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**TRANSCRIPT OF PROCEEDINGS**

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O/N H-1024528

**INDEPENDENT PLANNING COMMISSION**

**MEETING WITH DEPARTMENT OF PLANNING AND ENVIRONMENT**

**RE: PLANNING PROPOSAL FOR THE ST LEONARDS  
SOUTH RESIDENTIAL PRECINCT**

**PANEL:**

**ILONA MILLAR  
PETER COCHRANE  
RUSSELL MILLER**

**COMMISSION  
SECRETARIAT:**

**MATTHEW TODD-JONES**

**DEPARTMENT OF  
PLANNING AND  
ENVIRONMENT:**

**BRETT WHITWORTH  
ELIZABETH KINKADE  
MALCOLM McDONALD  
WILLIAM HUGHES  
AMANDA HARVEY  
EVA KLAIC**

**LOCATION:**

**IPC OFFICES  
LEVEL 3, 201 ELIZABETH STREET  
SYDNEY, NEW SOUTH WALES**

**DATE:**

**12.41 PM, FRIDAY, 10 MAY 2019**

MS I. MILLAR: Okay. Good afternoon and welcome. Before we begin, I would like to pay my respects to the traditional owners of the land on which we meet and pay my respects to their elders past, present and future. Welcome to the meeting today on a request from the then-Minister for Planning dated 20 December 2018 for  
5 advice on three things: firstly, the consistency of the St Leonards South Residential Precinct Planning Proposal initiated by Lane Cove Council with the overall vision, guiding design principles and specific design principles of the Draft St Leonards and Crows Nest 2036 Plan as relevant to the planning proposal; second, the scale of residential development contained in the planning proposal and whether the whole  
10 site needs to be rezoned to meet the Greater Sydney Commission's housing targets under the North District Plan; and, thirdly, whether some staging of the proposal is appropriate.

My name is Ilona Millar and I'm the chair of this IPC panel. Joining me on the panel  
15 is Russell Miller and Peter Cochrane is joining by phone today. The other attendee from the planning commission is Matthew Todd-Jones from the Commission Secretariat. In the interests of openness and transparency and to ensure that the full capture of information is retained, today's meeting is being recorded and a full transcript will be produced and made available on the Commission's website. I  
20 would like to ask if all of the attendees from the Department of Planning and Environment could introduce themselves for the panel for transcription purposes, and perhaps if we are able to start at this end.

MR W. HUGHES: William Hughes. Director, Economics and Land Use  
25 Forecasting.

MS MILLAR: Thank you.

MR M. McDONALD: Malcolm McDonald. Director, Urban Renewal, Sydney  
30 Central.

MR B. WHITWORTH: Brett Whitworth. Deputy Secretary, Planning and Design.

MS E. KINKADE: Elizabeth Kinkade. Executive Director, Housing and Urban  
35 Renewal.

MS A. HARVEY: Amanda Harvey. Director for Sydney Region East.

MS E. KLAIC: Eva Klaic. Manager, Urban Renewal.  
40

MS MILLAR: Great. Thank you very much. So this meeting is one part of the Commission's process of providing advice. It is taking place at a preliminary stage of the process and will form one of several sources of information upon which the Commission will base its advice. It's important for the Commissioners to ask  
45 questions of attendees and to clarify issues whenever we consider it appropriate, so – but if you're asked a question and you're not in a position to answer it straightaway,

please feel free to take it on notice and then provide any information to the Commission in writing, and then that information will then be put on on our website. So we will now begin the meeting. I think Matthew has, in advance, provided you with an outline of some issues that we would appreciate your guidance and input on,  
5 and I understand you've got a presentation, so I will hand it over to you for now.

MR WHITWORTH: Okay. Thank you and good afternoon. I would like to talk through the submission – sorry – the presentation. I'm not necessarily going to take you through slide by slide but I have a – you know, a bit of script that I'm going to  
10 hopefully use to address a number of the questions that you've put forward as a way of enabling you to get as much information from us as possible. So the – what I want to do is, first of all, whenever – and throughout the presentation, when I make a reference to the Draft 2036 Plan, I'm referring to the department's exhibited plan for the entire St Leonards and Crows Nest planned precinct. When I'm talking about the  
15 exhibited planning proposal, I'm referring to Lane Cove Council's planning proposal for St Leonards South Residential Precinct, just in terms of getting that clarity.

You read out the Minister's, I suppose, charter for the Commission on this. I suppose, just importantly for us – just to restate that – it's about consistency of the  
20 planning proposal with the vision, principles and criteria of the Draft 2036 plan. It's about consistency of the planning proposal with the conditions of the gateway issued by the department, but it's also about the need for the planning proposal in the context of housing targets for the Lane Cove Local Government Area set by the Greater Sydney Commission and including whether any staging or rezoning may be  
25 appropriate. Our presentation, I suppose, effectively follows those sorts of three points in its broader scheme.

