support the area into the future, including improvements to transport, the road network, open space, social infrastructure and community and education facilities. Ways to maintain employment in the area, provide new homes, shops, cafes and open space and maximise access to public transport, will also form topics of investigation.

The first stage of investigations will entail analysis of existing employment in the Precinct as well as future employment demands and requirements, to inform the Land Use and Infrastructure Strategy. The second stage will encompass the preparation of this Strategy to identify areas for redevelopment within the Precinct and provide a strategic planning

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framework to guide future development and infrastructure delivery over the next 20 years. This Strategy has not yet been released, and will not rezone land.

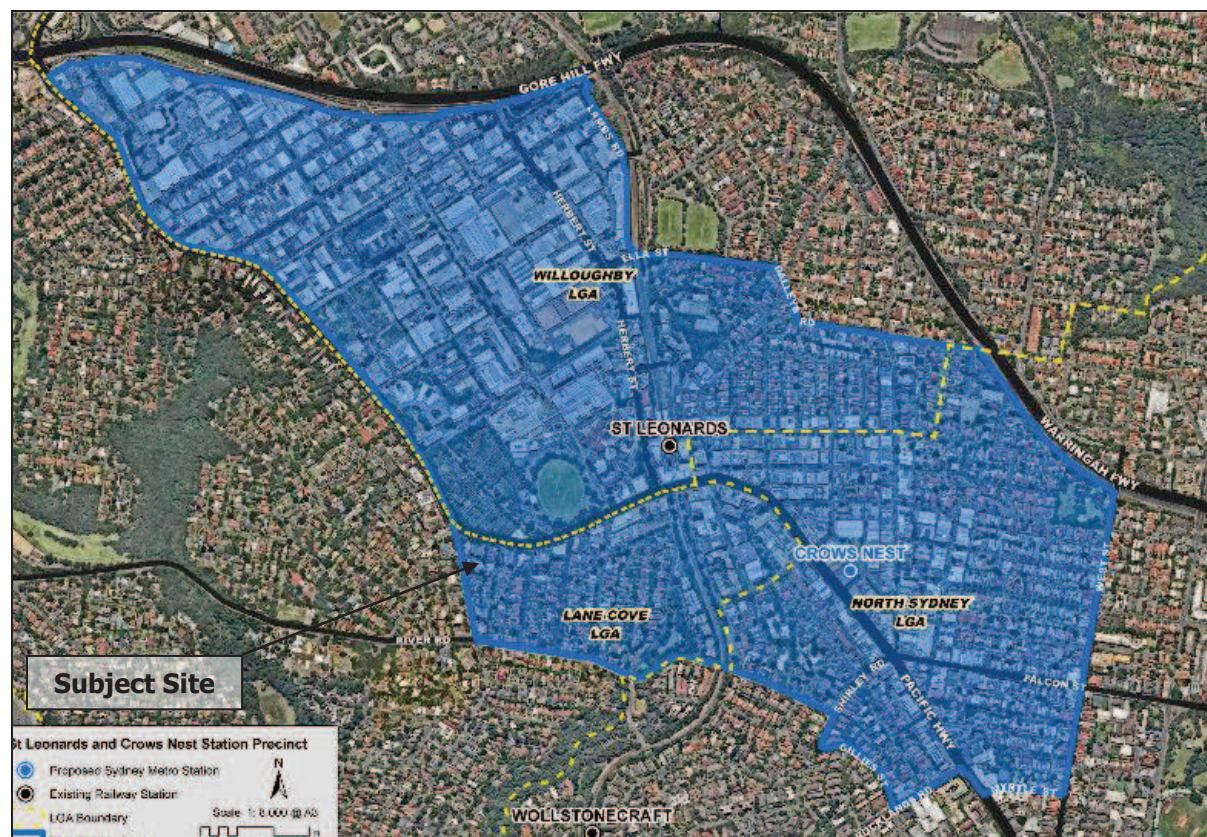


Figure 20. St Leonards and Crows Nest Investigation Area (NSW Department of Planning and Environment, 2016)

4.1.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?

