



Prepared for
TWT Property Group Pty Ltd

Date
3 September 2018

55-89 Chandos Street and 58-64 Atchison Street, St Leonards

Planning Proposal

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This report is considered a draft unless signed by a Director

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1. Introduction

1.1 Preliminary

This Planning Proposal has been prepared by Architectus on behalf of TWT Property Group Pty Ltd, for North Sydney Council in relation to the proposed development at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards. The Planning Proposal seeks Councils support to progress an amendment to the North Sydney Local Environmental Plan (LEP) 2013.

The site is situated on two blocks bound by Chandos Street to the north, Oxley Street to the east, and Atchison Street to the south. The wider locality is characterised by high rise commercial and mixed use buildings which make up the St Leonards CBD.

Summary of strategic merit

This Planning Proposal seeks to amend the current planning controls under the North Sydney LEP 2013 to allow for the delivery of a mixed-use development comprising commercial, community and residential uses. The Planning Proposal seeks to achieve the optimal development capacity of the site in an area that is situated within a context of significant growth. This Planning Proposal has strategic merit based on the following reasons:

The *Greater Sydney Region Plan* identifies St Leonards as a metropolitan city centre within the Eastern Economic Corridor. High densities and mixed-use development is considered to be of strategic importance for St Leonards, ensuring its commercial presence is protected and enhanced. This is noted in the *North District Plan*, recognising St Leonards as a major commercial office precinct with key priorities for the centre to deliver additional employment capacity and grow jobs in the centre. This is reinforced by the proposal through the provision of between 0.6:1 and 5.4:1 FSR for non-residential land uses.

The *Future Transport Strategy 2056*, recognises Sydney Metro at Crows Nest as a 'game-changing piece of rail infrastructure' which will bring increased jobs, housing and more people to the area. Future development on this strategically important site has the potential to contribute to and enhance connections via active transport modes (walking and cycling) to the future Metro Station, which has an entrance within 230m of the site.

Councils local planning strategies, particularly the *St Leonards and Crows Nest Planning Study (Precincts 2 & 3)* recognises the site as an 'opportunity site', located within an established 'creative arts precinct' in St Leonards, which is envisaged to be 'an exciting creative quarter which supports medium-sized firms, start-ups, galleries, specialty retail and urban living'. The proposed amendments to the North Sydney LEP 2013 are consistent with this strategy, specifically the proposed non-residential floor space which will enable the delivery of additional non-residential floor space across the site, including commercial (office and retail) and community (creative arts) uses.

The proposed amendments to North Sydney LEP 2013 are therefore considered to be consistent with the relevant strategic plans including the Greater Sydney Regional Plan, North District Plan, Future Transport Plan, and the North Sydney local strategy, St Leonards and Crows Nest Planning Study (Precinct 2 & 3). For further analysis refer to Section 6.0.

Summary of site-specific merit

The Planning Proposal has site specific merit for the following reasons:

- The site presents a rare opportunity to redevelop a large, consolidated and relatively unconstrained site (made up of sixteen existing lots) in St Leonards. As a principle, large sites in St Leonards should be considered as an 'opportunity site' to deliver additional gross floor area that otherwise unlikely be able to be captured on much smaller and fragmented land parcels.
- The site is consistent with recent planning approvals in St Leonards St Leonards, as a Strategic Centre, should be achieving heights and densities commensurate with its accessibility to public transport (metro, train and buses).
- Existing building heights in St Leonards are up to around 35 storeys. Several planning proposals and development applications will exceed this height, with towers up to 50 storeys. Development around the future Crows Nest Metro Station is expected to take on a similar character and scale as St Leonards, with taller buildings capitalising on accessibility provided by the new Crows Nest Metro Station.
- Being located on a corner site, at the intersection of Chandos and Oxley Street, the site presents an opportunity visually define St Leonards, and deliver important public infrastructure which will benefit the broader community.

In addition to the above, this Planning Proposal has also considered potential environmental impacts of future development on the site, including impacts of the proposed redevelopment on current residents and surrounding neighbours.

The siting of density and design of built form across the site has been carefully developed to respond to the surrounding environment, including the surrounding heritage context in the area. The site does not contain any heritage items, nor is it located in a heritage conservation area. There are however, two heritage conservation areas in the vicinity of the site including the *Naremburn Estate* to the north and *Holtermann Estate A* further east. The Planning Proposal has been developed to be sympathetic to the heritage context of the area through:

- The siting of tower forms and provision of open space which has been designed to provide an open space/public plaza on Chandos Street directly opposite Darvall Street, which continues the street configuration of the *Naremburn Estate Heritage Conservation Area* to the north;
- The tower forms have also been substantially setback from the street frontage along Chandos, with 4-storey podiums which will reduce the overall bulk and visual impact of the design.

Other supporting reports including economic impact, traffic and transport and contamination are also provided, which support the proposed amendments made by this planning proposal.

Importantly, the existing B4 Mixed Use land use will remain which allows a range of land uses in which this proposal is seeking including commercial, residential and community uses.

The Indicative Architectural Concept Design, provided at Attachment B in the Urban Design Report has been prepared in order to demonstrate the sites capacity achieve the proposed outcomes of this Planning Proposal.

Structure of this report

This report is prepared in accordance with the NSW Government's 'A Guide to Preparing Planning Proposals', and is set out as follows:

- **Section 2:** The site and context – provides an overview of the site to which the Planning Proposal is intended to apply.
- **Section 3:** The proposal – outlines the design principles and built form philosophy that have been identified to inform the proposed master plan.
- **Section 4:** Objectives or intended outcomes – provides a concise statement of the proposal objectives and intended outcomes.
- **Section 5:** Explanation of provisions – outlines the proposed amendments to the planning provisions within the North Sydney Local Environmental Plan 2013 to achieve the proposal.
- **Section 6:** Justification – provides the urban planning argumentation/reason to support the proposal.
- **Section 7:** Mapping – identification of the land subject to the planning proposal, existing land zoning and development standards and proposed land zoning and development standards.
- **Section 8:** Consultation – outlines the community consultation program that should be undertaken in respect of the proposal.
- **Section 9:** Project Timeline – outlines expectations for timeframe of the progression of the proposal.
- **Section 10:** Conclusion – concludes the report with a summary of findings and recommendations.

This report should be read in conjunction with **Attachments A to I**.

1.2 Preparation of the proposal

This Planning Proposal has been prepared by Paris Wojcik, Urban Planner and Adrian Melo, Associate and Urban Planner. This Report has been reviewed by Michael Harrison, Director, Urban Design and Planning.

Project team

The Project team is set out below:

Table 1 Project team

Applicant	TWT Development Pty Ltd
Urban Planning	Architectus
Architecture and Urban Design	Architectus
Traffic Consultant	TTPP Transport Planning
Economic Impact Consultant	Urbis
Heritage Consultant	Urbis

2. Site and context analysis

2.1 Regional context

The site is located in St Leonards Centre, approximately 5km from Sydney CBD. Refer to **Figure 1**. St Leonards Centre is a major employment and mixed use centre bound by Oxley Street to the south and east, the Royal North Shore Hospital to the west and Henry Lane to the north.

St Leonards is identified as a metropolitan centre, commercial office and health and education precinct in the Greater Sydney Region Plan. The Department of Planning & Environment has also identified St Leonards and Crows Nest as a Planned Precinct to be revitalised.

The site is well connected by public transport, located within 400m from St Leonards Train Station providing services along the T1 North Shore Line with connections to Sydney CBD (Central, Town Hall and Wynyard) North Sydney, Chatswood, Macquarie Park and Macquarie University. St Leonards is one of the busiest train stations in metropolitan city, also serving as an interchange for bus services with services travelling north and south along the Pacific Hwy to the City, Manly, Botany, North Sydney, Chatswood, Macquarie Park, and Hornsby.

The site is also located within 230m (two short street blocks) from the northern entry of the new Crows Nest Metro Station which will provide improved travel time and accessibility to nearby centres including Chatswood (4mins), Barangaroo (5mins) and Martin Place (7mins).

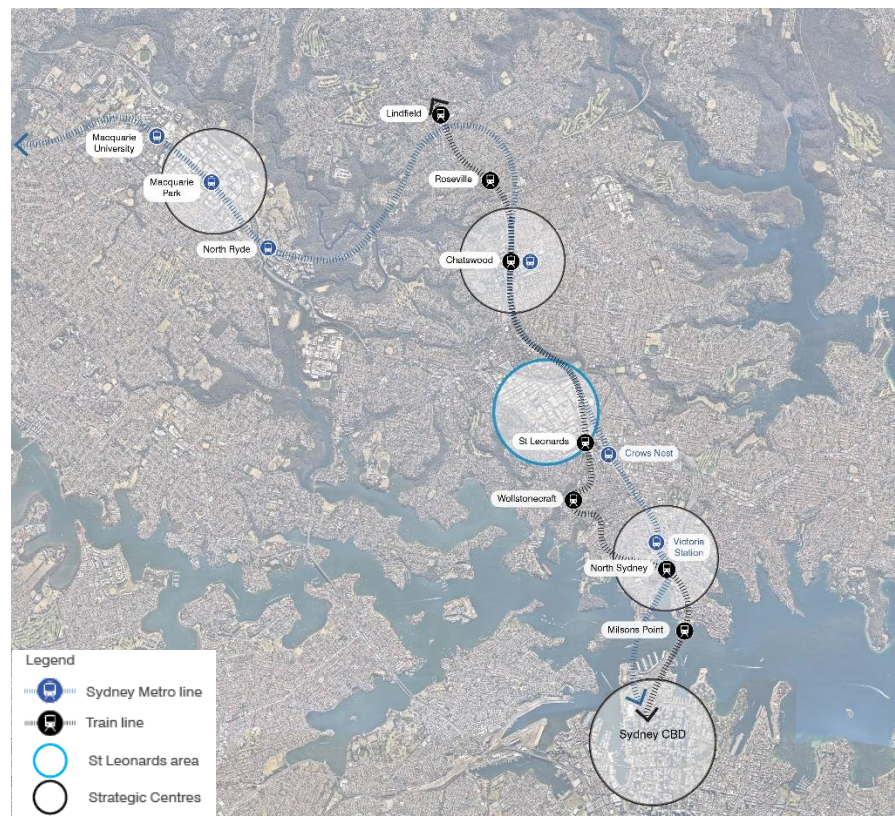


Figure 1 Regional context plan

2.2 Site and its immediate context

St Leonards is situated within a context of growth including both existing and planning public infrastructure and an area identified for significant urban renewal. Crows Nest to the south will bring increased jobs, housing and more people to the area through the delivery of the new metro station.

Figure 2 shows the subject sites location within the context of the St Leonards and Crows Nest Station Precinct. Whilst the site is contained within the St Leonards Centre, is important to understand the sites relationship to the broader St Leonards and Crows Nest Precinct.

The site is located in the St Leonards Centre. It is a very accessible site, located 400m from St Leonards Train Station and 230m from an entrance to the future Crows Nest Metro Station.

There are a range of important education and health services and infrastructure in proximity to the site including Royal North Shore Hospital, St Leonards TAFE, North Sydney Boys High School and North Sydney Girls High School.

The site is located in proximity to a number of existing open spaces including Gore Hill Park, Naremburn Park, Newlands Park, St Thomas' Rest Park and St Leonards Park.



Figure 2 Local Context

Site outlined in red

Source: *Architectus, 2018*

The site is approx. 5,654 square metres in a rectangular shape bound by Chandos Street to the north, Oxley street to the east and Atchison Street to the south. Atchison Lane lies between the two sites and is where majority of current buildings are serviced with access to basement car parking.

At present the site contains a range of 3-7storey mixed use buildings including a range of community and art facilities. Refer to **Figure 3**.



Figure 3 Site context plan

Site outlined red

Source: Nearmaps 2018 with edits by Architectus

The surrounding context of the site is eclectic with a variety of building heights, both in existence and proposed. This is detailed further in the Urban Design Report at **Attachment B**. However, it should be noted that within 400m of the site, heights vary between 1-2 storey heritage conservation area residential dwellings to 50 storey residential flat buildings.

Critically, the site is located within the broader St Leonards Centre, which includes a broad range of building heights, as demonstrated in **Figure 4** below.

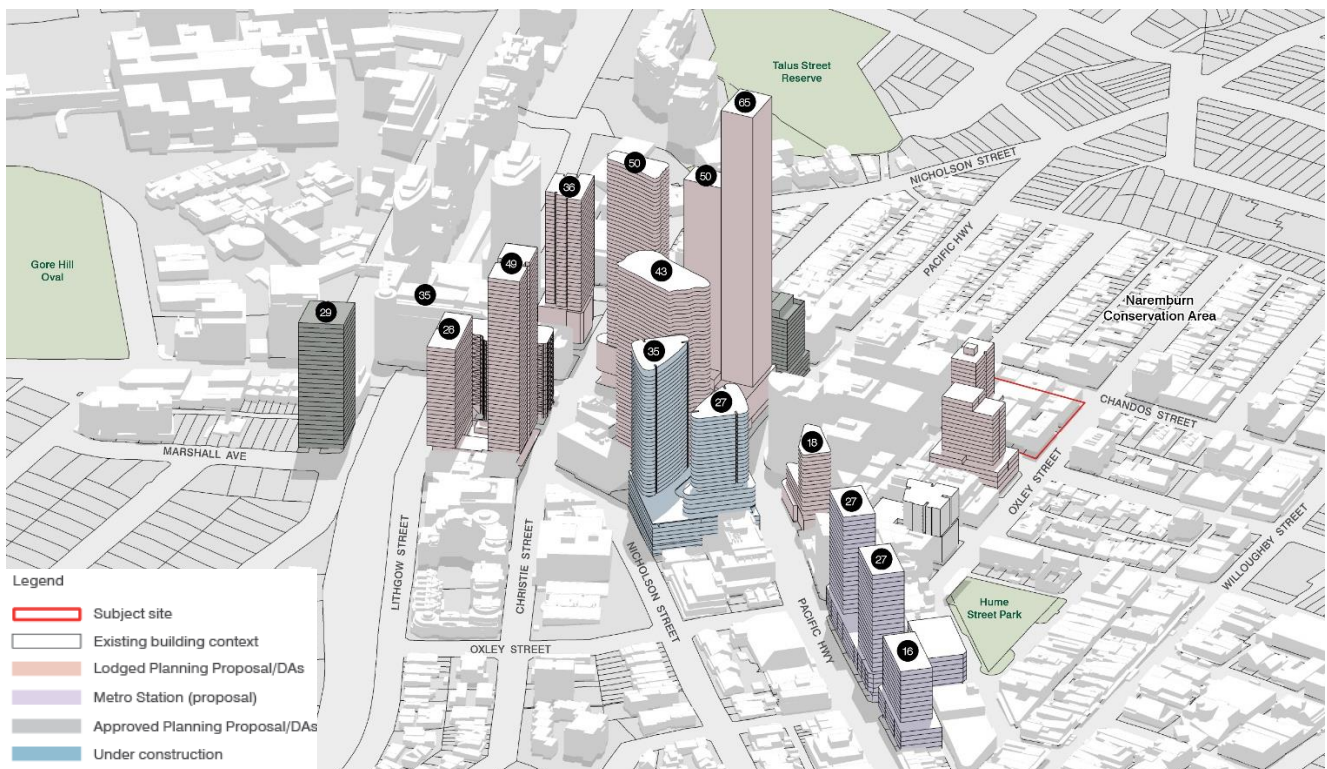


Figure 4 Future of St Leonards

Source: Architectus 2018

2.3 Site details

Existing land use

The subject site is currently zoned B4 Mixed Use which allows for a range of compatible land uses including, but not limited to commercial premises, community facilities, educational establishments, hotel or motel accommodation, information and education facilities, residential flat buildings, seniors housing, serviced apartments and shop top housing.

The site currently accommodates a range of land uses which fall under the definition of commercial premises (including business, office and retail premises).

Legal description

The site comprises sixteen (16) parcels of land, comprising a total area of 5,654 square metres. A breakdown of the sites legal description (Lot and Deposited Plan number) are listed below in **Table 2**.

Table 2 Summary of Lots and Deposited Plans

No.	Address	Owning Entity	Lot	DP
1	55-61 Chandos Street	TASKTEA PTY LTD atf HARBIN TRUST	C	172499
2	55-61 Chandos Street	TASKTEA PTY LTD atf HARBIN TRUST	1	927 407
3	63-65 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	1	104816
4	67-69 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	10	877196
5	71-73 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	1	900998
6	75 Chandos Street	75 CHANDOS STREET PTY LTD atf 75 CHANDOS STREET TRUST	1	115581
7	79 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	28	455939
8	79 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	29	455939
9	83-85 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	B	443166
10	83-85 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	A	443166
11	87 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	31	2872
12	89 Chandos Street	TWT DEVELOPMENT PTY LTD atf ST LEONARDS UNIT TRUST #2	32	2872
13	64 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	1	1029839
14	62 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	2	1029839
15	60 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	3	1029839
16	58 Atchison Street	ATCHISON LANE PTY LTD atf ATCHISON LANE TRUST	4	1029839

Land ownership

All sixteen (16) parcels of land fall under the ownership of the applicant, TWT Development Pty Ltd.

Development history

The following is a summary of a previous Planning Proposal that was submitted to Council.