It is considered that the Planning Proposal is the best means of achieving the objectives stipulated in Section 2 of this report.

Under the current LCLEP2009 the site is zoned for the purposes of a Commercial Core and Shop Top Housing is prohibited. Though prohibited, development for the purpose of shop top housing partly achieves the objectives of the B3 zone through the provision of commercial premises and thereby the preservation of employment opportunities on the site. The colocation of residential accommodation on the site represents a highly suitable land use required to meet the housing needs of the local population. Therefore the rezoning would support the provision of complementary land uses in a highly accessible location.

Further, the built form controls applicable to the site under the current LCLEP2009 would need to be amended to enable the provision of a higher density of employment premises and residential accommodation, ensuring the efficient and sustainable use of land in a strategic location.

Therefore an amendment to the LCLEP2009 is required to permit the intended future provision of shop top housing on the site including commercial premises and residential accommodation.

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4.1.3 IS THERE A NET COMMUNITY BENEFIT?

Net community benefit has been assessed in accordance with relevant guidelines and as outlined in the following table.

Table 4. Net Community Benefit		
Criteria	Y/N	Proposal
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Y	The proposal is consistent with key elements of NSW 2021, A Plan for Growing Sydney, the draft North District Plan and the St Leonards and Crows Nest Priority Precinct, as discussed above.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Y	The site is identified within the St Leonards Strategic Centre and Global Economic Corridor for the purposes of A Plan for Growing Sydney and draft North District Plan. Consistent with strategic policy for the St Leonards Strategic Centre and wider Global Economic Corridor, the proposal will retain land for employment generation whilst providing opportunities for people to live close to their place of work, enhancing the overall attraction and amenity of St Leonards and ensuring the sustainable use of land.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	Y	The site is located between land zoned for commercial development fronting the Pacific Highway and land zoned for high density residential development along Greenwich Road. The site therefore provides a unique opportunity to transition between these land uses and is not expected to create a precedent given the distinct commercial character to the north and distinct residential character to the east, south and north. Further, given the topography of the land, general expectations relating to building heights are not expected to change either. As demonstrated by conceptual massing modelling (Appendix 1), the proposed 33m building height allows for a transition down from the Pacific Highway to the south and does not cause the appearance of any excessive building height.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	The area surrounding the site is not known to have been subject to any spot rezonings.
Will the LEP facilitate a	Y	The rezoning will preserve the use of the site for

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permanent employment generating activity or result in a loss of employment lands?		commercial premises thereby ensuring the continued provision of employment generating activities. Combined with the additional jobs created through the expansion of the Northside Clinic on its new site (SSD 7588), the jobs sustained by the commercial space will result in a net employment increase in the area.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Y	The rezoning will enable high density residential development as a component of shop top housing and therefore will improve housing supply, choice and affordability through the provision of new housing in accessible locations.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Y	The site is serviced by existing infrastructure that is capable of servicing higher density commercial and residential development. In particular the site is highly accessible by public transport, being within 600m walking distance of St Leonards train station which is serviced by the Central Coast and Newcastle Line and the T1 North Shore and Northern Line. The site is also in immediate proximity of bus stops providing connections to Lane Cove, McMahons Point, Chatswood, Artarmon, Epping, Sydney CBD, Manly and Botany. This results in the site being awarded a transit score of 71 denoting excellent transit that is convenient for most trips, and a walkscore of 84 representing a very walkable location with most errands accomplishable on foot.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Y	By co-locating places of employment and living the rezoning will reduce the need to travel resulting in reduced road congestion, reduced pollution and reduced expenditure related to car travel and a higher standard of living for residents and employees.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	Y	The rezoning may promote increased public transport patronage, road use and service usage which are considered to be suitably catered for by existing infrastructure as well as planned rail upgrades. It is however considered that any additional service usage would be minimal compared to the type and scale of development currently permitted on the site.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental	N	The proposal will not impact on land that the government has identified a need to protect or that is environmentally-constrained. Rather the proposal will facilitate development for commercial premises and residential accommodation on land that has been historically developed and forms part of an

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impacts? Is the land constrained by environmental factors such as flooding?		established urban area.
Will the LEP be compatible/complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Y	The proposed commercial and residential development will be complementary to and supportive of surrounding land uses. In particular the proposal responds to the unique position of the site in order to provide a transition between commercial development to the north and residential development to the east, south and west. Whilst significantly improving the amenity of the subject site, the amenity of surrounding sites will be preserved including in relation to solar access, natural ventilation and privacy, as demonstrated in the Urban Design Report at Appendix 1. The proposal also provides the opportunity to more effectively relate to the public domain through active ground floor uses encouraging new activity at the street level.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Y	The proposal will preserve commercial and retail premises on the site thereby providing opportunities for business investment, co-working office space and sustained economic activity, as well providing amenity and convenience for future residents through the integration of retail on the site.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N	Whilst a stand-alone proposal in that it is for a spot rezoning, the site forms part of the St Leonards strategic centre and therefore will support the important role and function of this strategic centre designated as a focus for growth and renewal.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Y	The development will provide new opportunities for business investment and new housing to support the local, regional and national economies and populations. Given the benefits arising from the proposal for the local and wider workforce, resident population and business sector, it is considered to be completely in the public interest with no adverse impacts anticipated. Were the proposal not to proceed at this time a lower level of business activity would be attracted and the housing market would be characterised by less supply, less choice and lower affordability.

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4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

As previously discussed in Section 4.1, the Planning Proposal is consistent with NSW 2021, A Plan for Growing Sydney, the draft North District Plan and the St Leonards and Crows Nest Priority Precinct.

4.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OF OTHER LOCAL STRATEGIC PLAN?

4.2.2.1 DRAFT ST LEONARDS SOUTH STRATEGY

The Draft St Leonards South Strategy relates to land bound by the Pacific Highway to the north, the railway line to the east, River Road to the south and Greenwich Road to the west, thereby encompassing the subject site (**Figure 21**). The Strategy is being undertaken in two (2) stages encompassing the preparation of a Precinct Report and preliminary community consultation as Stage 1 (complete) and the development by Council of a long term strategic approach to development in the vicinity of the St Leonards transport hub as Stage 2. Based on technical and community feedback, a draft Master Plan has been prepared and exhibited. The purpose of the Draft Master Plan Strategy is to discuss:

- *Density Potential;*
- *Financial Viability;*
- *Sustainable Urban Design and Amenity;*
- *Infrastructure; and*
- *Staging and Transition Management.*

The Strategy envisages St Leonards South as a location for new and diverse housing supported by convenience shopping, cafes, bars, entertainment venues and community facilities in a high quality environment served by excellent public transport and high levels of walking and cycling accessibility. The realisation of this vision would contribute to environmental, social and economic sustainability for the locale:

- *Environmentally, through its focus on public transport, walking and cycling, and its contribution to the minimisation of urban sprawl;*
- *Socially, by contributing to the accessibility of jobs and amenities, and the creation of a vibrant public domain;*
- *Economically, through its support for globally-oriented business and creation of residences within easy access of employment opportunities.*

Several options for a Draft Master Plan were proposed in the Strategy. The various options for the area advocate for Transit Orientated Development (TOD), which is characterised by:

- *A rapid and frequent transit service*
- *High accessibility to the transit station*
- *A mix of residential, retail, commercial and community uses around the transit*
- *High quality public spaces and streets, which are pedestrian and cyclist friendly*
- *Medium- to high-density development within 800 metres of the transit station (i.e. the TOD precinct)*
- *Reduced rates of private car-parking*

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The various Draft Master Plan options have been informed by Principles and site-specific Standards/Goals. The inclusion of shop top housing for the site aligns with these Standards and Goals including Liveability, Housing for all stages of life, Maximised walkability/cycling access and Amenity.