1. 21 August 2014 - A Planning Proposal was lodged by the applicant to North Sydney Council to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) in relation to 75-89 Chandos St, 58-62 Atchison St and 23-35 Atchison St, St Leonards.
2. 2 September 2014 – Council wrote to the applicant advising that it would not support the planning proposal and offered the applicant the opportunity to withdraw the application.
3. 8 October 2014 – The applicant requested that Council continue its assessment of the application. As the matter had not been determined by Council within 90 days of submission of proposal, the applicant submitted the proposal to the Department for a pre-Gateway review.
4. 14 November 2014 – Council completed a preliminary assessment of Planning Proposal and again requested the applicant to withdraw their application.
5. 3 December 2014 - the General Manager and Director City Strategy met with the applicant at their request to informally discuss the key issues with the Planning Proposal. The General Manager and Director withheld providing any specific comments on the proposal, noting that the applicant had arranged a follow up meeting with relevant Strategic Planning officers, later that month.
6. 9 December 2014 – The applicant presents a revised draft scheme to Strategic Planning staff.
7. 16 December 2014 – The applicant is informed by council that the revised draft scheme could not be supported.
8. 18 December 2014 – Council reaffirms their position and request that the applicant withdraw their application.
9. 15 January 2015 – Council was informed by the Department of Planning and Environment that it received a request from the applicant to commence a Pre-Gateway Review.
10. 21 January 2015 – Council forwarded a letter to the DPE in response to their letter dated 15 January 2015.
11. 3 March 2015 – Crosby Textor on behalf of the applicant sends a letter to the Department of Planning and Environment responding to Council's issues as outlined in their letter dated 14 December 2014.
12. 24 September 2015 - Planning Services recommended that the Deputy Secretary from the opinion that the request is eligible for review and the request should proceed to review by the Sydney East Joint Regional Planning Panel.
13. 18 November 2015 – The Sydney East Joint Regional Planning Panel considered the request for a Pre-Gateway Review and recommended that the planning proposal should not be submitted for a Gateway determination.

2.4 Planning context

The following legislation, planning instruments and planning controls are applicable to the proposal:

Table 3 Planning Framework

Legislation	Environmental Planning and Assessment Act 1979 (EP&A Act)
Strategic plans	<ul style="list-style-type: none">– Greater Sydney Region Plan: A metropolis of three cities, 2018– North District Plan, 2018
Current planning controls	<p>Environmental Planning Instruments:</p> <ul style="list-style-type: none">– State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development– State Environmental Planning Policy (Infrastructure) 2007– State Environmental Planning Policy (Affordable Rental Housing) 2009– State Environmental Planning Policy No. 55 – Remediation of Land– North Sydney Local Environmental Plan 2013 <p>Development Control Plans:</p> <ul style="list-style-type: none">– North Sydney Development Control Plan 2013
Other plans and policies	<ul style="list-style-type: none">– NSW 2021: <i>A Plan to Make NSW Number One</i>– St Leonards and Crows Nest Station Precinct: Interim Statement, 2017– Crows Nest Placemaking and Principles Study (2016)– St Leonards/Crows Nest Planning Study – Precincts 2 & 3 (2015)– Affordable Housing Strategy (2015)– Hume Street Park Upgrades (2015)– St Leonards Strategy (2006)– Open Space Provision Strategy (2009)– North Sydney Integrated Cycling Strategy (2013)– Recreational Needs Study (2015)– Sydney Metro Planning Study (2016)

The Planning Proposals consistency with the above is detailed in **Section 6** of this Planning Proposal

2.5 Current planning controls

State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

State Environmental Planning Policy 65 – Residential Flat Buildings (SEPP 65) aims to improve the design quality of residential apartment development in NSW. The policy aims to deliver a better living environment for apartment residents, enhance streetscapes and neighbourhoods in NSW.

SEPP 65 identifies ten design principles that provide a consistent approach to the design and assessment of apartments across the State. SEPP 65 also gives effect to the Apartment Design Guide (ADG), which provides detail on how residential apartment development can meet the design quality principles.

The master plan has been tested to ensure compliance with SEPP 65 and the Apartment Design Guide can be achieved. The proposed built form generally complies with the provisions of the Apartment Design Guide, including building separation, communal open

space, and solar access requirements. The Concept design presented in the Urban Design Report at **Attachment B** has therefore been assessed against SEPP 65 and the accompanying Apartment Design Guide. Based on that assessment, the following is noted:

- The residential component consists of 438 apartments made up of an indicative dwelling mix of 96 x 1 bedroom (22%), 271 x 2 bedroom (62%), and 70 3 bedroom (16%) apartments
- The residential floors have minimum ceiling heights of 2.7m. The floor to floor height is typically 3.1m
- A minimum of 2 hours direct sunlight between 9am and 3pm in mid-winter is available to around 78% of apartments in Tower A, 75% of apartments in Tower B and 80% of apartments in Tower C
- Similarly, considered as a whole, the proposal will achieve a minimum cross ventilation of 60% of apartments. It is noted however, that this is measured across the first 9 storeys only and that the tower forms above the podium perform significantly greater.

Further detail testing is presented in Section 5 of the Urban Design Report at **Attachment B**.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 aims to facilitate the efficient delivery of infrastructure across NSW.

Any future development may require upgrades of existing utility services to facilitate the future residential population. Further details would be required during a future development application, subject to approval of this planning proposal.

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 aims to provide a mechanism for a more simple and efficient provision of affordable rental housing in NSW.

Any future development applications proposing affordable housing may be subject to the relevant provisions of the Affordable Rental Housing SEPP 2009, contained in Division 1 In-fill affordable housing of Part 2 New affordable rental housing.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to all land within New South Wales and has an overall aim to promote the remediation of contaminated land and reduce the risk to human health and the environment.

A Preliminary Site Investigation has been prepared as part of a previous Planning Proposal for the site by Cardno and is provided at **Attachment G**. The report concludes that the site can be made suitable for mixed use, commercial and high density residential development and is not considered to constrain rezoning or redevelopment of the site.

State Environmental Planning Policy - (Urban Renewal) 2010

State Environmental Planning Policy (Urban Renewal) 2010 aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts.

The site is located within the St Leonards/Crows Nest Planned Precinct, in which the State government has commenced an urban renewal investigation. This proposal provides a response to the Interim Statement including technical reports that were released in late 2017 as part of the Preliminary Investigation for the Precinct. It also provides a response to Councils local planning strategies, particularly the *St Leonards and Crows Nest Planning Study Precincts 2 & 3 (2015)* and the *Crows Nest Placemaking & Principles Study (2016)*. Refer to Section 6 of this report.

North Sydney Local Environmental Plan 2013

The North Sydney Local Environmental Plan 2013 (LEP) applies to the site. An extract of the key LEP controls and development standards applicable to the site and proposed development is provided in **Table 4** below.

Land Use Table

The subject site is currently zoned B4 Mixed Use under the North Sydney LEP 2013.

Table 4 North Sydney LEP 2013 Land Use Table

Objectives of the zone	<ul style="list-style-type: none"> – <i>To provide a mixture of compatible land uses.</i> – <i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i> – <i>To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.</i> – <i>To maintain existing commercial space and allow for residential development in mixed use buildings, with non-residential uses concentrated on the lower levels and residential uses predominantly on the higher levels.</i>
Permitted without consent	Nil
Permitted with consent	<i>Amusement centres; Backpackers' accommodation; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Sex services premises; Shop top housing; Signage; Vehicle repair stations; Veterinary hospitals"</i>
Prohibited	"Any development not specified in item 2 or 3"

An extract of the North Sydney LEP 2013 land use map of the site and the surrounding area is illustrated overleaf at **Figure 5**.

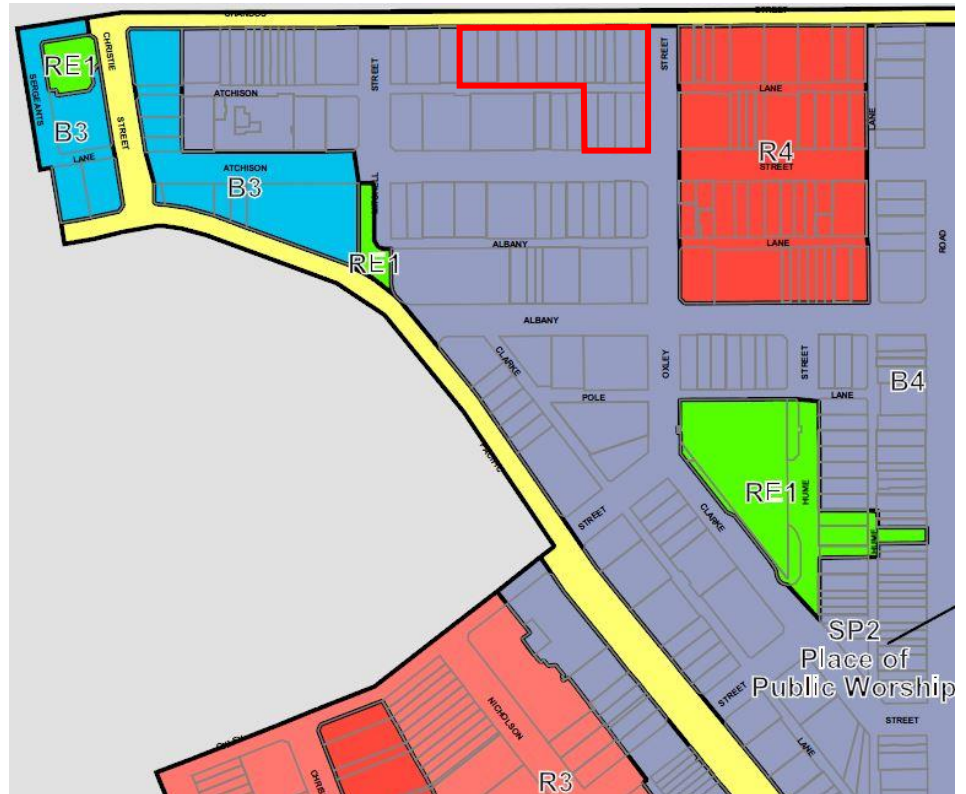


Figure 5 Land use zoning map

Site outlined in red

Source: North Sydney LEP 2013, Sheet_LZN_001

The range of proposed uses for the site including residential, commercial premises, retail premises and community facilities are permitted with consent in the B4 Mixed Use zone.

The Planning Proposal is considered to be consistent with the objectives of the zone as it provides a range of uses in a highly accessible location that will benefit from existing and future public transport infrastructure, encouraging a walkability for future residents, worker and visitors of the site.

Height

The maximum building height for development on the site is controlled under Clause 4.3 of the North Sydney LEP 2013. The site is subject to a maximum building height of part 33m and part 20m, pursuant to Clause 4.3(2) of the North Sydney LEP 2013.

The objectives of the maximum height of buildings control under Clause 4.3 are as follows:

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

In addition to the above, the subject site is identified as “Land in St Leonards” on the “Exceptions to Development Standards Map”. Clause 4.6(8)(ca) of the North Sydney LEP 2013 does not allow development consent to be granted for development that exceeds the maximum building height stipulated under Clause 4.3(2) by more than 3 metres (excluding plant rooms and similar structures).

The maximum building height plan for the site and surrounding area is illustrated below at **Figure 6**.

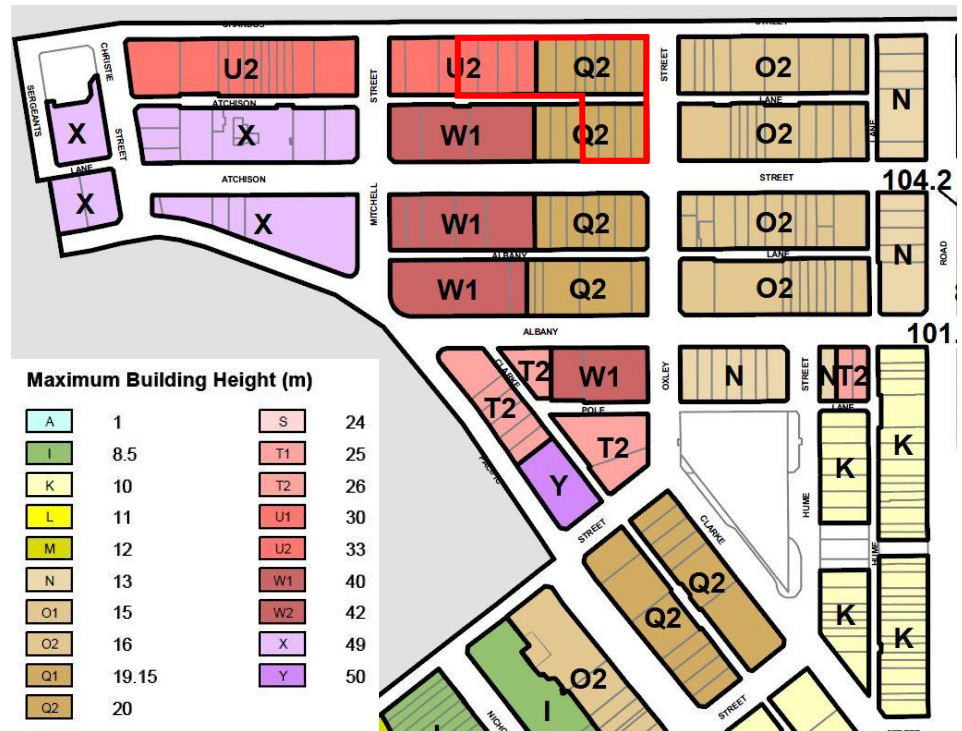


Figure 6 Maximum building height map
 Site outlined in red.
 Source: North Sydney LEP 2013, Sheet_HOB_001

Floor space ratio

The maximum FSR for development on the site is controlled under Clause 4.4 of the North Sydney LEP 2013. Majority of land in the area is not subject to a maximum FSR control, including the subject site. The objectives of the maximum FSR controls under Clause 4.4 are as follows:

- a) *to ensure the intensity of development is compatible with the desired future character and zone objectives for the land,*
- b) *to limit the bulk and scale of development.*

Mapping overleaf in **Figure 7** shows there is no maximum FSR control applicable to the site.

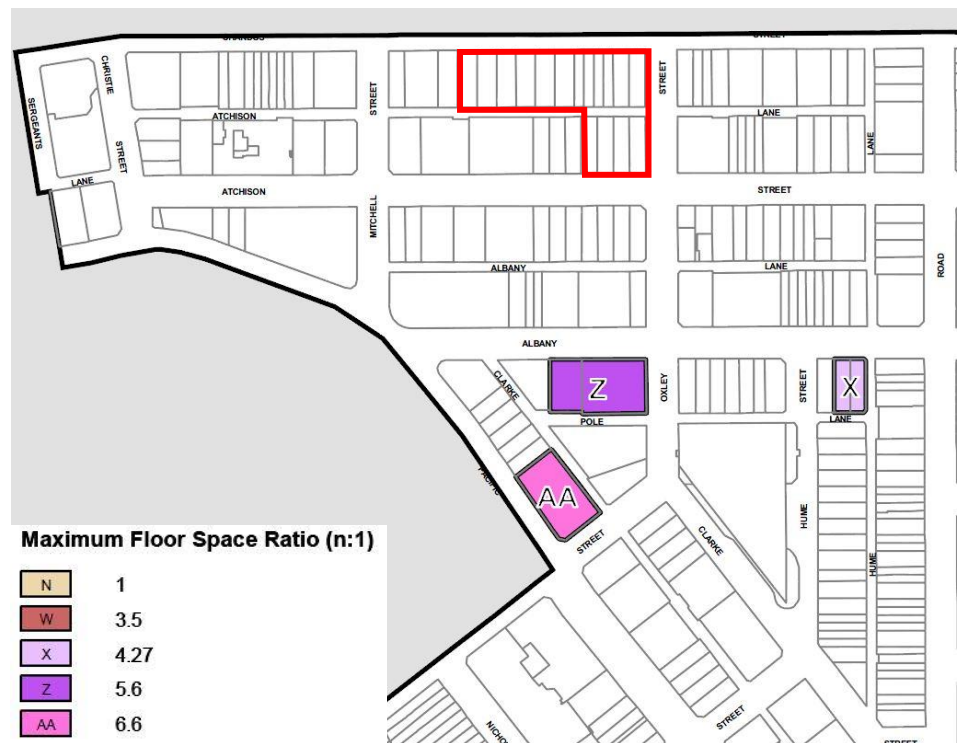


Figure 7 Maximum floor space ratio

Site outlined in red

Source: North Sydney LEP 2013, Sheet_FSR_001

Non-residential floor space ratio

The minimum non-residential FSR for development on the site is controlled under Clause 4.4A of the North Sydney LEP 2013. The site is subject to a minimum non-residential FSR of part 1:1 and part 0.6:1 under Clause 4.4A(2) of the North Sydney LEP 2013.

The objectives of the minimum non-residential floor space ratio controls under Clause 4.4(A) are as follows:

- to provide for development with continuous and active street frontages on certain land in Zone B1 Neighbourhood Centre, Zone B4 Mixed Use and Zone SP2 Infrastructure,*
- to encourage an appropriate mix of residential and non-residential uses,*
- to provide a level of flexibility in the mix of land uses to cater for market demands,*
- to ensure that a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of commercial centres*

In addition to the above the site is also subject to an *active street frontage* under Clause 4.4A(5). A building has an *active street frontage* if no part of the ground floor of the building facing a street is used for residential accommodation. Despite subclause 4.4A(5) an active street frontage is not required for any part of a building if it is used for entrances and lobbies, access for fire services, or vehicular access.

The minimum non-residential FSR for the site and surrounding area is illustrated at **Figure 8**.



Figure 8 Minimum non-residential floor space ratio

Site outlined in red

Source: North Sydney LEP 2013, Sheet_LCL_001

North Sydney Development Control Plan 2013

The North Sydney Development Control Plan (DCP) 2013 applies to the subject site at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards. The DCP was adopted by North Sydney Council on 02 September 2013 and came into effect on 13 September 2013.