- *Liveability;*
 - *A range of amenities within close proximity to where people live and work;*
 - *Accessible buildings and spaces that are capable of cost effective adaptation;*
 - *Places designed to reflect the context and character of the locale.*

The subject site is located between commercial development fronting the Pacific Highway and residential development to the east, south and west, thereby being ideally located to provide a mix of uses as a transition between distinct commercial and residential areas. The proposed rezoning to permit shop top housing therefore aptly responds to the surrounding context and the unique transitional character of the subject site.

Given the site's location in immediate proximity of established commercial and residential areas and within walking distance of the St Leonards core, future residents and workers on the site will have access to a wide range of amenities promoting liveability. Reciprocally the ground floor commercial premises on the site will heighten the amenity of the immediate locale with associated benefits for residents and workers of the subject and surrounding sites.

Also, by ensuring the site is able to be developed to include shop top housing, it provides opportunity for portions of the building to be designed to allow adaptive use.

- *Housing for all stages of life;*
 - *Diversity;*
 - *A range of apartment sizes and densities;*
 - *Mix of floor space ratios and heights.*

The provision of shop top housing would support the delivery of a variety of new housing types to accommodate different sectors of the population in various stages of life.

The current LCLEP2009 FSR of 3:1 and proposed 33m building height would facilitate the future development of built form on the site that responds to the natural topography of the land and integrates the height of the adjoining commercial building to the north with the lower residential development to the south.

- *Maximised walkability/cycling access*
 - *Less than 800m to train;*
 - *Less than 400m walk to bus;*
 - *Less than 400m walk to park.*

The site is located within walking distance of St Leonards train station, a number of bus stops and public open space and therefore is highly appropriate for commercial and residential development.

- *Amenity*
 - *Minimum performance standards for:*
 - *Sunlight/Wind/Privacy/Noise Impact amelioration;*
 - *New development allows for a minimum of 2 hours (urban) and 3 hours (suburban) sunlight access to habitable rooms & private open space of existing residential properties;*
 - *Separation distances adjacent to low density residential zones;*
 - *Visual transition between different densities;*

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- *Topography followed tapering south.*

As demonstrated in the Urban Design Report at **Appendix 1**, the site is capable of being developed for shop top housing with a maximum height of 33m whilst preserving the amenity of surrounding sites. In particular, modelling shows that existing levels of solar access can be maintained to surrounding properties through careful architectural design.

The stepping of the development down the slope responds to the natural topography of the land and assists in providing a visual transition between commercial development fronting the Pacific Highway and residential development to the south.

It is noted that despite the Draft Masterplan Strategy providing various options and recommendations for proposed development, no final Masterplan has been adopted.



Figure 21. St Leonards South Study Area (St Leonards South Masterplan Draft, 2014)

4.2.2.2 LANE COVE 2025

Lane Cove 2025 is Lane Cove Council's adopted Community Strategic Plan. The Plan identifies priorities and aspirations for Lane Cove's community and sets out directions and objectives based on the principles of sustainability.

The 6 goals providing the foci of Lane Cove 2025 are:

- *An inclusive, interconnected and active community;*
- *A well designed, liveable and connected area;*

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- *A green community and a beautiful natural environmental appreciated by all;*
- *A community rich in culture with a unique identity;*
- *A vibrant and sustainable local economy;*
- *A leading council that engages its community and offers best value service.*

To achieve the goals identified in Lane Cove 2025, Council has adopted a Delivery Program and Operational Plan.

The proposal is consistent with the strategies outlined in the Community Strategic Plan in that it will provide for the needs of the community through the provision of commercial space and new housing to accommodate businesses and the local population in a highly accessible location serviced by public transport and in close proximity of key employment centres, retail services, open space, community facilities, health and education facilities and other amenities.

4.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs), as outlined in **Table 5**.

Table 5. State Environmental Planning Policies	
Policy	Details
SEPP 1 – Development Standards	The Planning Proposal will not contain provisions that will contradict or hinder the application of the SEPP.
SEPP 55 – Remediation of Land	The subject site has been historically developed for the purposes of a hospital and therefore is not considered to be contaminated. Nonetheless appropriate investigations will be carried out as required at the relevant DA phase.
SEPP 64 – Advertising and Signage	Any signage associated with future commercial premises on the site would be assessed and approved in accordance with SEPP 64.
SEPP 65 – Design Quality of Residential Flat Buildings	Future mixed-use development comprising residential accommodation will be designed in accordance with the requirements of SEPP 65 and the <i>Apartment Design Guide</i> . Preliminary assessment of the conceptual building envelopes has been undertaken within the Urban Design Report at Appendix 1 .
SEPP (Exempt and Complying Development Codes) 2008	The relevant approvals pathway for future development will be determined in light of the relevant LEP and Exempt and Complying Development Codes.
SEPP (Infrastructure) 2007	State Environmental Planning Policy (Infrastructure) 2007 provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence. Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds.

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	Schedule 3 lists the types of development that are defined as Traffic Generating Development. Details of the development of the site will be confirmed at the DA stage ensuing the rezoning of the land and any requirement for the referral of the application to RMS confirmed at this stage.
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4.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (S117 DIRECTIONS)?

The Planning Proposal has been assessed against the s117 Ministerial Directions and is consistent with each of the relevant matters, as outlined below.

Table 6. S117 Ministerial Directions

Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	The proposal will retain the use of the site for commercial premises in accordance with the B3 Commercial Core zone. Therefore, in accordance with the objectives of this Direction the proposal will encourage employment growth in accessible locations thereby supporting the viability and growth of the St Leonards strategic centre. Whilst enabling mixed use development including commercial premises and residential accommodation, the rezoning will provide for concentrated and sustainable urban forms. Therefore, the proposal will create new opportunities for employment whilst also enabling residential development in accessible locations to facilitate a vibrant, sustainable and attractive strategic centre. As such the proposal is considered consistent with the objectives of this Ministerial Direction.
1.2 Rural Zones	Not Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not Applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	Not Applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not Applicable
2.2 Coastal Protection	Not Applicable

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2.3 Heritage Conservation	Not Applicable
2.4 Recreation Vehicle Areas	Not Applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The introduction of shop top housing on the site will provide for housing in accessible locations to improve housing supply, choice and affordability in St Leonards. In accordance with the s117 objectives and provisions, this will encourage a diversity of housing types to accommodate existing and future populations whilst making use of existing infrastructure and services, thus embodying an efficient and sustainable growth model that also achieves a high level of amenity for future residents.
3.2 Caravan Parks and Manufactured Home Estates	Not Applicable
3.3 Home Occupations	Not Applicable
3.4 Integrating Land Use and Transport	The subject site is suitable for higher density employment and residential land uses given its immediate proximity to established rail, bus and road infrastructure. The additional permitted use and amendment to height controls will therefore promote transit-oriented development, espousing positive implications for future businesses, employees and residents associated with accessibility, connectivity, amenity and vibrancy. In this the proposal is highly consistent with the s117 direction.
3.5 Development Near Licensed Aerodromes	Not Applicable
3.6 Shooting Ranges	Not Applicable
4. Hazard and Risk	
4.1 Acid Sulfate Soils	The site is not identified as containing any acid sulfate soils in the relevant LCLEP2009 map.
4.2 Mine Subsidence/Unstable Land	The site is not known to contain mine subsidence or unstable land.
4.3 Flood Prone Land	The site is not known to be flood prone.
4.4 Planning for Bushfire Protection	The site is not known to be bush fire prone.
5. Regional Planning	

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5.1 Implementation of Regional Strategies.	Not Applicable
5.2 Drinking Water Catchments	Not Applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not Applicable
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not Applicable
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not Applicable
5.8 Second Sydney Airport: Badgerys Creek	The site is not located in proximity of the proposed Badgerys Creek Airport.
5.9 North West Rail Link Corridor Strategy	The site is not located in proximity of the NW Rail Link Corridor.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not Applicable
6.2 Reserving Land for Public Purposes	Not Applicable
6.3 Site Specific Provisions	No other restrictive site specific planning controls are proposed.
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Section 4.1 of this planning proposal identifies the proposal's consistency with the relevant Regional Strategies including A Plan for Growing Sydney.
7.2 Implementation of Great	Not Applicable

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Macarthur Land Release Investigation	
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4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

4.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The subject site is located within an established urban area and has been historically developed for the purpose of a hospital. As such the state of the site and its surrounds is highly disturbed with limited existing vegetation. The proposal will therefore not affect any critical habitats, populations or ecological communities.