2.6 Demographic profile trends

The 2017 Estimated Resident Population for St Leonards-Crows Nest is 7,351 with a population density of 87 persons per hectare (profile.id).

The demographic profile of St Leonards suggests that a high density mixed use development in this location would help to serve local accommodation needs and employment space.

There is also a trend towards a high rate of people who are attending university, lone person households and those that do not own a car. This suggests local services and amenity, shops and active retail, mixed with jobs and housing, would be sought after.

Growth in the creative arts precinct will further enhance the character and unique character of the Lower North Shore and will provide public benefit to cater for the increasing population in St Leonards.

3. The Proposal

3.1 Need for redevelopment

The site currently contains thirteen commercial buildings which are approaching the end of their economic life, with the oldest building dating back to the 1960s. Given the sites age and lower grade stock there is an opportunity for the sites redevelopment as a mixed-use development to deliver higher quality commercial floor space and contribute to the major commercial office precinct of St Leonards.

In addition, the above the site presents a rare opportunity to facilitate the renewal of a largely, unconstrained and consolidated site, with opportunity to capitalise on the existing and planning transport capacity in St Leonards.

3.2 Design philosophy

To deliver a proposal which recognises the strategic drivers and need for redevelopment, the following Urban Design Principles have been established in tandem with the strategic drivers to guide the framework and redevelopment of the site. These design principles are provided in **Table 5** below.

Table 5 Urban Design Principles

Urban Design Principles - Ground Floor Interface	
1. Through Site Link	A mid-block through site link between Atchison and Chandos Street could be possible through the site. The link could be partially open to the sky and form part of a larger open space on the site
2. Ground floor setbacks to Chandos and Oxley Streets	The podium and ground floor footprint has been set back along Chandos and Oxley Streets to provide wider footpaths for outdoor retail and dining opportunities.
3. Prioritise activation on Chandos and Oxley Streets	The ground plane is proposed to be dominated by fine grain retail and community uses. Retail would include predominately food and beverage venues along Oxley and Atchison Streets. By locating all vehicular access off Atchison Lane the civic function of all major streets will be strengthened by the presence of continuous active frontages. In addition to retail activation, a number of community uses will also be featured to provide a diverse range of activities within the site
4. Provide community focused uses, complete with a new network of open space	The site fronts Chandos Street and is located adjacent to the low scale residential dwellings in the Narraburn Conservation Area. The sites redevelopment could accommodate new community uses accompanied by a dedicated open space to address the termination of Darvall Street. The setback along Oxley Street captures Council's vision of creating a north-south linear park along Oxley Street from the intersection of Chandos Street to Hume Park and the new Metro Station.
5. Preserve active frontages and enhance the existing street network	Servicing and loading should be carefully considered and restricted to Atchison Lane to ensure streets are places for people - basement car entries will be excluded from Atchison and Chandos Streets.

Urban Design Principles – Podium and Tower

1. A tower and podium-built form	<p>Tower forms should be set back from a strong podium to ensure that buildings provide a human scale to the street. This will also alleviate the effects of wind and rain and reduce the visual dominance of tower forms.</p> <p>Towers will provide a variation in height and floorplates, creating a varying scale and style to individual towers. Towers should be slender and generally be orientated north-south, whilst also appearing slim and well spaced.</p> <p>The lower height of the surrounding buildings should enable shared local and city views from towers.</p>
2. Reducing perception of building massing	<p>Façades should be broken through separation or architectural treatment to reduce building mass. Strategies which allow an expression of slender towers should be explored to enable an appearance of a slim building profile. Towers should be slender and articulated to address building separation to other towers for view sharing and minimise the effect of tower crowding.</p>
3. Providing setbacks on Oxley Street	<p>The setback along Oxley Street captures Council's vision of creating a north-south linear park along Oxley Street from the intersection of Chandos Street to Hume Park and the new Metro Station.</p> <p>The setback also provides a clear point of height transition along Oxley Street, with the loss of floorspace being offset through the overall increase in height of the resultant built form.</p>
4. Ensuring solar access is preserved to key public open spaces including the future Hume Street Park	<p>Limit building heights on the site to ensure that there are no overshadowing impacts to the future Hume Street Park.</p>
5. Defining the commercial core	<p>Building heights within the commercial core of St Leonards should respond to the Strategic Centre of ST Leonards through providing building heights which define the commercial core. This will also allow for a suitably dense amount of dwellings and employment floor space areas. The definition of the commercial core will be assisted by taller building heights, with transitional lower areas as shown above.</p>

3.3 Architectural Concept

An overview of the indicative architectural concept is provided in Section 4 of the Urban Design Report, prepared by Architectus at **Attachment B**.

As a basis of a planning proposal, the architectural concept design scheme is indicative of how the site might develop as a result of the proposed LEP amendments made by this Planning Proposal, further discussed in Section 4 of this report.

The architectural design scheme presents a mixed-use precinct which provides for a series of building heights that visually define the St Leonards Centre/CBD.

The sites B4 zoning allows for a range of land use options. The site lends itself to being located in an existing Creative Arts Precinct in which the site currently accommodates a range of art studios, creative retail, gallery and community uses.

The key elements of the proposed architectural concept design are outlined below:

- Around 438 new residential apartments
- Over 1,650sqm of retail GFA
- 3,258sqm commercial GFA
- 4,000sqm community space GFA

The architectural concept proposal also allows for:

- High density, mixed uses supported by the sites proximity to key rail infrastructure
- A creative arts space located in the podium levels of the mixed use buildings for the benefit of the broader community
- A new, public accessible plaza up to 700 square metres which will create an urban oasis and place for community events
- A new through site link created through a mid-block connection between Chandos Street and Atchison Lane
- New vibrant, active street frontages along Chandos Street and Oxley Street through delivery of a linear park
- An affordable housing component, of up to 10%.

An indicative photomontage of the architectural concept is provided below at **Figure 9**. This photomontage represents one possible scenario for the development of the site. A detailed design of these elements will form part of a future development application.



Figure 9 Indicative artistic impression
Source: Doug & Wolf, 2018

4. Objectives and intended outcomes

This section outlines the objectives of the Planning Proposal and provides detail on the proposed planning control provisions to achieve these objectives and outcomes.

4.1 Intended outcomes of this Planning Proposal

The Planning Proposal seeks to amend the North Sydney LEP 2013 to enable additional height and density on the site to support a successful, high quality mixed-use and creative arts precinct.

Drawing on both local and state planning strategies, technical consultant reports prepared for this Planning Proposal and the indicative architectural concept for the site, Architectus has identified the need to increase density and building height due to the sites strategic locational advantage in proximity to existing jobs, services and public transport infrastructure.

Based on detailed site analysis and consideration given to potential impacts on adjoining sites, open space and nearby heritage conservation areas, it is considered that an average FSR of 8.6:1 can be accommodated on the site without resulting in adverse environmental impacts. These impacts are discussed in **Section 6** of this report.

Land use

The intended outcome of the Planning Proposal is to facilitate the development of a new mixed-use site at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards comprising a range of land uses including residential, commercial, retail and information education facilities.

The Urban Design Study prepared by Architectus sets out an concept design for the site that could be achieved through the rezoning. The master plan shows a range of land uses that respond to the sites strategic location. The relationship between the proposed land uses and the North Sydney Local Environmental Plan (LEP) 2013 are summarised in **Table 6** below.

Table 6 Proposed land uses and classifications

Proposed land use (master plan)	North Sydney LEP 2013
Residential apartments	Shop top housing
Commercial development	Commercial premises including business, retail and office premises
Public art gallery and creative art space	Information and education facilities

The sites current B4 Mixed Use Zoning permits a range land uses including those outlined in **Table 6** above. This Planning Proposal seeks to retain the sites B4 Mixed Use Zoning which is commensurate with the proximity to rail infrastructure.

Built form – Height and FSR

An overview of the proposal including detail on both the base case and visionary scheme is provided in the Urban Design Report, prepared by Architectus at **Attachment B**. In summary, the future mixed-use development will comprise:

- A mixed-use development of commercial, community and residential uses, including non-residential uses for future employment opportunities;
- Three residential tower forms across the site, with building heights ranging from 67m (18 storeys) to 101m (28 storeys);
- A 4-storey podium to accommodate creative arts spaces; museums and galleries and fine grain retail to both Chandos Street and Oxley Street.

The proposed development will have a total gross floor area (GFA) of 48,471 square metres, resulting in an overall FSR of 8.6:1. Of this 48,471 square metres, up to 8,730 square metres will be provided for non-residential uses.

In order to allow for flexibility and realistic staging of the site, this Planning Proposal seeks to amend the North Sydney LEP 2013 building height, and floor space ratio controls as per the following.

- **Tower A**
 - Site area: 2,904sqm
 - Building height proposed: 101m
 - Total FSR proposed: 8.7:1
 - Non-residential FSR: 1.6
 - Residential FSR: 7.1
- **Tower B**
 - Site area: 1,440sqm
 - Building height proposed: 85m
 - Total FSR proposed: 9.1:1
 - Non-residential FSR: 0.6:1
 - Residential FSR: 8.5:1
- **Tower C**
 - Site area: 1,310sqm
 - Building height proposed: 67m
 - Total FSR proposed: 7.9:1
 - Non-residential FSR: 5.4:1
 - Residential FSR: 2.5:1

Refer to **Figure 10** overleaf showing indicative tower locations in order to calculate breakdown of FSR.

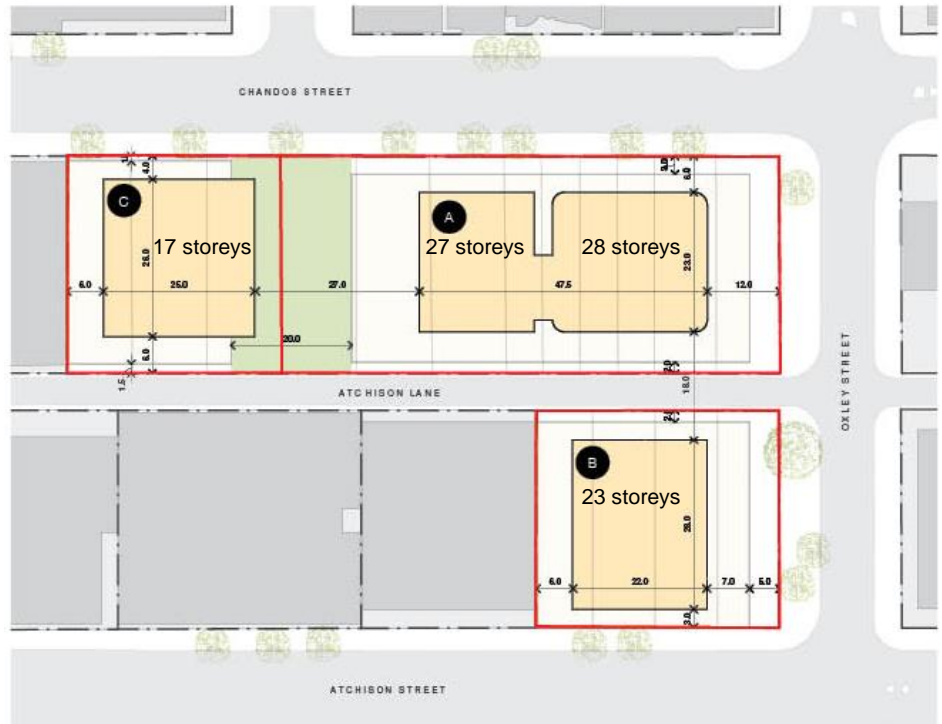


Figure 10 Indicative tower location

Site outlined in red, showing indicative tower location over existing lot pattern

Source: Architectus, 2018

A numerical overview of development yield is therefore provided below at **Table 7**.

Table 7 Development yield breakdown

Area	Tower A	Tower B	Tower C	Total
Site area	2,904 m ²	1,440m ²	1,310 m ²	5,654 m ²
Total GFA	25,197 m ²	13,096 m ²	10,356 m ²	48,649m ²
No of apartments	224	135	78	438
Total residential GFA	20,428 m ²	12,215 m ²	7,098 m ²	39,741m ²
Total retail GFA	769m ²	881m ²	-	1,650m ²
Total commercial GFA	-	-	3,258m ²	3,258m ²
Total creative space GFA	4,000m ²	-	-	4,000m ²
Total non-residential FSR	1.6:1			
Total FSR	8.6:1			

Based on the proposed mix of uses provided by the architectural concept a breakdown of floor space for the proposed land uses is approximately 82% residential, 7% office, 3% retail and 8% creative art space).

Public benefits

This planning proposal seeks to deliver a number of key public benefit items which could be provided. Each of the public benefits are described in detail below and are identified as part of the letter of offer accompanying this planning proposal. Refer to **Attachment I**. This letter of offer to enter into a Voluntary Planning Agreement with North Sydney Council opens discussions with Council about the delivery (timing and realisation), management, ownership and exclusion of Section 94 Contributions.

It should be noted that we anticipate this VPA to be a principles VPA, given that the detailed design and final value of each of the below will need to be finalised and costed as part of subsequent detailed design DAs for the subject sites. This principles VPA will establish a methodology for the costing, delivery and management of public benefits to be delivered under the proposal.

A summary of the community facilities to be delivered is detailed below.

Community facilities

The proposal for the site includes new creative art floor space as part of an integrated creative arts and mixed-use precinct. An opportunity is presented to provide the community with up to 4,000 square metres of art gallery, museum and creative co-working spaces to be delivered in the podium levels in one of the mixed use buildings. It is proposed that this facility be leased to a not-for-profit entity with a defined charter for the lease and management of the space to 'creative industry' for a minimum period of 20 years.

This is in line with the *Crows Nest Placemaking and Principles Study (CNPPS), 2016* which seeks to leverage development demand in St Leonards in exchange to provide an Arts Centre. Whilst the *CNPPS* notes the potential for an arts centre to be delivered as works in kind by one of the four 'tall building sites' (refer to pg.58 of the *CNPPS*), we see opportunity for the subject site to contribute to the delivery of the arts and cultural precinct in St Leonards for the following reasons:

- The site is identified as part of the West Oxley Street Creative Quarter in the *St Leonards and Crows Nest Planning Study 2015* which envisages 'a vibrant new precinct supported by a mix of creative industries, specialty retail, start-up businesses, galleries and cosmopolitan urban living options.
- The site already accommodates a range of community and arts-focused uses which have been initiated by the proponent including up to 1,490sqm of commercial space for six visual art studios, a performing arts rehearsal facility, two visual art galleries, a music rehearsal and recording studio, a photography gallery, showroom and workshop, a bespoke, custom-made bicycle store and repair shop.
- The proponent has already supported this Precinct through;
 - investment in initial construction and fit-out of the spaces,
 - management fees,
 - staging and marketing open-house "Block Part" events to promote the precinct and
 - commissioning five murals be celebrated Australian street artists along Atchison Lane to encourage greater activity and usage along the lane.

Delivery of a linear park along Oxley Street

Councils public domain strategy in the *St Leonards and Crows Nest Planning Study* identifies a new, landscaped linear park to be delivered along Mitchell and Oxley Street through potential section 94 funds or a Voluntary Planning Agreement (VPA).

The Planning Proposal seeks to enable the provision of a new linear park through a 5 metre setback along the western side of Oxley Street and as a result contribute to providing additional open space that supports the future residential and working population of St Leonards.

Delivery of a new public plaza

The Planning Proposal seeks to deliver a new public plaza along Chandos Street, with opportunity to align and connect with future through site link from Atchison Lane to Atchison Street.

The proposed public plaza will provide up to 700m square metres of public space, that will provide a breakout space for urban relief and passive recreation. This will create opportunities for the proposed community facilities / creative arts spaces to spill out into the plaza during key events to create a focus point for the community.

Affordable housing

A total of 10% of the dwellings will be delivered as affordable housing as part of the public benefit offer within the proposed Voluntary Planning Agreement (VPA), for a period of 20 years.

4.2 Objectives of this Planning Proposal

The key objectives of the Planning Proposal are:

- To deliver high density in the St Leonards/Crows Nest Centre, commensurate with the existing and planned capacity
- To maximise heights to define the St Leonards Centre
- To contribute to the broader Arts and Cultural Precinct of St Leonards
- To provide high quality open space and public domain
- To improve pedestrian access to open space including the new Hume Street Park.

4.3 Concept proposal

An indicative development concept proposal has been prepared by Architectus which shows the proposed built form, building massing and relationship with the surrounding context including development that is currently under construction, recently approved and awaiting approval. The Concept design is detailed in the Urban Design Report at **Attachment B**. A Section through the site is provided overleaf at **Figure 11**.

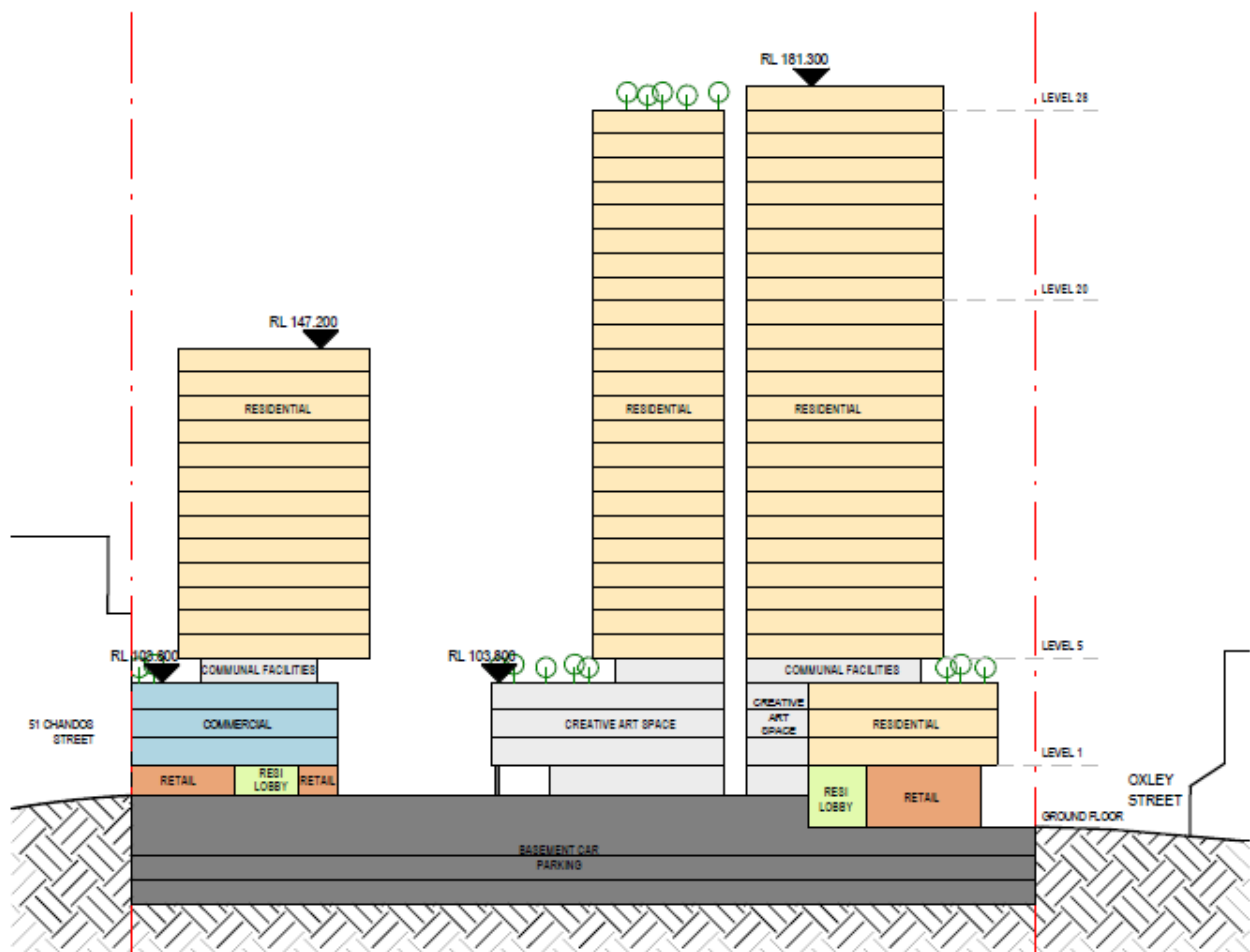


Figure 11 A Section through the site parallel to Atchison Lane
Source: Architectus, 2018

5. Explanation of Provisions

This Planning Proposal seeks to amend the North Sydney LEP 2013 to facilitate the proposed mixed-use development outlined in Section 3.0 through the provision of increased maximum building height.

The existing LEP controls and proposed amendments are outlined in **Table 8** below. For illustration of mapping amendments refer to **Section 7** of this Planning Proposal.

Table 8 Existing and proposed LEP controls

Control	Existing	Proposed
Zoning	B4 Mixed Use	B4 Mixed Use
Clause 4.3 Height	Part 33m and part 20m	Increase the maximum height limit to allow: <ul style="list-style-type: none">- 101m for Tower A- 85m for Tower B- 67m for Tower C
Clause 4.4 Floor space ratio	N/A	Introduce a new maximum floor space control to allow up to: <ul style="list-style-type: none">- 8.7:1 for Tower A- 9.1 for Tower B- 7.9 for Tower C
Clause 4.4A Non-residential floor space ratios	Part 1:1 and part 0.6:1	Increase the minimum non-residential floor space ratio to deliver: <ul style="list-style-type: none">- 1.6:1 for Tower A- 2.5:1 for Tower C No increase is proposed for Tower B.

5.1 Building height

The current maximum building height achievable on the site is prescribed by Clause 4.3 of the North Sydney LEP 2013.

To achieve the objectives of the Planning Proposal it is proposed to increase a site-specific *Maximum Building Height* that ranges across the height up to 101m. This will facilitate a maximum building height for up to:

- 101m for Tower A
- 85m for Tower B
- 67m for Tower C

5.2 Floor Space Ratio

The current maximum FSR achievable on the site is prescribed by Clause 4.4 of the North Sydney LEP 2013.

To achieve the objectives of the Planning Proposal it is proposed to introduce a new site-specific *Maximum Floor Space Ratio* that varies across the site to allow up to:

- 8.6:1 for Tower A
- 9.1 for Tower B
- 7.9 for Tower C

When combined, the site achieves an overall FSR of 8.6:1

5.3 Non-residential FSR

Whilst Clause 4.4 provides no maximum FSR control to the site, Clause 4.4A(2) provides a minimum non-residential FSR of part 1:1 and part 0.6:1.

To achieve the objectives of the Planning Proposal it is proposed to amend the *Minimum Non-Residential Floor Space Ratio* to require a minimum amount of non-residential floor space to be provided on site to allow for the following:

- 1.6:1 for Tower A
- 0.6:1 for Tower B
- 2.5:1 for Tower C

An overview of gross floor area (GFA) and FSR is set out below in **Table 9** below. It should be noted allocated gross floor space presented in Row 2 (*Clause 4.4(A) Minimum Non-Residential Floor Space Ratio*) has been accounted for in Row 1 (*Clause 4.4 Floor Space Ratio*).

Table 9 Overview of Floor Space Ratio Calculation

LEP Provision	Gross Floor Area	Floor Space Ratio	Sub total
Clause 4.4 Floor Space Ratio	25,197sqm	– 8.7:1 for Tower A	8.6:1
	13,096sqm	– 9.1 for Tower B	
	10,356sqm	– 7.9 for Tower C	
Clause 4.4(A) Minimum Non-residential Floor Space Ratio	4,591sqm	– 1.6:1 for Tower A	1.6:1
	881sqm	– 0.6:1 for Tower B	
	3,258sqm	– 2.5:1 for Tower C	
Total			8.6:1

5.4 Provision of community facilities (creative arts spaces)

It is proposed that a site-specific clause also be implemented to require the below:

Clause 6.20 – Development at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards

- 1) The objective of this clause is to provide floor space for community facilities*
- 2) For the site at 55-89 Chandos Street and 58-64 Atchison Street, St Leonards, a minimum of 4,000m² Gross Floor Area of community facilities must be provided. These community facilities are to include art galleries, museums and creative spaces which service the wider community.*
- 3) The minimum requirement listed in Clause 6.20(2) of 4,000 square metres should not exceed the floor space ratio shown for the land on the Floor Space Ratio Map in Clause 4.4(2)*

The proponent has also provided a Letter of Offer, provided at **Attachment I** to enter into a Voluntary Planning Agreement (VPA) with North Sydney Council to ensure the delivery of the creative arts spaces.

6. Justification

This section provides justification of the Planning Proposal in line with the ‘*questions to consider when demonstration justification*’ set out within the NSW Government’s ‘*A guide to preparing planning proposals*’.

6.1 Section A – Need for the Planning Proposal

Q1. *Is the planning proposal a result of any strategic study or report?*

Yes. This planning proposal has resulted from the priorities and actions highlighted within a range of federal, state, regional and local strategies. Refer to list below in **Table 10**.

In particular, the Planning Proposal has been mostly derived from the announcement of the St Leonards and Crows Nest Strategic Planning Investigation which identified St Leonards as a Planned Precinct and key area for urban renewal. The need for the Planning Proposal is also driven by the significant benefits in which this site has to offer in relation to the Sydney Metro at Crows Nest. A summary and analysis of the St Leonards and Crows Nest Station Precinct Draft Interim Statement is addressed further below.

Table 10 Relevant strategic studies and reports

Federal	– Smart Cities Plan (2016)
State	<ul style="list-style-type: none"> – NSW 2021: A Plan to Make NSW Number One (2011) – Future Transport Strategy 2056 (2018) – Premier’s Priorities and State Priorities – Better Placed – an integrated design policy for the built environment of NSW (2017)
Regional and sub-regional	<ul style="list-style-type: none"> – Greater Sydney Region Plan (2018) – North District Plan (2018) – St Leonards and Crows Nest Station Precinct: Interim Statement (2017)
Council	<ul style="list-style-type: none"> – Crows Nest Placemaking and Principles Study (2016) – St Leonards/Crows Nest Planning Study – Precincts 2 & 3 (2015) – Affordable Housing Strategy (2015) – Hume Street Park Upgrades (2015) – St Leonards Strategy (2006) – Open Space Provision Strategy (2009) – North Sydney Integrated Cycling Strategy (2013) – Recreational Needs Study (2015) – Sydney Metro Planning Study (2016)

An overview and assessment of compliance with each these studies or reports is provided below and within the following sections.

Smart Cities Plan (2016)

In April 2016 the Commonwealth Government released The Smart Cities Plan, representing a greater level of interest in cities policy at the federal level.

The Plan aims to support productive, accessible and liveable cities that attract talent, encourage innovation and create jobs and growth. It seeks to transition economic growth in Australia towards more knowledge-based, technology and service industries.

The Smart Cities Plan puts forward the '30-minute city' model, where residents should be able to access employment, schools, shopping, services and recreational facilities within 30 minutes of home.

The Planning Proposal is consistent with the Smart Cities Plan as it will provide more housing and jobs in an area that is highly accessible, and well serviced by supporting infrastructure, schools, services and jobs.

NSW 2021: A Plan to Make NSW Number One (2011)

NSW 2021 is the NSW Government's 10-year plan to guide policy and budget decision making. It establishes long-term goals and measurable targets, and outlines actions to enable to Government to deliver on community priorities.

NSW 2021 is based around five strategies:

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

A key priority of the NSW Government is to grow patronage on public transport by making it a more attractive choice.

The Planning Proposal is consistent with the Government's vision and intent of increasing public transport patronage by providing more homes, jobs and community and social infrastructure close to existing and new rail infrastructure (St Leonards Train Station and Crows Nest Metro Station).

Future Transport Strategy 2056 (2018)

The Future Transport 2056 strategy prepared by Transport for NSW provides an overarching strategy that guides transport investment across regional and greater Sydney over the next 40 years. In developing the Eastern Harbour City, the Strategy identifies the need for investment in a mass transit network to support 30-minute public and active transport access.

The Sydney Metro is recognised as a game-changing piece of infrastructure to Sydney's public transport network. Relevant to St Leonards, the new Metro Station at Crows Nest will provide new metro rail access creating a new transport focus on the southern side of St Leonards supporting the St Leonards southern gateway to commercial and mixed-use activities.

The Future Transport Strategy 2056 identifies St Leonards along a city-shaping corridor which aims to provide higher speed and volume connections between centres that shape locational decisions of residents and businesses. St Leonards is also identified as a centre that forms part of the city-serving network which comprises more higher density

corridors within 10km of metropolitan centres providing high frequency access to metropolitan cities and centres with more frequent stopping patterns.

Future development on this strategically important site has the potential to contribute to and enhance walking and cycling connections between the existing St Leonards Train Station and future Metro Station.

Better Placed – an integrated design policy for the built environment of NSW (2017)

The Better Placed Policy sets out the NSW Government's position for design-led planning in the urban environment, providing principles and direction in creating good places. The Policy establishes six principles to be considered in the design of new communities including:

1. Better fit – contextual, local and of its place
2. Better performance – sustainable, adaptable and durable
3. Better for community Better for people – inclusive, connected and diverse
4. Better for working – functional, efficient and fit for purpose
5. Better value – creating and adding value
6. Better look and feel – engaging, inviting and attractive

The proposed architectural concept has considered the six principles identified in the policy. As evidenced through the supporting Urban Design Report, prepared by Architectus at **Attachment B**, the architectural concept has been considered to deliver improved residential, commercial and public domain outcomes, creating a place that relates to its context, responds to local character, and focuses on community, connectivity, and improved social outcomes.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The current planning controls contained within North Sydney LEP 2013 do not align with the development opportunities provided by the sites highly accessible location to the existing St Leonards Train Station and new Metro Station at Crows Nest. A building height of 6-storeys does not facilitate the scale of development that can utilise the sites proximity to public transport or reflect the sites proximity to employment, health and education services.

The site is currently zone B4 Mixed Use, which encourages a mix of compatible land uses including residential, commercial (retail, office and business premises), information and education facilities and other development. Notwithstanding this, the site is limited to height controls (between 6 and 11 storeys) which do not reflect the sites optimal location commensurate with existing and planned infrastructure. This, coupled with no maximum FSR for the site, raises concern for the site which may lead to a very poor urban design outcome, allowing a large amount of floor space to be concentrated across the entire site and as a result may pose significant environmental impacts to the ground plane and surrounding areas. Refer to **Figure 12** which shows a complying scheme for the site.



Figure 12 Complying scheme

Image above showing development potential under existing LEP controls (refer to subject site in yellow). Buildings show in blue are approved development, buildings shown in pink are lodged and awaiting approval.

Source: Architectus, 2018

6.2 Section B – Relationship to strategic planning framework

This section provides a summary of the strategic planning framework within which the Planning Proposal outcomes for the site have been considered.

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

a) Does the proposal have strategic merit?

Yes. The Planning Proposal is consistent with the objectives and actions of the *Greater Sydney Region Plan: A metropolis of three cities*, the *North District Plan*, the *Future Transport Strategy 2056*. The Planning Proposal is also consistent with the *St Leonards and Crows Nest Draft Interim Statement*. An assessment of the Planning Proposal against these strategies is addressed below.

Greater Sydney Region Plan: A metropolis of three cities

The Greater Sydney Region Plan, released 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.

Relevant directions from the Metropolitan Plan are noted at **Table 11** below.

Table 11 Consistency with Greater Sydney Regional Plan

Directions	Consistency	Comment
Infrastructure and Collaboration <ul style="list-style-type: none"> - A city supported by infrastructure - A collaborative city 	Yes	<p>The Planning Proposal is consistent with the directions for Infrastructure and Collaboration as it will capitalise on both existing and new transport infrastructure to deliver a high quality, mixed-use development that will also deliver significant investment in public benefit and public domain infrastructure. The proposal has been specifically designed to respond to the vision prescribed for the 'West Oxley Arts Precinct' delivering up to 4,000 square metres of public art gallery space.</p> <p>In addition, the proposal has also been designed to encourage pedestrian permeability through the delivery of an active ground plane and pedestrian through site link.</p>
Liveability <ul style="list-style-type: none"> - A city for people - Housing the city - A city of great places 	Yes	<p>The Planning Proposal is consistent with the directions for Liveability as it will allow people to live and work in an area that is supported by high accessibility – within walking distance to both St Leonards and Crows Nest, as well as other great places, services and infrastructure in the area such as the new Hume Street Park and Lane Cove Bus Interchange Plaza.</p> <p>The supporting master plan will deliver in the order of around 438 dwellings in the form of towers above retail and community facility space which will provide housing for people working in St Leonards and Crows Nest as well as contribute to the supply of apartments in North Sydney LGA.</p>

Directions	Consistency	Comment
Productivity <ul style="list-style-type: none"> - A well-connected city - Jobs and skills for the city 	Yes	<p>The Planning Proposal is consistent with the directions for Productivity as it will see the delivery of 8,908 square metres of non-residential floor space, including the delivery of around 342 jobs.</p> <p>The Economic Impact Assessment, prepared by Urbis at Attachment E identifies a number of economic benefits in which the proposed mixed-use development would bring to the St Leonards and Crows Nest Station Precinct. These benefits are listed below and further summarised in Section 6.3.</p> <ul style="list-style-type: none"> - Potential employment generation during the construction of the proposed redevelopment which is forecast to support an estimated 160 direct jobs and 307 indirect jobs. - Potential employment generation in the ongoing operation of the proposed redevelopment, delivering around 342 jobs. - Retail expenditure of future residents of the proposed 438 new apartments, which could generate up to \$20.6 million per capita; and - Public realm and amenity improvements associated with the development.
Sustainability <ul style="list-style-type: none"> - A city in its landscape - An efficient city - A resilient city 	Yes	<p>The master plan has been designed to create new and enhance connections to open space through the provision of a 5m setback for a new linear park along Oxley Street. In line with Councils public domain strategy, this will allow for a new tree-lined open space, increasing urban tree-canopy in a highly urbanised area.</p> <p>In addition to the above and with future upgrades to public transport and improvements to the walking and cycling network, car mode share is likely to decrease further, which in turn is also likely to reduce transport related greenhouse gas emissions.</p>

North District Plan

The North District Plan, released by the Greater Sydney Commission in March 2018, sets out priorities and actions for the North District.

The population in the North District is projected to increase by an additional 196,350 people, over the next 20 years. The North District will experience the greatest growth in elderly persons, particularly those aged over 65. To support population growth in the North District, an additional 92,000 homes will be required by 2036. To accommodate this growth new homes must be located within proximity to local infrastructure, open space, shops services and public transport, such as St Leonards.

St Leonards is identified as an important strategic centre and health and education precinct, with over 47,000 jobs (2016). As a mixed use centre, there is strong demand for residential land in the area, which is currently competing with commercial floor space.

Relevant directions from the North District Plan are noted at **Table 12** below.