4.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Design and Appearance

- An Urban Design Report has been prepared by Roberts Day and is provided at **Appendix 1**. Based on the detailed site analysis and modelling undertaken as part of the Urban Design Report, it may be reasonably concluded that the provision of shop top housing is highly appropriate as a land use and built form typology particularly given the transition it will provide between commercial development along the Pacific Highway and residential development to the south.
- As demonstrate within the Urban Design Report, the development of the site for shop top housing with a maximum height of 33m, stepped design, generous setbacks, active frontage and public plaza, will preserve the amenity of surrounding sites including with respect to solar access, natural ventilation, privacy and visual appearance.
- By providing commercial premises at the ground level, shop top housing will assist in activating the street and providing a positive interface between the site and public domain. Ultimately this will contribute to a more attractive streetscape and vibrant street life.

Traffic and Parking

- Traffic generated as a result of hop top housing on the site is considered to be suitably accommodated by the existing road network and is not considered to significantly exceed the traffic that would be generated by development according to the current LCLEP2009.
- Vehicular access to the site is proposed to be provided via Greenwich Road as per the existing access arrangements.
- The quantity of parking required to Shop Top Housing will be determined with regard to relevant parking standards at the DA stage.
- A detailed analysis of access and parking capacity relative to the proposed use will be undertaken as part of any future development application process.

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- Further, the site is highly accessible by public transport and is also highly walkable, and therefore the use of active modes will be promoted resulting in reduced car dependence.

Heritage

- The site is not identified as a heritage item or conservation area and is not identified in proximity of any items or areas of heritage significance. Therefore the proposal will not affect the heritage of Lane Cove.

Environmental Considerations

- The site is located within an established urban area and has been historically developed for the purposes of a hospital. Therefore the site is not considered to contain any contamination that would preclude the development and use of the site for mixed use development.
- The natural topography of the site slopes from north to south and the conceptual built form has been designed accordingly, stepping down the site in response.
- The site has been predominantly cleared and comprises only scattered trees and shrubs adjacent to the street frontage. Whilst the site is not considered to exhibit any ecological significance, input from an Arborist would be sought as required, prior to the removal of any trees to facilitate future development.
- Full civil engineering and geotechnical documentation will be prepared at the DA stage.

Construction and Operational Management

- Technical investigations as well as consultation outputs will be used to inform a Construction and Operation Management Plan for the proposed development. Draft documents will form part of the initial development applications.

Waste Management

- A comprehensive Waste Management Plan will be prepared as part of the development application process. This plan will aim to minimise waste and will detail measures to address waste disposal through all phases of the development.

4.3.3 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED SOCIAL AND ECONOMIC EFFECTS?

The proposed development is considered to generate the following positive social and economic effects:

- The proposal will enable development for the purpose of shop top housing providing commercial premises at the ground level and accordingly economic benefits associated with employment generation, the provision of premises for the carrying out of business and service provision.
- By activating the site at ground level, development for the purposes of shop top housing would also provide social benefits related to enhanced vibrancy, street life and additional opportunities for social interaction.

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- The proposal will benefit the local and regional community by providing services to complement other land uses and improving the experience and convenience of living in and visiting Greenwich and south St Leonards.
- A small neighbourhood centre and 'heart' for the Greenwich North Transit Village has the potential to develop through the integration of retail, a café, commercial space and a possible childcare centre on the ground floor of a future shop top housing development, thereby providing new employment opportunities, accommodating small businesses, supporting community interaction and addressing the need for a focal point within the community and for additional child care services.

4.4 STATE AND COMMONWEALTH INTERESTS

4.4.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The site is serviced by existing infrastructure that is capable of servicing higher density commercial and residential development. In particular the site is highly accessible by public transport, being within 600m walking distance of St Leonards train station which is serviced by the Central Coast and Newcastle Line and the T1 North Shore and Northern Line. The site is also in immediate proximity of bus stops providing connections to Lane Cove, McMahon's Point, Chatswood, Artarmon, Epping, Sydney CBD, Manly and Botany. This results in the site being awarded a transit score of 71 denoting excellent transit that is convenient for most trips, and a walkscore of 84 representing a very walkable location with most errands accomplishable on foot.

The rezoning may promote increased public transport patronage, road use and service usage which are considered to be suitably catered for by existing infrastructure as well as planned rail upgrades.

It is however considered that any additional service usage would be minimal compared to the type and scale of development currently permitted on the site.

4.4.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?

The Department of Planning and Environment has been included in discussions pertaining to the intention to lodge a Planning Proposal to amend the LCLEP2009 to permit development for the purposes of Shop Top Housing on the site. Matters discussed within the meeting held with the Department of Planning and Environment on 3 November 2016 are summarised in Section 1.4 of this report.

No consultation with Commonwealth authorities has been carried out to date.

It is acknowledged that Lane Cove Council will consult with relevant public authorities following the Gateway determination.

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PART E COMMUNITY CONSULTATION

Clause 57 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 the Department of Planning and Environment guidelines '*A guide to preparing local environmental plans*'.

It is anticipated that the public exhibition would be notified by way of:

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

The Gateway determination, Planning Proposal and specialist studies would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

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PART F CONCLUSION

The proposed amendment to *Lane Cove Local Environmental Plan 2009* (LCLEP2009) to rezone the site for an Additional Permitted Use within the B3 Commercial Core zone will enable the future provision of Shop Top Housing on the site representing a highly compatible transition between adjoining commercial and residential development. The proposed Additional Permitted Use would also be supported by an amended height standard to allow for higher density development.

The proposed rezoning of the site has demonstrated it is appropriate for the following reasons:

- The proposed rezoning for an Additional Permitted Use will enable the future development of the site for Shop Top Housing including commercial premises and residential accommodation.
- Given the site's strategic location in proximity of an extensive public transport (train and bus) and road network, it is ideally located in accordance with the principles of transit-oriented development. Therefore, the site provides valuable opportunity to contribute to a sustainable, transit-oriented community providing a high standard of living for residents and workers.
- The proposal will connote significant economic benefit deriving from the provision of new commercial premises. Specifically, economic benefits are associated with the following:
 - The proposal will preserve the use of the site for employment generating development through the provision of ground floor commercial premises.
 - The provision of commercial premises and residential accommodation will ensure the retention of suitable employment generating land uses supporting the creation of job opportunities, the provision of business and office premises and the provision of services to support other land uses.
- New housing on the site will support the need for additional housing supply in Sydney in accessible locations close to places of employment and established infrastructure.
- The proposal is consistent with the state, regional and local strategic planning framework. Specifically, the proposal is consistent with the priorities of NSW 2021, the strategic directions of A Plan for Growing Sydney, the priorities and targets of the draft North District Plan, the principles for the St Leonards and Crows Nest Priority Precinct and the objectives for Lane Cove 2025, particularly as they relate to providing additional housing in accessible locations, growing the economy, supporting strategic centres and coordinating land uses with transport and other infrastructure.
- The proposed rezoning is considered to align with the relevant s117 Ministerial Directions including as they relate to business zones, residential zones and the integration of land use and transport.
- The proposal is consistent with the aims of the LCLEP2009 as it seeks to facilitate the sustainable development and use of land for housing and commercial activities to meet the needs of local and regional populations.