Table 12 Consistency with North District Plan

Planning Priorities	Consistency	Comment
Planning Priority N3 – Providing services and social infrastructure to meet	Yes	The Planning Proposal is consistent with this Planning Priority. The demographics analysis in the Urban Design Report shows there is already a high

Planning Priorities	Consistency	Comment
people's changing needs		<p>concentration of people living in apartments, with up to 94% of residents living in flats, units or apartments.</p> <p>A high density mixed use development in this location would help to serve local accommodation needs and employment space.</p> <p>There is also a trend towards a high rate of people who are attending university, lone person households and those that don't own a car. This suggests local services and amenity, shops and active retail, mixed with jobs and housing, would be sought after.</p> <p>Growth in the creative arts precinct will further enhance the character and unique character of the Lower North Shore and will provide public benefit to cater for the increasing population in St Leonards.</p>
Planning Priority N4 – Fostering healthy creative, culturally rich and socially connected communities	Yes	The Planning Proposal is consistent with this priority as it will facilitate opportunity for new creative art floor space, within an established arts and cultural sub-precinct of St Leonards.
Planning Priority N5 – Providing housing supply, choice and affordability with access to jobs, services and public transport	Yes	The Planning Proposal is consistent with this Priority as it will provide increased housing supply and choice in a metropolitan city centre, supported by significant infrastructure, transport and services.
Planning Priority N6 – Creating and renewing great places and local centres, and respecting the Districts heritage	Yes	<p>This Planning Proposal is consistent with this Priority. The supporting Concept design has carefully considered sites relationship to the heritage conservation areas to the north and east of the site.</p> <p>The design of the built form presents a sharp transition which visually defines the St Leonards Centre/CBD, which also helps define the protected area. The siting of density and built form across the site has been carefully developed to respond to the surrounding environment, particularly the Naremburn Heritage Conservation Area to the north. The siting of the tower forms and provision of open space across the site has been designed to provide an open space/public plaza along Chandos Street, directly opposite Darvall Street. This space interprets and continues the street configuration of the Naremburn Heritage Conservation Area to the north. Moreover, the tower forms have also been substantially setback from the street frontage with podiums to express a 4-storey street wall height, reducing the overall bulk and visual impact of the design.</p> <p>The Heritage Impact Assessment prepared by Urbis at Attachment F supports the Planning Proposal from a heritage perspective noting that future development on the subject site as a result of the proposed amendments made in this Planning Proposal, will not alter or detrimentally impact outward views from the conservation areas and instead contribute to an already highly urbanised centre and distant skyline.</p>
Planning Priority N12 – Delivering integrated land use and transport planning and a 30-minute city	Yes	The Planning Proposal is consistent with this priority as the site is extremely well located in terms of accessibility to rail infrastructure and public transport services, being located 400m from St Leonards Train Station and Bus Interchange Area, and 230m from an entrance to the new Crows Nest Metro Station.

Planning Priorities	Consistency	Comment
		<p>The North District Plan uses 30minutes of travel time to a metropolitan/strategic centre by public transport as an indicator of developing a well-connected city.</p> <p>With the subject site itself being located in a strategically important metropolitan centre, and commercial office precinct this provides significant opportunity for the site to champion Transit Oriented Development which will benefit future residents, employees and visitors of St Leonards.</p> <p>Moreover, the Planning Proposal will allow future residents and employees and visitors to access high frequency transport connections to other strategic and employment centres such as North Sydney, Chatswood, Macquarie Park and Macquarie University.</p>
<p>Planning Priority N7 - Growing a stronger and more competitive Harbour CBD</p> <p>Planning Priority N8 - Eastern Economic Corridor is better connected and more competitive</p> <p>Planning Priority N10 - Growing investment, business opportunities and jobs in strategic centres</p>	Yes	<p>The Planning Proposal is consistent with these Planning Priorities as it will continue to retain and enhance employment opportunities in St Leonards, with provision for A-grade commercial floorspace, suitable to tenancy requirements of businesses in the area.</p> <p>The Economic Impact Assessment, prepared by Urbis provided at Attachment E highlights a number of key economic benefits the proposed development would deliver. These benefits are listed below and further summarised in Section 6.3.</p> <ul style="list-style-type: none"> - Potential employment generation during the construction of the proposed redevelopment which is forecast to support an estimated 160 direct jobs and 307 indirect jobs. - Potential employment generation in the ongoing operation of the proposed redevelopment, delivering around 342 jobs. - Retail expenditure of future residents of the proposed 438 new apartments, which could generate up to \$20.6 million per capita; and - Public realm and amenity improvements associated with the development.
Planning Priority N20 - Delivering high quality open space	Yes	<p>The Planning Proposal is consistent with this planning priority, as it will facilitate provision of new public open space (up to 700sqm) located along Chandos Street. Furthermore, the proposed building envelope of the supporting architectural design scheme has considered the built form controls required under the North Sydney DCP 2013 which will also allow for a new linear park to be created along the western side of Oxley Street.</p>

St Leonards and Crows Nest Draft Interim Statement (Stage 1)

In 2017, the Department of Planning & Environment (DP&E) released the Interim Statement for the St Leonards and Crows Nest Station Precinct, which provides the preliminary findings of the strategic planning investigation for the designated Priority Growth Area.

The preliminary planning investigation reviewed and considered recent strategic planning studies relevant to the Precinct, including studies completed by North Sydney, Willoughby and Lane Cove Councils. The DP&E also incorporated the findings of preliminary specialist studies in social infrastructure, open space, transport, urban design and employment needs as part of its strategic investigation.

The Interim Statement sets out a draft vision for the Precinct, with the key themes being:

- Create an integrated and highly accessible mixed-use centre focused around the St Leonards and Crows Nest train/metro stations
- Respond to the existing environment and context, with particular consideration of surrounding heritage conservation areas and village atmosphere of Crows Nest
- Strengthen the Precinct's role as an employment hub by protecting current employment offerings and supporting commercial growth

The Planning Proposal will respond to the draft vision and objectives of the precinct by;

- strengthening its role as a major commercial centre;
- complying with the minimum non-residential floor space controls under North Sydney LEP 2013;
- supporting a mix of commercial, retail, community, residential and public domain uses
- providing an improved public domain through varied building heights, improved connections and an activated streetscape filled with retail uses.

St Leonards and Crows Nest Preliminary Urban Design Analysis

Supporting the Interim Statement is a Stage 01 Preliminary Urban Design Analysis, which identifies key opportunities and constraints for the Planned Precinct. A summary of opportunities and constraints for the site is outlined below.

Opportunities

- The site is identified within the 400m train station catchment of St Leonards Train Station and 230m from the new Crows Nest Metro Station. As stated on pg.10 of the strategy, *'the new metro station will further fuel development in the area, creating opportunities to champion Transport Oriented Development. It also supports an argument for increased intensification further east of the Forum than what was previously considered prior to the Metro announcement.'*
- The site is identified in an area for potential increase in height and density. Page.50 of the strategy notes *'given the station is located near the Willoughby Road area that is to be conserved, areas identified for additional density is likely to expand outwards of the Pacific Hwy to capture the St Leonards CBD either side of the Pacific Hwy.'*

Challenges

- A key challenge for the site and surrounding St Leonards Centre will be ensuring uplift does not erode the employment capacity of St Leonards, whilst managing competing demands between increased height and density with amenity.

b) Does the proposal have site-specific merit?

The site presents a rare opportunity to redevelop a large, consolidated and relatively unconstrained site (made up of sixteen existing lots) in St Leonards, to deliver a high-quality mixed-use development with significant public benefit which will benefit the future residents, workers and visitors of St Leonards. Being located on a corner site, at the intersection of Chandos and Oxley Street, the site presents an opportunity visually define St Leonards, and deliver important public infrastructure which will benefit the broader community.

The Planning Proposal holds site-specific merit and should be supported for the following reasons:

- The natural environment (including known significant environmental values, resources or hazards),

The site is located in a highly urbanised environment. The subject site is fully developed and contains little natural vegetation. There are no known critical habitats, threatened

species or ecological communities located on the site and therefore the likelihood of any negative impacts are minimal.

- The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal.

St Leonards, as a Strategic Centre, should be achieving heights and densities commensurate with its accessibility to public transport (metro, train and buses). Existing building heights in St Leonards are up to around 35 storeys. Several planning proposals and development applications will exceed this height, with towers up to 50 storeys. Development around the future Crows Nest Metro Station is expected to take on a similar character and scale as St Leonards, with taller buildings capitalising on the capacity provided by the Metro Station. **Figure 13** overleaf shows a map of recent development in St Leonards and Crows Nest and shows that future development proposed for the site is consistent with recent development in St Leonards.

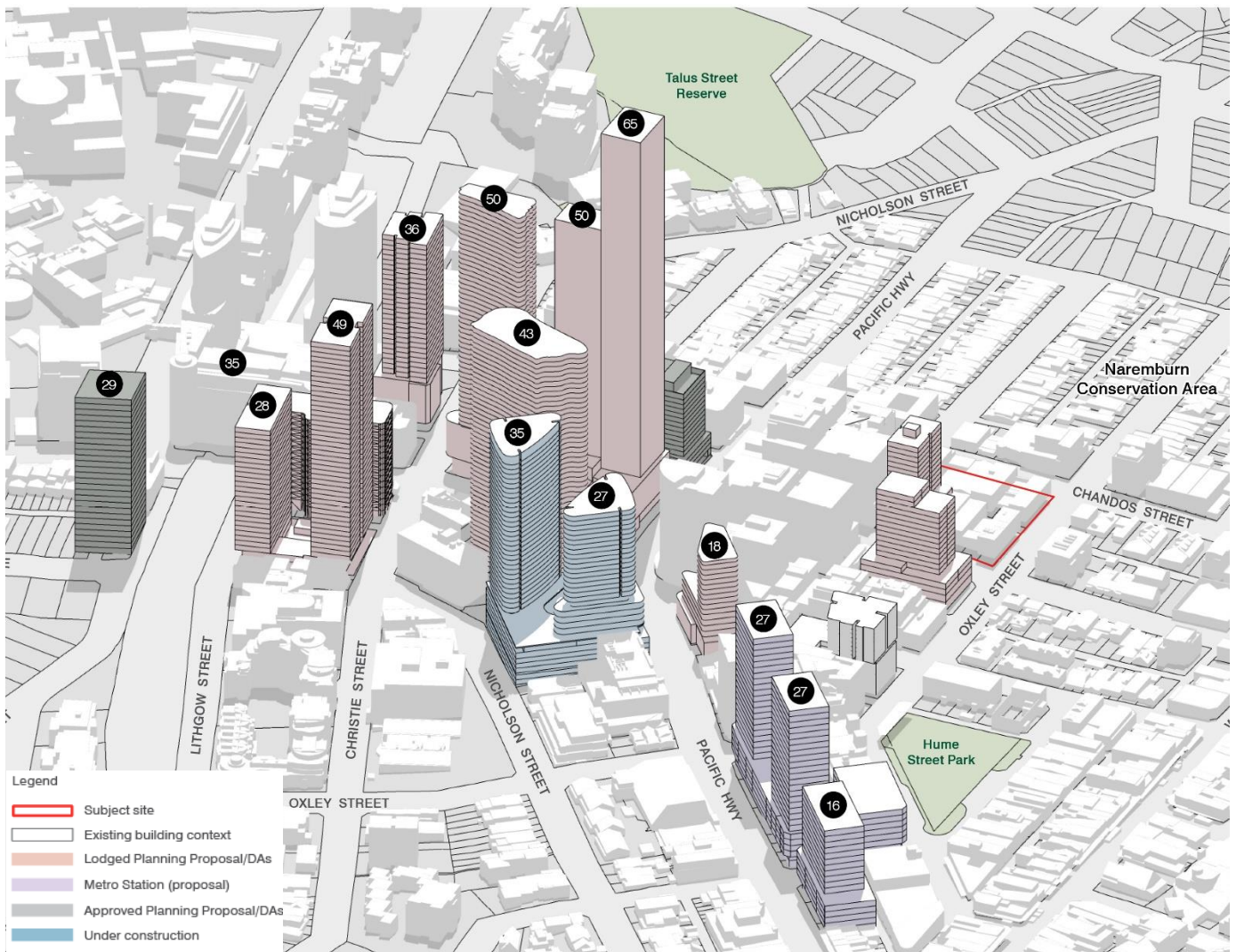


Figure 13 Recent development in St Leonards

Image above showing recent development in St Leonards which represents development that is approved (grey), lodged/awaiting approval (pink) and buildings that are currently under construction. The Indicative Concept Proposal of the Metro Station is shown in purple and the subject-site outlined in red.

Source: Architectus, 2018

The Planning Proposal is considered consistent with the emerging heights and scale in St Leonards as demonstrated by the existing and proposed development diagram above.

- The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision

The construction of the Sydney Metro Station at Crows Nest will provide additional transport infrastructure to support the future residential, worker and visitor population of demands.

The Planned Precinct work by DPE will also identify the need for additional social infrastructure and arrangements for contributions by proponents.

Q4. Is the planning proposal consistent with a Councils local strategy or other local strategic plan?

Yes. The Planning Proposal is consistent with the following local planning strategies.

Crows Nest Placemaking & Principles Study (North Sydney Council) 2016

Adopted by North Sydney Council in December 2016, the Crows Nest Placemaking & Principles (CNPP) Study is an overarching planning strategy which was developed in response to the announcement of the Crows Nest Metro Station and the Crows Nest and St Leonards Priority Precinct and Strategic Planning Investigation.

The CNPP Study builds upon the work on the St Leonards/Crows Nest Planning Study (2015), which was initially prepared to manage the high level of development interest in the area. Moving forward, the CNPP Study presents a high-level study that articulates the community's aspirations for the area through a suite of principles which will guide future planning and development in the area. The study also provides a useful tool to be reviewed for when the St Leonards and Crows Nest Strategic Planning Investigation is exhibited.

An assessment of the Planning Proposal against relevant principles of the Study are provided in **Table 13** below.

Table 13 Crows Nest Placemaking & Principles Study

Principle	Comment
Principle 1 – Metro as a catalyst for renewal	<p>The subject site is located within a 230m transport catchment new Crows Nest Metro Station. The new Metro Station will further fuel development interest in St Leonards, creating opportunities to champion Transit Oriented Development.</p> <p>The new Metro Station supports an argument for increased intensification further east of the Forum that was otherwise not considered as part of previous planning studies.</p>
Principle 2 – Enhancement, employment and activity	<p>The Study identifies four key actions for enhancing employment and activity in St Leonards Centre. These include:</p> <ul style="list-style-type: none">- Prioritise employment growth- Protect viable commercial streets- Encourage new commercial buildings- Fill podiums of mixed use buildings with employment floor space. <p>The Planning Proposal is consistent with the above actions as it will enhance employment floorspace including more jobs in St Leonards by integrating commercial development in the podium levels of the mixed use building.</p> <p>Based on a benchmark of 20sqm per person, the planning proposal will facilitate the delivery of up to 340 jobs.</p>
Principle 3 – Protect precinct character	<p>The desired character of St Leonards Centre is set out as;</p> <ul style="list-style-type: none">- An attractive place to work- High quality mixed use buildings contributing to urban renewal of the centre and public domain- A thriving arts, culture and innovation hub.

	<p>The Planning Proposal is consistent with the desired future character of the Precinct as it will allow for new high quality, mixed use development including residential, commercial and retail uses, along with creative art floor space located within the podium levels of the building.</p>
Principle 4 – A sense of community	<p>The Planning Proposal will contribute to the social, intellectual, recreational, cultural and economic needs of the current and future community through:</p> <ul style="list-style-type: none"> - Delivering significant public benefit on site including a new north facing public plaza that is activated by ground floor retail uses - Up to 4,000 square metres of creative art gallery floor space - Compliance with required setbacks along the western side of Oxley St for provision of a new linear park - Up to 8,908 square metres non-residential floor space (or a non-residential FSR of 1.58:1) which will deliver around 342 jobs. - New residential apartments providing around 438 new dwellings for future residents.
Principle 5 – Respect heritage and design	<p>The subject site does not contain any heritage items, nor does it form part of a heritage conservation area. The Planning Proposal has considered the sites relationship to the heritage conservation areas to the north and east of the site through a sensitive and well considered design approach.</p> <p>The design of the Indicative Architectural Concept Scheme presents a sharp transition which visually defines the St Leonards Centre/CBD, which also helps define the protected area. The siting of density and built form across the site has been carefully developed to respond to the surrounding environment, particularly the Naremburn Heritage Conservation Area to the north. The siting of the tower forms and provision of open space across the site has been designed to provide an open space/public plaza along Chandos Street, directly opposite Darvall Street. This space interprets and continues the street configuration of the Naremburn Heritage Conservation Area to the north. Moreover, the tower forms have also been substantially setback from the street frontage with podiums to express a 4-storey street wall height, reducing the overall bulk and visual impact of the design.</p> <p>In addition to the above, the Planning Proposal is supported by Heritage Impact Assessment prepared by Urbis, at Attachment F.</p>
Principle 6 – Prioritise public space	<p>The Planning Proposal will allow for the creation of new public open space in St Leonards through a new 700 square metres, north-facing public plaza.</p> <p>It will also facilitate the delivery of public domain upgrades identified in Councils local planning strategies such as embellishment of Oxley Street to create a new linear park through a 5m setback along the western side of Oxley Street. This will allow for increased green space in St Leonards Centre and improve pedestrian permeability and north-south connections to Crows Nest in the south and Willoughby in the north.</p>
Principle 7 – Equitable access	<p>The subject site has excellent access to public transport, with majority of people travelling to work by public transport. With new rail infrastructure, and improvements to the walking and cycling network, car mode share is</p>

	likely to decrease further encouraging people to rely on active and public transport.
Principle 8 – Delivering infrastructure	<p>The Planning Proposal is consistent with this principle as this Planning Proposal seeks to deliver a number of potential key infrastructure/public benefit items including:</p> <ul style="list-style-type: none"> - Delivery of new creative arts floor space - Delivery of a new linear park along Oxley Street - Delivery of a new public open space/plaza - Delivery of up to 10% affordable housing <p>Each of the public benefits are described in as part of the letter of offer accompanying this planning proposal. Refer to Attachment I.</p>

It should be noted, that the following strategies have been prepared prior to the announcement of the Crows Nest Metro Station and therefore do not capture the strategic and future planned context of St Leonards and Crows Nest as Planned Precinct. Nonetheless, these strategies are still adopted by Council and are still relevant to underpinning the broader strategic planning for the area.