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- The proposal is partly consistent with the objectives of the proposed B3 Commercial Core zone in that it will ensure the continued provision of employment-generating activities through ground floor commercial premises which will also serve the local community. A highly appropriate range of land uses will be provided in an accessible location promoting public transport patronage. The proposal will also provide opportunities for the activation of the site at ground level contributing to an improved public domain characterized by life in the street. Importantly a high level of amenity, including solar access, will be preserved to surrounding sites.
- The proposed 11 storey building height (33m), generous setbacks, active frontage and public plaza will ensure the future built form is compatible with the surrounding area in terms of visual appearance and amenity. As shown in the Urban Design Report (**Appendix 1**), the concept design provides a transition between higher density commercial development adjacent to the Pacific Highway and lower rise residential development to the south.
- Further to the above, Ramsay Health Care have provided two concept design options known as Scenario 1 and Scenario 2 as part of this planning proposal. These scenarios have been prepared and submitted having regard for the current and DRAFT legislative planning framework that applies to the locality and test the suitability of the site for shop top housing with a maximum height of 33m. Scenario 1 has been prepared in the event that the Department of Planning & Environment (DOP&E) led Crow's Nest Priority Precinct Planning process does not eventuate in the immediate future having regard for Ramsay Health Care's immediate commercial and funding requirements for the new purpose-built facility at 2 Frederick Street, St Leonards (approved under SSD 7588 on 15 November 2016). Should the DOP&E's priority precinct planning process come to fruition in the immediate future, the preferred scenario 2 concept design has been provided and prepared to accord with and achieve the likely objectives for the subject site in the context of the wider precinct.
- Ramsay Health Care's preference for Scenario 2 will still see the current 3:1 FSR applicable to the site complied with while maintaining the proposed height applied for in both concept design scenarios.
- The proposal will not result in any land use conflict but rather will complement and support the range of existing and future land uses and development types in immediate proximity of the site.
- A positive visual outcome will be achieved through high quality urban design, landscaping and architecture, emphasising an active street frontage and ground level.
- A high level of amenity for all residents, workers and visitors will be ensured by designing built form with respect to solar access, views, visual privacy and acoustic privacy.
- The proposal will not exhibit any adverse environmental impact. Rather the proposal will enable the redevelopment of a now redundant site for higher density, mixed-use development that is highly accessible and serviced by existing infrastructure. As such the proposal maximises the efficiency with which the land may be utilised and provides a sustainable development outcome.
- No adverse social impact will arise from the proposal. Rather the proposal will provide for the needs of a growing population through the provision of new housing

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in an accessible location supported by established infrastructure, employment centres, retail services, public open space and community facilities.

- A small neighbourhood centre and 'heart' for the Greenwich North Transit Village has the potential to develop through the integration of retail, a café, commercial space and a possible childcare centre on the ground floor of a future shop top housing development, thereby providing new employment opportunities, accommodating small businesses, supporting community interaction and addressing the need for a focal point within the community and for additional child care services.
- The proposal is not considered to result in any other undue impacts. Future shop top housing on the site is not expected to generate significantly more traffic than land uses and development that are currently permitted. Further, given the walkability and accessibility by public transport of the site, active and sustainable transport modes will be promoted.
- Further to the above justification relating to the appropriateness of the subject site for Shop Top Housing, the proposed rezoning and future redevelopment of the subject site would assist Ramsay Health Care in funding the development of the new and expanded Northside Clinic at 2 Frederick Street (approved under SSD 7588). As aforementioned, the successful operations of the Northside Clinic require new and expanded facilities in response to increasing demand for quality mental health services demonstrated by growing waiting lists for many services including a number of critical and unique mental health services which are not readily available elsewhere. In particular Northside Clinic is already the largest provider of inpatient and day patient treatment for people with eating disorders and drug or alcohol dependency and also includes specialised treatment units in mood disorders, drug and alcohol detoxification and rehabilitation, post-traumatic stress disorder and day programs, and it is vital that services are expanded to meet the needs of the community. The development of the new and expanded Northside Clinic will therefore create additional access to mental health services in the LGA and ultimately increased access to health care and related jobs in the area.

It is therefore recommended that the Planning Proposal is approved by Lane Cove Council and that the necessary steps are pursued to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.

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Appendix 1 Urban Design Report