St Leonards/Crows Nest Planning Study – Precincts 2 & 3 (North Sydney Council) 2015

St Leonards/Crows Nest Planning Study was prepared by North Sydney Council in 2015 to manage the high level of development interest in St Leonards/Crows Nest area. The study sets strategic objectives to accommodate sustainable population growth in North Sydney LGA, the protection of jobs and a much-needed public domain and services.

The subject site lies within Precinct 2 – *‘the high density commercial and mixed-use area immediately east of the St Leonards Train Station’*.

The Vision on page 12 of the Planning Study identifies the site in the ‘West Oxley’ Precinct – *‘an exciting creative quarter supporting small-medium sized firms, start-ups, galleries, specialty retail and urban living’*. The Planning Study prescribes the future character for the West of Oxley Street Creative Quarter, which will remain a predominately 12-storey mixed use area.

The Planning Proposal is consistent with the overall vision for the precinct, proposing a range of mixed uses including residential and commercial plus up to 4,000 sqm of gallery floor space.

On Page 16, the Planning Study sets out a number of criteria for Landowner-initiated Planning Proposals. An assessment against the criteria is provided below.

- *Relate a parcel of land with a minimum street frontage of 20metres*

The site benefits front three street frontages including:

- Chandos Street to the north (117m)
- Oxley Street to the east (79m)
- Atchison Street to the south (39m)

- *Relate to a parcel of land that does not isolate, sterilise or unreasonably restrict the development potential of adjacent parcels of land*

The proposal comprises a consolidated site made up of sixteen (16) individual allotments. The proposal benefits from being on the edge of two street blocks and therefore will not result in the isolation of any adjoining land.

- *Propose an amendment to the LEP with a:*

Non-residential floor space ratio control consistent with Map 5A;

Map 5A nominates a minimum non-residential floor space ratio ranging from 0.6:1 – 2.5:1 across the site, which is consistent with the range between nominated non-residential FSRs for the site in the Planning Study of:

- Part of Area 4 which nominates a minimum non-residential FSR between 1-2:1; and
 - Part of Area 13 which nominates a minimum non-residential FSR of 1.5:1
- *Site specific floor space ratio control having regard to the podium height, minimum setback controls in maps 6A and 6B and SEPP 65;*

The Planning Study nominates ground floor and above podium setback, along with podium height requirements. These are generally consistent with those set out in *Section 3 – St Leonards/Crows Nest Planning Area in North Sydney DCP 2013*.

The Planning Proposal is generally consistent with the podium height and setback controls in maps 6A and 6B, with the exception of the tower setback along Atchison Street and Atchison Lane. Instead, the proposal's minor setback non-compliances are justified through the prevailing setback of the adjoining building. Furthermore, the design of the proposed tower along Atchison Street results in a 560m² floorplate. Increasing the tower setback along Atchison Street and Atchison Lane as stipulated in the North Sydney DCP 2013 would instead result in an unfeasible floorplate size for the proposed tower. A 4-storey podium height is nominated for the site, which is consistent with the podium heights set out in the Planning Study and North Sydney DCP 2013.

- *Height control consistent with map 6C;*

Whilst the planning proposal exceeds the heights shown on map 6C, the indicative architectural design scheme demonstrates that despite the sites increase in height, it is still able to comply with built form and public domain controls (ground floor setback, podium height, upper level tower setbacks) and will not result in additional environmental impacts.

- *Satisfactory arrangements to ensure there is no net increase in traffic generation.*

The Traffic and Transport Assessment, prepared by TTPP indicates that the proposal is acceptable with regards to the generation of traffic. This is supported by a Traffic Impact Assessment provided at **Attachment C**.

- *For tall buildings identified in map 6C, propose height, setback and floor space ratio controls that address the design principles for tall buildings;*

Whilst the subject site is **not** identified as a 'Tall building' site on map 6C, the master plan for the site is consistent with the following design principles:

- reinforces the desired character of the area;
- adheres to the setbacks, podium height, ground level and above podium setbacks illustrated in maps 6A and 6B;

- maximizes sunlight access to streets, Mitchell Street Plaza, and the linear parks;
 - maximizes sunlight access and view sharing of nearby residences;
 - provides a high level of residential amenity;
 - creates a safe, comfortable, accessible, vibrant, and attractive public realm and pedestrian environment.
- *Propose satisfactory arrangements that provide commensurate public benefits that support the proposed scheme.*
 - Up to 700sqm of public open space along Chandos Street;
 - Up to 4,000sqm of public art gallery space located in the podium levels of the proposed buildings
 - Delivery of a 5m setback along the western side of Oxley Street to facilitate a new linear park proposed by Council.

In addition to the above, the Planning Study refers to the site as the 'Oxley Street Creative Precinct Masterplan Site' which incorporates a large landholding that provides an important transition between Crows Nest and St Leonards. The Planning Study identifies key criteria in which the Oxley Street Master Plan Site should address. An assessment of the key criteria is provided below.

- Create a vibrant, new precinct that supports creative industries and start-up businesses;
- Offers 'Dank Street-style' galleries and specialty retail;
- Activates and embellishes the Oxley Street linear park; and
- Offers high quality urban living.

Affordable Housing Strategy 2015

The Affordable Housing Strategy outlines the strategic directions for North Sydney Council that aim to retain and increase the amount of affordable rental housing in North Sydney LGA and ensure long term sustainability of Councils involvement in affordable housing.

The strategy outlines six affordable housing strategies and recommendations for Councils input. These include:

Strategy 1 – Continue to seek mitigation for the loss of affordable housing through Part 3 of State Environmental Planning Policy (Affordable Rental Housing) 2009 and Council's existing methods of negotiating with developers, particularly for the remaining stock of boarding houses and low-cost flats and units, and to develop a program of works for the expenditure of affordable housing funds in a timely way.

Strategy 2 - Participate in affordable housing partnerships to leverage existing and future Council resources dedicated to affordable housing through commercial arrangements with public and/or community sector organisations.

Strategy 3 - Reconfigure existing affordable housing stock where feasible to ensure the most appropriate and efficient use of resources including the development of a comprehensive Asset Management Strategy.

Strategy 4 - Support a regional approach where it will lead to more effective ways of meeting local affordable housing needs.

Strategy 5 - Implement social impact assessment processes to assess the impact of the loss of low cost residential flats, units and boarding houses.

Strategy 6 - Utilise a range of complementary strategies to capture a reasonable proportion of additional private benefit (profit) created through Council's planning processes for use as a public benefit of affordable housing.

Up to 10% affordable housing has been identified part of the public benefit offer within the proposed Voluntary Planning Agreement (VPA).

Hume Street Park Upgrades

North Sydney Council is proposing to expand and improve Hume Street Park in Crows Nest to provide better facilities for the surrounding urban areas as they develop.

Three concept design options were prepared to provide for increased open space as well as enhanced pedestrian connections and activated frontages to the park.

Councils preferred option is design option 3 which features a new park and plaza (approx. 8,242sqm) with a new playground, children's centre, underground sports centre complex, open air cinema, as well as an improved streetscape with a new connection to Willoughby Road. The park will also feature a new semi-underground sports centre and a children's centre above the sports facility.

The Planning Proposal provides a respectful design response to the new Hume Street Park by ensuring the master plan will cause no overshadowing to the park. By concentrating density around the delivery of this new park it capitalizes on the significant investment by council in the delivery of the new park.

St Leonards Strategy (2006)

The St Leonards Strategy is a strategy for St Leonards that is adopted by all three Councils (Lane Cove, North Sydney and Willoughby Councils) and the Department of Planning to manage the varying planning controls, public infrastructure and management of St Leonards.

The aim of the strategy is to deliver a coordinated approach to the planning, design and management of St Leonards and to;

- Inform the content of a new LEP as part of the NSW Planning Reform Program
- Identify how the economic role of the centre can be strengthened
- Identify how sustainability, amenity and a sense of place can be strengthened
- Establish a coordinated planning approach from the three councils.

The Strategy establishes a vision for the future of St Leonards.

“St Leonards will continue to develop as one of the major employment centres for knowledge-based industries within the Sydney metropolitan region, by capitalising on its location within Sydney’s ‘global arc’ and building on opportunities arising from its excellent accessibility and co-location with regional scaled health and educational facilities.

New and diverse housing opportunities will also continue to emerge and be supported by convenience shopping, cafes, bars, entertainment venues, community facilities, a high-quality environment and excellent public transport, walking and cycling accessibility, creating a desirable place for cosmopolitan urban living.

New development and public domain improvements will create a more consistent and high-quality image throughout the centre, leading to an identifiable sense of place.”

The Planning Proposal is consistent with the above vision for St Leonards as it will continue to strengthen the economic role of St Leonards, provide new and diverse housing opportunities and improved public domain outcomes in an area that is highly accessible by excellent public transport

The subject site is identified within the Eastern Mixed-Use Transition Area. **Table 14** overleaf outlines the key objectives and recommendations for the Eastern Mixed-Use Transition Area including an assessment of how they can be achieved through the Planning Proposal.

Table 14 St Leonards Strategy (2009)

Concept	Recommendations	Reasons/Objective	Assessment
More jobs	Maintain requirement for commercial floorspace at lower levels. Relax land use prohibitions on north side of Chandos Street to allow shop use.	To promote the development of floorspace for local service businesses. To promote redevelopment.	The Planning Proposal will allow for up to 8,908sqm of non-residential floor space supporting commercial (office), retail and creative arts floor space.
More homes	Maintain support for mixed use development	To promote the development of more apartments.	The Planning Proposal will facilitate the delivery of around 438 residential apartments located across three mixed use towers.
More supporting services	Promote convenience shops, small-scale specialty shops, retail services, bars, cafes and restaurants along Atchison Street. Prohibit large-scale comparison retail outlets.	To provide the 'lifestyle ingredients' needed to attract people to work and live in St Leonards and to create an active route to Crows Nest. To maintain the sub-regional shopping roles of North Sydney and Chatswood.	The proposed architectural design scheme presents an activated ground plane along Atchison Street, with opportunity for up to 1,650 square metres of retail floor space which would be suitable for food and beverage uses with opportunity for outdoor dining to further activate the streetscape.
One identity	Upgrade Clarke St Reserve	To improve recreation opportunities to attract people to work and live in St Leonards.	The Planning Proposal will facilitate the delivery of new public open space (around 700 square metres) in the form of a north-facing public plaza along Chandos Street. Due to the north-facing orientation of the public plaza, this space would be ideal for a breakout space during lunch time.

Open Space Provision Strategy (2009)

The North Sydney Open Space Provision Strategy was released in 2009 to ensure new open space is provided which;

- meets the needs of the population;
- is useful and useable in areas of high population growth and low open space provision; and
- is economically viable.

One of the key findings of the strategy is noting the low provision of parks in some areas of high population density, such as St Leonards. In the case of St Leonards/Crows Nest, this problem will become worsened, as these areas are the sites of planned increases in population density through the NSW Government Strategic Planning Investigation of the St Leonards and Crows Nest Planned Precinct. As a result, the strategy identifies St Leonards as a High Priority Area for the provision of new public open space.

The Planning Proposal will deliver approximately 700m square metres of new open space (public plaza), plus an additional landscaped, green space in the form of a linear park along the western side of Oxley Street.

North Sydney Integrated Cycling Strategy (2013)

North Sydney Council has a goal to increase cycling as a sustainable transport option. In 2013 the North Sydney Integrated Cycling Strategy was released, prepared by Council with GTA Consultants to improve the overall cycling network and increase cycling participation. The overarching goals of the strategy are to:

- Deliver an accessible, safe and connected cycle network by 2020;
- Make cycling an attractive choice for short trips within the LGA; and
- Increase and diversify participation in cycling.

In line with the above strategy, the Planning Proposal will provide opportunity to extend on-road bicycle connections along Oxley Street north of Atchison Street toward Naremburn and west along Chandos Street toward the St Leonards Train Station.

Recreational Needs Study (2015)

In 2015, in partnership with consultants @Leisure, the Recreation Needs Study sets the direction for the future provision of sporting and recreation facilities in North Sydney LGA.

Overall, there are a good range of recreation facilities in North Sydney LGA, however maintaining an adequate supply, quality and diversity of opportunity will be an ongoing challenge. Whilst most residents in North Sydney LGA live within 400m of some public open space, much of existing open space is small in size, and fragmented. Large canopy trees are also highly valued by the community.

The Strategy goes on to identify five overarching goals and relevant strategies. These include:

1. Increased participation in physical and social opportunities.
2. Enhanced use of existing resources whilst minimising overuse.
3. A diversity of recreation opportunities for the widest range of the population, now and in future.
4. Maintenance of the green nature and character of North Sydney
5. Co-operative, effective and sustainable service delivery.

Further to the above, key issues and opportunities identified in the strategy are:

1. Off-road trails for walking and cycling
2. Water based recreation
3. Social/family recreation spaces
4. Meeting the demand for sport
5. Distribution and protection of green space.

The Planning Proposal is consistent with the above strategy as it will allow increased social and cultural opportunities providing up to 4,000 square metres creative arts floorspace, which will enhance the emerging arts and cultural sector in St Leonards/Crows Nest.

St Leonards Public Domain Strategy (2003)

In December 2003, Council adopted the St Leonards Public Domain Strategy which provides a framework for upgrading public domain areas to accommodate increased development and population growth over the next 15 years.

The Strategy sets the vision for St Leonards Public Domain *“to provide a strong, vibrant sense of place and community in the streets and public spaces of St Leonards”*. The vision is underpinned by six major objectives which are:

1. **Functional:** The quality, diversity and capacity of the public domain must be enhanced in tandem with the anticipated growth and regeneration of the area. It must contribute to the role of public transport in the efficient functioning of the centre.
2. **Cultural:** The public domain should provide space for people to relax, meet friends, congregate and be entertained. It should allow for self-expression to promote community identity and sense of place.
3. **Environmental:** The public domain should be safe and comfortable for all users. Impacts of weather, traffic and noise should be ameliorated and benefits of the natural environment maximised.
4. **Quality Built Form:** The relationship of built form and public domain should create positive images that influence the way people perceive and value the centre
5. **Quality Urban Environment:** The design of the public domain should facilitate access to all areas by pedestrians freely, comfortably and safely. It should provide high quality public spaces that contrast with the hard-built form where people can relax, gather and be enriched by art, water and greenery.
6. **Efficient Use of Resource:** The selection, characteristics, lifecycle and maintenance regime of materials and finishes should encourage efficient use of resources, recycling of materials and embody low energy use.

In relation to the site, the strategy recommends widening the western verge of Oxley Street to establish a linear forest (or park) along the western edge of the road reserve. Since 2003, this recommendation has been carried forward throughout a number of Councils local planning strategies and North Sydney DCP 2013, which requires a 5m setback along the western side of Oxley Street.

The Planning Proposal is consistent with the above recommendation which will allow for a 5m ground floor setback along the western side of Oxley Street.

Sydney Metro Planning Study (2017)

The Sydney Metro Planning Study, prepared in 2017 aims to inform and guide future planning and development of the Metro including the development sites and their immediate surrounds.

The arrival of the Metro in Crows Nest represents significant opportunities to change the nature and function of the area with respect to the public domain, movement and transport.

Relevant to the subject site, Oxley Street is identified as an important north-south street which will require improved pedestrian amenity to allow movement to and from the Metro Station. This includes improving cycling infrastructure, bus lanes and stops, and upgrades to nearby laneways to improve pedestrian safety and amenity.

In line with the above, the Planning Proposal will improve pedestrian movement and connectivity between the St Leonards Centre to the Crows Nest Metro Station, through the delivery of a new linear park along Oxley Street. This is evidenced in the Urban Design Report, prepared by Architectus at **Attachment B**, where the proposed building envelope allows for a 5m ground floor setback long the western side of Oxley Street.

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

The consistency of the Planning Proposal with relevant State Environmental Planning Policies (SEPPs) is addressed in **Table 15** below.

Table 15 Response to State Environmental Planning Policies

State Environmental Planning Policy (SEPP)	Consistency	Comment
State Environmental Planning Policy No.1 – Development Standards	N/A	N/A
State Environmental Planning Policy No 14 - Coastal Wetlands	N/A	N/A
State Environmental Planning Policy No 19 - Bushland in Urban Areas	N/A	N/A
State Environmental Planning Policy No 21 - Caravan Parks	N/A	N/A
State Environmental Planning Policy No 26 - Littoral Rainforests	N/A	N/A
State Environmental Planning Policy No 30 - Intensive Agriculture	N/A	N/A
State Environmental Planning Policy No 33 - Hazardous and Offensive Development	N/A	N/A
State Environmental Planning Policy No 36 -Manufactured Home Estates	N/A	N/A
State Environmental Planning Policy No 44 - Koala Habitat Protection	N/A	N/A
State Environmental Planning Policy No 47 - Moore Park Showground	N/A	N/A
State Environmental Planning Policy No 50 - Canal Estate Development	N/A	N/A
State Environmental Planning Policy No 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	N/A
State Environmental Planning Policy No 55 - Remediation of Land	Yes	The subject site has been used for various retail and commercial uses for several years. Retail and commercial uses are not listed under Schedule 9 – Category 1 of the SEPP and is therefore unlikely to be contaminated. No change to permissible land uses are proposed. Any consideration of site contamination would occur at DA stage.
State Environmental Planning Policy No 62 - Sustainable Aquaculture	N/A	N/A
State Environmental Planning Policy No 64 - Advertising and Signage	N/A	N/A
State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development	Yes	The Urban Design Report prepared by Architectus presents a masterplan that achieves a high level of residential amenity. Testing of the master plan indicates that the proposal is able to achieve compliance with solar access and cross ventilation, meeting the

State Environmental Planning Policy (SEPP)	Consistency	Comment
		minimum requirements of the SEPP 65 and the Apartment Design Guideline (ADG).
State Environmental Planning Policy No 71 - Coastal Protection	N/A	N/A
State Environmental Planning Policy (Affordable Rental Housing) 2009	Yes	SEPP (Affordable Rental Housing) 2009 provides a mechanism for a more simple and efficient provision of affordable rental housing in NSW. Any future development applications proposing affordable housing may be subject to the relevant provisions of the Affordable Rental Housing SEPP 2009, contained in Division 1 In-fill affordable housing.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Yes	Detailed compliance with SEPP (Basix) 2004 will be demonstrated subject to future development applications.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	N/A
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	N/A	N/A
State Environmental Planning Policy (Infrastructure) 2007	Yes	Any future development may require upgrades of existing utility services to facilitate the future residential population. Further details would be required during a future development application, subject to approval of this planning proposal.
State Environmental Planning Policy (Kosciuszko National Park - Alpine Resorts) 2007	N/A	N/A
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N/A	N/A
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	N/A	N/A
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N/A	N/A
State Environmental Planning Policy (Rural Lands) 2008	N/A	N/A
State Environmental Planning Policy (State and Regional Development) 2011	See comment	This SEPP may apply to future DAs on the site, subject to the final design and extent of areas used for Information and Education Facilities (as an art gallery). This will be subject to the quality and extent of fitout and will be addressed as part of future DAs.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N/A	N/A
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	N/A	N/A
State Environmental Planning Policy (Three Ports) 2013	N/A	N/A
State Environmental Planning Policy (Urban Renewal) 2010	N/A	N/A

State Environmental Planning Policy (SEPP)	Consistency	Comment
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N/A	N/A
State Environmental Planning Policy (Western Sydney Parklands) 2009	N/A	N/A

Q6. *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

A review of the consistency of the Planning Proposal with the Ministerial Directions for LEPs under Section 117 of the EP&A Act 1979 is discussed at **Table 16** below.

Table 16 Response to Ministerial Directions (s.9.1 directions)

No.	Direction	Objectives	Consistency	Comment
1	Employment and Resources			
1.1	Business and Industrial Zones	<ul style="list-style-type: none"> – Encourage employment growth in suitable locations; – Protect employment land in business and industrial zones; and – Support the viability of identified strategic centres. 	Yes	<p>The Planning Proposal is consistent within this direction as it will ensure that the commercial core in St Leonards is protected and enhanced through new commercial floor space and jobs growth.</p> <p>Consideration of the employment and economic impact of the Planning Proposal is provided in the Economic Impact Assessment Report, prepared by Urbis at Attachment E.</p>
1.2	Rural Zones	N/A	N/A	N/A
1.3	Mining, Petroleum Production and Extractive Industries	N/A	N/A	N/A
1.4	Oyster Aquaculture	N/A	N/A	N/A
1.5	Rural Lands	N/A	N/A	N/A
2	Environment and Heritage			
2.1	Environment Protection Zones	N/A	N/A	N/A
2.2	Coastal Protection	N/A	N/A	N/A
2.3	Heritage Conservation	<ul style="list-style-type: none"> – Conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. 	Yes	<p>The Planning Proposal does not propose to amend the heritage status of any of the heritage items or heritage conservation areas surrounding the site.</p>

No.	Direction	Objectives	Consistency	Comment
2.4	Recreation Vehicle Areas	N/A	N/A	
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	N/A	
3 Housing, Infrastructure and Urban Development				
3.1	Residential Zones	<ul style="list-style-type: none"> – Encourage a variety and choice of housing types to provide for existing and future housing needs; – Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and – Minimise the impact of residential development on the environment and resource lands. 	Yes	<p>The Planning Proposal is consistent with the objectives of this direction as it will increase housing choice and diversity in St Leonards, allowing future residents to live close to jobs, public transport, services, shops, community facilities and open space.</p> <p>The supporting master plan has been carefully tested to ensure there are no adverse impacts on environmentally sensitive land.</p>
3.2	Caravan Parks and Manufactured Home Estates	N/A	N/A	N/A
3.3	Home Occupations	N/A	N/A	N/A
3.4	Integrating Land Use and Transport	<ul style="list-style-type: none"> – Improving access to housing, jobs and services by walking, cycling and public transport; – Increasing the choice of available transport and reducing dependence on cars; – Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car; – Supporting the efficient and viable operation of public transport services; and – Providing for the efficient movement of freight. 	Yes	<p>The Planning Proposal is consistent with the objectives of this direction for the following reasons</p> <ul style="list-style-type: none"> – The site is extremely accessible, being located 400m of the St Leonards Train Station and 230m of the Crows Nest Metro Station and various bus services provided by the Interchange at St Leonards. – The sites proximity to public transport would encourage future residents, employees and visitors to use public transport, therefore reducing private vehicle trips. – The mixed-use composition of future development on the site would ultimately reduce the number of trips for people as it would allow people to live and work in a centre that is

No.	Direction	Objectives	Consistency	Comment
				extremely well serviced with existing and planned public transport, jobs, shops, services, health and education facilities, community infrastructure and open space.
3.5	Development Near Licensed Aerodromes	<ul style="list-style-type: none"> – Ensure the effective and safe operations of aerodromes – Ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity. 	Yes	This site is affected by an obstacle surface limitation of 156 AHD (Refer to Attachment H), which is 55m above the proposed maximum building height of 101m. Therefore, the Planning Proposal satisfies the objectives of this Direction.
3.6	Shooting Ranges	N/A	N/A	N/A
4	Hazard and risk			
4.1	Acid Sulfate Soils	N/A	N/A	N/A
4.2	Mine Subsidence and Unstable Land	N/A	N/A	N/A
4.3	Flood Prone Land	N/A	N/A	N/A
4.4	Planning for Bushfire Protection	N/A	N/A	N/A
5	Regional Planning			
5.1	Implementation of Regional Strategies	<i>(Revoked 17 October 2017)</i>		
5.2	Sydney Drinking Water Catchment	N/A	N/A	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A	N/A
5.5	Development in the vicinity of Ellalong,	<i>(Revoked 18 June 2010)</i>		

No.	Direction	Objectives	Consistency	Comment
	Paxton and Millfield (Cessnock LGA)			
5.6	Sydney to Canberra Corridor	(Revoked 10 July 2008)		
5.7	Central Coast	(Revoked 10 July 2008)		
5.8	Second Sydney Airport: Badgerys Creek	N/A	N/A	N/A
5.9	North West Rail Link Corridor Strategy	N/A	N/A	N/A
5.10	Implementation of Regional Plans	– Give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans	N/A	N/A
6 Local Plan Making				
6.1	Approval and Referrals	– Ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Yes	The Planning Proposal does not include any provisions which would require the concurrence, consultation or referral of any development application to a Minister or public authority and does not identify any development as designated development.
6.2	Reserving Land for Public Purposes	– Facilitate the provision of public services and facilities by reserving land for public purposes; and – Facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Yes	The Planning Proposal does not propose to create, alter or reduce any existing zoning or reservation on the land for a public purpose.
6.3	Site Specific Provisions	– Discourage unnecessarily restrictive site-specific planning controls.	Yes	The Planning Proposal seeks to amend the North Sydney LEP 2013 to introduce a new site-specific provision under Part 6, Division 2 General Provisions to ensure the delivery of community facilities. Alterations to the DCP would be required to achieve the Concept design.
7 Metropolitan Planning				
7.1	Implementation of A Plan	N/A	Yes	The new metropolitan plan for Sydney is the Greater

No.	Direction	Objectives	Consistency	Comment
	<i>for Growing Sydney</i>			Sydney Regional Plan. The Planning Proposal is consistent with the planning principles, directions and priorities outlined in the Greater Sydney Region Plan and the North District Plan. This is further discussed at Section 6.2 of this report.
7.2	Implementati on of Greater Macarthur Land Release Investigation	N/A	N/A	N/A
7.3	Parramatta Road Corridor Urban Transformati on Strategy	N/A	N/A	N/A
7.4	Implementati on of North West Priority Growth Area Land Use and Infrastructur e Implementati on Plan	N/A	N/A	N/A

In addition to the above, pending the release of the forthcoming Stage Two work of the St Leonards and Crows Nest Station Precinct, once a rezoning determination is made by the Minister, there is likely to be an additional Section 117 Direction for the Implementation of the St Leonards and Crows Nest Station Precinct Land Use and Infrastructure Implementation Plan.

6.3 Section C – Environmental, social and economic impact

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 subject site is fully developed and contains little natural vegetation. There are no known critical habitats, threatened species or ecological communities located on the site and 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?

Visual impact

The concept design evidences that future development of the site under the proposed planning controls can result in an acceptable impact upon surrounding properties, with due regard to built form massing and overall design of the development. This is evidenced as part of Urban Design Report provided at **Attachment B**.

Heritage

Whilst the consolidated subject site is not a listed heritage item, nor is it located within a heritage conservation area, the Planning Proposal has considered the sites relationship to surrounding heritage conservation areas to the north and east of the site. These conservation areas are referred to as:

- The C8 Naremburn Heritage Conservation Area, located in Willoughby LGA
- The CA07 Holtermann Estate A Heritage Conservation Area in the North Sydney LGA

The Concept design presents a sharp transition which visually defines the St Leonards Centre/CBD, which also helps define the protected areas. The siting of density and built form across the site has been carefully developed to respond to the surrounding environment, particularly the Naremburn Heritage Conservation Area to the north. The siting of the tower forms and provision of open space across the site has been designed to provide an open space/public plaza along Chandos Street, directly opposite Darvall Street. This space interprets and continues the street configuration of the Naremburn Heritage Conservation Area to the north.

Moreover, the tower forms have also been substantially setback from the street frontage with podiums to express a 4-storey street wall height, reducing the overall bulk and visual impact of the design.

The Heritage Impact Assessment prepared by Urbis at **Attachment F** supports the Planning Proposal from a heritage perspective noting that future development on the subject site as a result of the proposed amendments made in this Planning Proposal, will not alter or detrimentally impact outward views from the conservation areas and instead contribute to an already highly urbanised centre and distant skyline.

An assessment of the site shows that any future development located on the subject site will be significantly physically separated from the vicinity of the heritage areas noting a 'transition barrier' which sits between the subject site (including wider St Leonards Centre) and the Naremburn Heritage Conservation area to the north. This transition barrier contains mostly medium-rise commercial and retail development.

Even more so, the Holtermann Estate A Heritage Conservation Area is substantially distanced to the east of the site and generally screened from view by existing medium density development along Oxley Street.

The assessment concludes that whilst future development on the site may be peripherally visible from the heritage conservation areas, when viewed from these areas, the future development on the subject site will read as part of the urban context of St

Leonards, being a rapidly changing and evolving major commercial centre with numerous high-rise office and residential developments. As a result, the increased height and FSR sought by this Planning Proposal is considered appropriate for the site and is supported from a heritage perspective.

Traffic and Transport

A Traffic Impact Assessment prepared by TTPP Transport Planning provides an assessment of the potential traffic generation potential of the proposed future development. Refer to **Attachment C**. TTPP Transport Planning have also prepared a draft Green Travel Plan which sets out a strategy for managing the proposed developments travel demand and is appended at **Attachment D**.

Transport context

The site is considered well located to key employment hubs, with good transport connectivity being located within a 30minute commute to Sydney CBD, Macquarie Park, and Gordon. The construction of the new Metro Station at Crows Nest will further enhance the area within the 30-minute commute.

Well-established pedestrian facilities are provided within the vicinity of the site including sealed pedestrian paths on both the site's frontages to Atchison Street which provides good pedestrian access to the retail shop frontages and access to the St Leonards Transport Interchange (trains and buses).

The site is located within a 30-minute walking distance to key destinations and attractions in the area, including local cafés and restaurants, supermarket and various retail, commercial and health services with the nearby Royal North Shore Hospital precinct.

The mixed-use nature of the proposed development will enhance the employment, social and recreational offering to residents of St Leonards and potential reducing the need to travel outside of St Leonards to access these facilities.

Existing transport behaviour

2016 Journey-to-work (JTW) data indicates that residential journey to work trips in St Leonards have a very low utilization of private car travel (20%) with the primary mode being travel by train (48%). Walking (13%) also has a relatively high proportion of mode travel reflecting St Leonards trend for living near work and the availability of both employment and housing opportunities.

However, for employees travelling to St Leonards, the proportion of travel by private vehicle is significantly higher than for residents travelling from St Leonards. This is considered to be the result of available on site parking provisions for commercial (destination land use) which have occurred through historical development and higher DCP parking rates.

Traffic Generation Potential (Existing and proposed)

The site currently contains an existing animal hospital/veterinary clinic which generates relatively high volumes of traffic compared with typical commercial spaces, due to the turnover of customer parking. **Table 17** overleaf shows the site land use traffic generation in comparison with the potential traffic generation based on future uses for the site.

Table 17 Existing and future potential traffic generation

	Traffic Generation (veh/hr)
Existing On-site Car Parking Spaces	118 spaces
Existing Office Uses Traffic Generation Rate - AM / PM	1 trip per parking space
Existing Office Uses Traffic Generation - AM / PM	118 vehicles per hour
Planning Proposal Traffic Generation	83-75 vehicles per hour
Net Change Existing v Planning Proposal	-35 to -43 vehicles per hour

Overall, there is expected to be a net decrease to the total volume of peak period traffic accessing the site. It is noted that the traffic generation rates have assumed a commercial (office) use of the onsite parking provisions. It is envisaged that the traffic generation potential for 'creative' uses to be provided from the nonresidential floor area will have a lower traffic generation potential than traditional commercial uses, particularly in the AM period, hence the net increase of traffic is likely to be lower. Traffic generation also does not consider the planned capacity of the Crows Nest Metro Station and as such future generation rates for peak traffic period are likely to be further reduced.

Notwithstanding the above, it is noted that measures to encourage public and active transport travel demand is key to reducing private motor vehicle trips. As such as draft Green Travel Plan has been prepared for the site, provided at **Attachment D** and includes alternative methods of encouraging sustainable travel including:

- Improve access, safety, amenity and convenience of sustainable transport modes for travel to and from the site
- Provide incentives for sustainable travel and establish a culture of active and public transport use.
- Continue to encourage non-car-based modes by limiting the convenience of car access to the site.
- Improve access and mobility and enhance the sense of place
- Reduce the need to travel by co-locating complementary land uses.

Car parking

In accordance with Councils car parking rates, the proposal will generate demand for 214 car parking spaces. As a way of encouraging sustainable travel methods, future development applications should consider reduced car parking or no parking, particularly for non-residential uses.

Furthermore, it is noted that any future development applications for the site would be subject to further assessment on the specific traffic impacts associated with the development. This would require the provision of a new Traffic Impact Assessment and supporting Green Travel Plan. This would identify any amendments or upgrades to surrounding traffic infrastructure and other mechanisms to mitigate potential traffic generation impacts. The high-level report provided by TTPP Transport Planning provides sufficient consideration at this early stage to adequately consider traffic impacts of the proposed amendments to the planning controls.

Residential amenity

An Concept design has been prepared to test the performance of residential use on the subject site with respect to the requirements of State Environmental Planning Policy 65 and the accompanying Apartment Design Guide (ADG).

An analysis of the Concept design has been prepared by Architectus and is presented in the Urban Design Report at **Attachment B**.

Assessment of the Concept Design confirms that a residential development could achieve an acceptable level of internal amenity for future residents with regard to solar access, natural ventilation and privacy.

Based on the indicative apartment layout tested by Architectus, the following is noted:

- The residential component consists of 438 apartments with an indicative dwelling mix of 96 x 1 bedroom (22%), 271 x 2 bedroom (62%), and 70 3 bedroom (16%) apartments.
- The residential floors have minimum ceiling heights of 2.7metres, with a floor to floor height of 3.1 metres.
- A minimum of 2 hours direct sunlight between 9am and 3pm in mid-winter is available to around 78% of apartments in Tower A, 75% of apartments in Tower B and 80% of apartments in Tower C.
- Similarly, considered as a whole, the proposal will achieve a minimum cross ventilation of 60% of apartments. It is noted however, that this is measured across the first 9 storeys only and that the tower forms above the podium perform significantly greater.

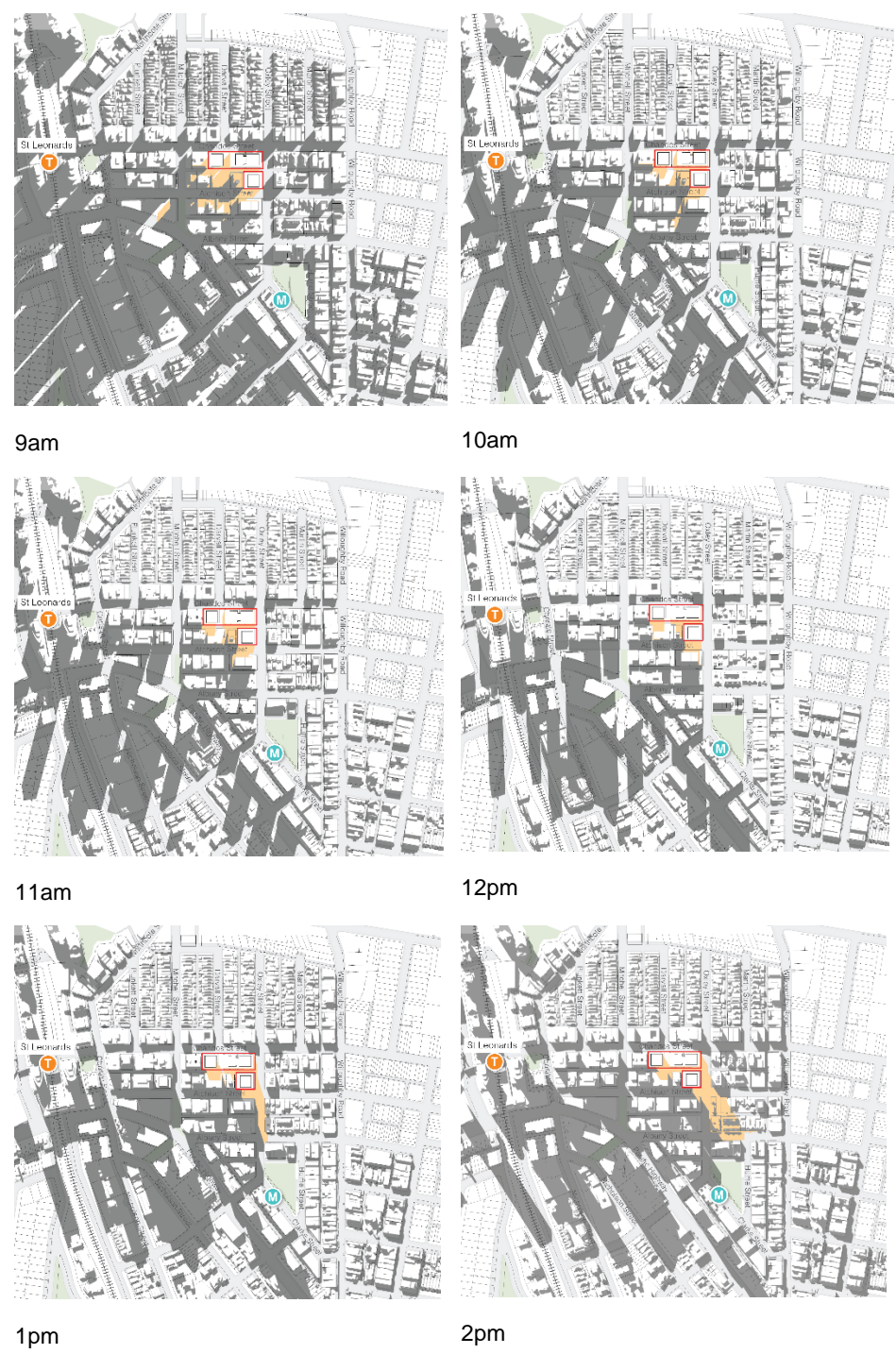
Overshadowing and solar access to adjoining properties

The concept design has been tested for potential overshadowing impacts within the subject site and for properties surrounding the site. Given the urban context of St Leonards some overshadowing of future residential properties is expected especially given that higher densities are likely to be located closer to rail transport.

Testing shows that the towers cast relatively fast-moving shadows that affect some residential areas between the hours of 9am and 3pm on winter solstice. Refer to **Figure 14** overleaf and Section 5 in the Urban Design Report at **Attachment B**. The Urban Design report also includes suns eye views which clearly detail the extent of overshadowing.

The indicative built form will cast no shadow on Hume Street Park, located to the south east of the site. There will also be no shadow cast on surrounding heritage items or conservation areas. The provided concept plan sufficiently evidences that buildings can be placed to ensure adequate solar access to adjoining and adjacent buildings.

Figure 14 Solar diagrams



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

Yes. An assessment of the economic impacts of the Planning Proposal has been undertaken by Urbis as detailed in the attached Economics Impact Assessment at **Attachment E**.

Existing uses

The site currently contains thirteen existing buildings which contain B and C-Grade commercial offices, making up a total commercial floorspace of 11,515 square metres (NLA). Most of these buildings are approaching the end of their economic life, with the oldest building dating back to the 1960s. Given the sites age and lower grade stock there is an opportunity for the sites redevelopment as a mixed-use development to deliver higher quality commercial floor space and contribute to the major commercial office precinct of St Leonards.

Future proposed development

The proposed mixed-use development facilitated by this Planning Proposal will have the potential to deliver a number of economic benefits to the St Leonards and Crows Nest Station Precinct. These include:

- Ongoing employment

The Planning Proposal has the potential to deliver employment and economic benefits generated by the ongoing operation of the proposed redevelopment. The ongoing operations of the development are estimated to support up to 342 direct and 175 indirect jobs from the commercial, retail and creative uses.

- A variety of job types

Based on the proposed land use mix, the site could deliver:

- A total of 148 direct jobs and 211 indirect jobs during the construction phase
- Ongoing employment of 342 direct and 175 indirect jobs from the commercial, retail and creative uses. Based on 342 direct jobs, this could be broken down as follows:
 - 226 commercial office jobs
 - 77 retail jobs
 - 39 creative arts jobs.

- Increased supply of residential apartments

The 438 residential apartments would improve the supply of apartments within the St Leonards and Crows Nest Metro Precinct and would potentially accommodate 1,014 additional residents. The increase in residents is estimated to result in an increase of \$20.6 million retail spend into the centre per annum:

- Potential to improve turnover performance of existing retail precincts near the subject site.
- Scope to sustain additional retail floorspace around 2,950 square metres, based on an average turnover per square metres rate of \$7,000 per square metres.
- Creation of additional full-time, part-time and casual retail jobs in the range of around 99 jobs resulting from the development of new floorspace (assuming a typical employment density for specialty retail floorspace of one job per 16 square metres).

- An improved quality of commercial floorspace

The proposed mixed-use commercial office floorplate on the subject site could incorporate smaller floor plates catering to these tenants, while adding new higher quality commercial office to St Leonards office stock.

- Additional services to St Leonards

Whilst a higher job outcome could be achieved if the non-residential podium was entirely used for commercial uses, the proposed retail and creative floorspace will deliver improved amenity and additional services to the Precinct including:

- Additional retail services and creative space will diversify the job base with non-office-based occupations
- Improved public domain and ground floor activation, reinvigorating the precinct for workers and residents
- Providing activation for the Centre during day and night
- Improvements to the public realm via maintaining an arts-focused precinct will make St Leonards a more attractive place to work, improving its appeal to businesses/tenants.

- An improved public domain and activation of the site and broader St Leonards Centre

The development will provide up to 4,000 square metres of creative space, which is an uplift from the 1,500 square metres currently provided on the site. This will provide a number of benefits to the precinct including:

- Improvements to the amenity and activation of St Leonards through the provision of new open space, increased recreational uses, and improved pedestrian circulation.
- A number of arts and events venues (e.g. art galleries, event space, community meeting facilities) which would help attract a large and varied audience to the site and bring new activities to the area. Important facilities would include incubator spaces, shared office spaces and creative retail tenancies.
- Enhancing the vibrancy of the area and attracting new workers, residents and visitors. This will be further supported by TWT's broader placemaking strategy for the development.
- TWT will provide two studio live/work studios within the development with attached work-space for artists based outside of Sydney, at a subsidised rental rate.

While the future job creation will not fully mitigate the loss of 11,515 square metres of office NLA in the existing building, which accommodates approximately 442 workers, the Planning Proposal will deliver other significant economic benefits, as detailed above. For this reason, the Planning Proposal is considered to have adequately addressed any social and economic impacts.

6.4 Section D – State and Commonwealth interests

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

Yes. The site is well serviced by a wide range of existing and planned infrastructure and services within the area. Any future redevelopment of the site would reinforce existing investment in public transport infrastructure, through increased patronage of the existing station at St Leonards and future patronage at the new Crows Nest metro station.

Furthermore, the site is located in proximity to a range of established services such as health and education facilities to support the future residential and worker population on the site.

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

Whilst no consultation with State or Commonwealth authorities has been undertaken for this Planning Proposal, it is understood the proponent has had some previous consultation for a previous Planning Proposal which included was part of the subject site including land to the south at 23-35 Atchison Street. According to the LEP tracker register, this application has since been withdrawn.

7. Mapping

This section outlines the proposed mapping amendments to North Sydney LEP 2013. The Planning Proposal seeks to amend the following North Sydney LEP 2013 Maps, which are also provided at **Attachment A**.

7.1 Maximum building height



Figure 15 Existing maximum height

Site outlined in red

Source: North Sydney LEP 2013, Sheet HOB_001



Figure 16 Proposed maximum height

Site outlined in red

Source: North Sydney LEP 2013, Sheet HOB_001

7.2 Maximum floor space ratio

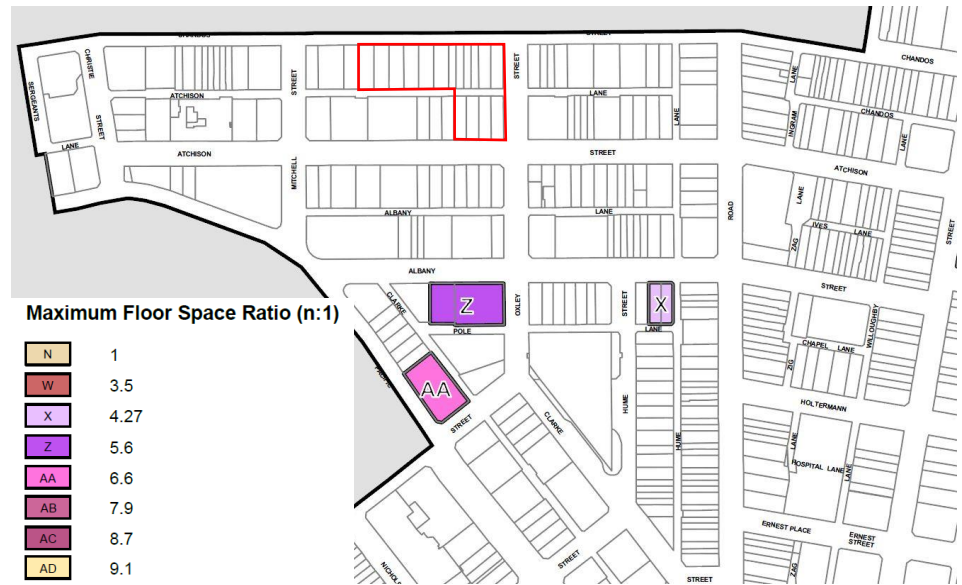


Figure 17 Existing floor space ratio

Site outlined in red

Source: North Sydney LEP 2013, Sheet FSR_001

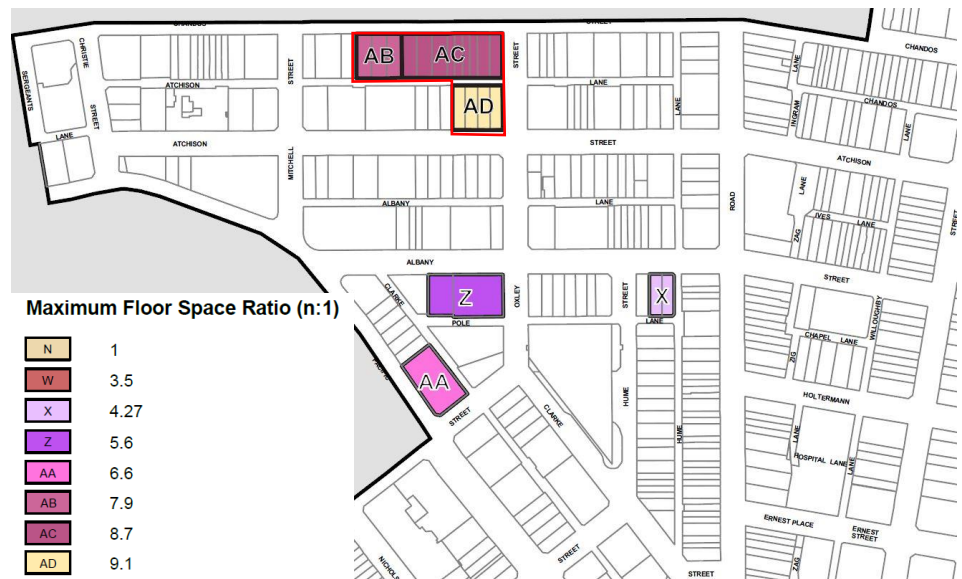


Figure 18 Proposed floor space ratio

Site outlined in red

Source: North Sydney LEP 2013, Sheet FSR_001

7.3 Minimum non-residential floor space ratio



Figure 19 Existing non-residential floor space ratio

Site outlined in red

Source: North Sydney LEP 2013, Sheet LCL_001



Figure 20 Proposed floor space ratio

Site outlined in red

Source: North Sydney LEP 2013, Sheet LCL_001

8. Consultation

The duration and requirements for public exhibition of the Planning Proposal will be provided as part of a Gateway determination. Community consultation will be undertaken in accordance with these requirements.

It is anticipated that the Planning Proposal will be publicly exhibited for a period of 28 days on the North Sydney website and in newspapers circulated within the North Sydney Local Government Area (LGA). It is also anticipated that adjoining and nearby property owners will be notified in writing of the Planning Proposal.

9. Project Timeline

9.1 Timeline

The timeframe for amendment of the North Sydney LEP 2013 is expected to be dependent on the consideration by Council of the Planning Proposal and the progression of any additional information requested by Council to satisfy any matters required to be addressed as part of a Gateway determination.

It is considered that the technical studies required to progress the Planning Proposal to a Gateway determination have been submitted along with this Planning Proposal.

9.2 Staging

Detail on projected timeframes are provided in **Table 18** below.

Table 18 Staging

Stage	Timing	Responsible person / organisation
Lodgment of Planning Proposal to Council	September 2018	Architectus
Consideration by Council	September – November 2018	North Sydney Council
Lodgment for Gateway	December – January 2019	North Sydney Council
Anticipated commencement date (date of Gateway determination)	February 2019	Minister (or delegate)
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	March 2019	Proponent and North Sydney Council
Commencement and completion dates for public exhibition period	March 2019	North Sydney Council
Timeframe for the consideration of a proposal post exhibition	May – October 2019	North Sydney Council
Anticipated date RPA will make the plan	November 2019	North Sydney Council

10. Conclusion

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and *A Guide to Preparing Planning Proposals*, NSW Department of Planning and Environment (2016).

The objective of this proposal is to enable the delivery of a high quality mixed use development comprising commercial, community and residential uses in St Leonards and facilitate the Concept design provided at **Attachment B**.

To achieve this, it is sought that the following amendments to the North Sydney Local Environmental Plan (LEP) 2013 are made:

- Introduce a new maximum floor space ratio control to allow up to:
 - 8.7:1 for Tower A
 - 9.1:1 for Tower B
 - 7.9:1 Tower C
- Increase the minimum non-residential floor space ratio from part 0.6:1 and 1:1 to:
 - 1.6:1 for Tower A
 - 2.5:1 for Tower C
 - No increase in non-residential FSR is proposed for Tower B
- Increase maximum building height from part 20m and part 30m to site-specific building heights to allow maximum building height for up to:
 - 101m for Tower A
 - 85m for Tower B
 - 67m for Tower C
- Introduce a new site-specific clause under Division 2 General Provisions to deliver up to 4,000sqm of community facilities across the site.

The proposed amendment to the North Sydney LEP 2013 is supportable based on the following reasons:

- The Planning Proposal capitalises on the announcement of the new metro station at Crows Nest, which will further fuel development and intensification through the forthcoming St Leonards and Crows Nest Land Use Infrastructure and Implementation Plan;
- The Planning Proposal seeks to facilitate a range of land uses including commercial, community and mixed uses, which will serve the needs of the existing and future workforce, residents and visitors of St Leonards;
- The Planning Proposal seeks to introduce a range of site-specific FSRs across the site, as well as increase the maximum building height that ranges between 67m and 101m, consistent with other metropolitan and strategic centres across Greater Sydney;
- The Planning Proposal will provide additional employment floor space (up to 8,730sqm of non-residential floor space) in the commercial core of St Leonards. This is consistent with the priorities set out in the *North District Plan*, as well as Councils local planning strategies, particularly the *St Leonards and Crows Nest Planning Study 2015*;
- The Planning Proposal will facilitate the delivery of new community facilities including a creative arts space for the benefit of the broader community, which buildings on the existing West Oxley Creative Arts Precinct.

Furthermore, this Planning Proposal seeks to deliver a number of other key public benefit items which could be delivered as part of a potential Voluntary Planning Agreement (VPA). These benefits are detailed as part of the letter of offer accompanying this Planning Proposal. Refer to **Attachment I**.

On this basis, it is recommended that North Sydney Council, support this Planning Proposal to proceed to a Gateway Determination.

Attachment A – Proposed amendments to North Sydney LEP 2013 Maps

Attachment B – Urban Design
Report, prepared by Architectus,
dated September 2018

Attachment C – Traffic and Transport Assessment, prepared by TTPP, dated September 2018

Attachment D – Draft Green Travel Plan, prepared by TTPP Transport Planning, September 2018

Attachment E – Economic Impact Assessment, prepared by Urbis, September 2018

Attachment F – Heritage Impact Assessment, prepared by Urbis, dated 2018

Attachment G – Site Investigation Report, prepared by Cardno, dated 2014

Attachment H – Obstacle Limitation Surfaces, Sydney Airport, dated March 2018

Attachment I – Letter of Offer,
prepared by TWT Property
Group Pty Ltd, dated September
2018