The request for this advice has arisen in response to council proposing in early 2018 that there be an independent review of their planning proposal. I suppose, to give a  
30 bit of broader context, I would like to start with the Draft 2036 Plan for St Leonards and Crows Nest. We've been undertaking strategic planning investigations for the St Leonards/Crows Nest area since 2016. In late 2018, we exhibited a draft planning package which included the Draft 2036 Plan. It included the Draft Local Character Statement – that's it – the Draft Local Character Statement, which reflects what's  
35 important to the community; a Draft Green Plan, which identifies the strategies to increase open space and tree canopy; a Draft Special Infrastructure Contribution Framework, which we call a SIC; and a Draft Rezoning Proposal for the Crows Nest/Sydney Metro Station site.

40 Leading up to the preparation of the Draft 2036 Plan, the department undertook significant community and stakeholder consultation. This included an online survey with more than 1900 people responding. We facilitated workshops and walking workshops with local community representatives. At this point, it became very, very clear to us that there were diverging views about the South St Leonards Planning  
45 Proposal. These views were reiterated in responses to exhibition of the Draft 2036 Plan where the department received approximately 1000 submissions from around 925 individual submitters.

Looking at the Draft 2036 Plan and the response that we've received, we have – we feel that the community were pleased to have a Local Character Statement and generally comfortable with what it said. The community generally agreed with the principles of the Draft 2036 Plan but they had expected those principles to produce  
5 different planning outcomes such as lower heights and densities. Many submitters were concerned about the impact of tall buildings, including the direct effects such as overshadowing, wind tunnels and traffic, and many felt that providing gradual transitions from high to low density was the best way of managing or mitigating these direct amenity impacts.

10 Something that also came out quite strongly is many in the community believe that there is enough housing in the area already and they want to see the package do more to support jobs, which does tie to the district plan identification of this area. So as not to pre-empt the outcomes of the independent advice to the Commission, the Draft  
15 2036 Plan reflected the council's exhibited planning proposal for St Leonards South and this was used when we were calculating infrastructure numbers in the area. So there is – that doesn't mean that there is an assumption that there is support for the plan. What we are doing is using the council numbers to help inform our own planning.

20 Turning to, I suppose, that broader question – that strategic question – why is the department undertaking planning for St Leonards and Crows Nest? If we look at the Greater Sydney Region Plan and the North District Plan, they identify St Leonards as a strategic centre. The North District Plan identifies the collaboration area around  
25 Royal North Shore Hospital and identifies a role for the department to lead broader strategic planning for the area.

The district plan includes a number of actions for planning in the area which go to the reasons why we're undertaking this planning package, and they are: leveraging  
30 the new Sydney metro station at Crows Nest to help deliver additional employment capacity, to grow jobs in the centre, to reduce the impact of vehicle movements on pedestrian and cyclist accessibility, to protect and enhance Willoughby Road's character and the retail restaurant strip, which I know is very important to the community, to deliver new high quality open space, to upgrade public areas and to  
35 establish collaborative place making initiatives, to promote synergies between the Royal North Shore Hospital and other health and education related activities in partnership with New South Wales Health, which is seen as a key driver to creating that jobs growth, and to retain and manage the adjoining industrial zone land at Artarmon for a range of urban services.

40 So that you're clear in terms of the planning area that we're using, the – our planning takes in, effectively, the walking catchments of both the existing St Leonards Train Station and the future Crows Nest, Sydney Metro Station and, as I said, that boundary includes that Artarmon industrial area. All told, it covers 275 hectares and,  
45 importantly, it crosses – or intersects with three council areas, being North Sydney, Lane Cove and Willoughby, which is quite an important point in terms of that broader planning for St Leonards, Crows Nest. What we've also provided you with

is a copy – or a photo of our 3D model used during community consultation and that gives you an undertaking – a graphical understanding of the sort of form of development that could be envisaged by the plan.

5 We are – first of all, South St Leonards is in that area and you can see it on the screen  
in the blue. We're more than happy – we're more than happy if you would like us to  
bring that model to your public meetings because it does provide a really important  
and easy visual reference. What I would like to do now is turn to the relationship  
10 between the St Leonards South Planning Proposal and the draft 2036 plan. When we  
issued the gateway determination for the South St Leonards Planning Proposal, we  
identified a requirement for consistency with the department's draft 2036 plan. This  
condition reinforces that the strategic plan should inform the planning proposal.

15 On 19 March 2008, Lane Cove Council deferred its formal consideration of  
submissions made to the exhibited planning proposal until the draft 2036 plan was  
released and council has not chosen to release those draft – those submissions at this  
point. In July 2018, the council also undertook an urban design review; again, the  
outcomes of council's review have not been publicly available. We understand that a  
20 community group has obtained a redacted copy of the submissions through a request  
under the Government Information Public Access Act, the GIPA Act, so we say this  
on the basis that it's our – our understanding of community perspectives related to  
the planning proposal are from the public consultation that we have undertaken  
during the preparation and the exhibition of the draft 2036 plan.

25 It is likely the commission's own consultation may therefore uncover issues that we  
are not yet aware of; I think that's important for you to be – to have that in your  
thinking. In terms of the department's draft planning package for St Leonards and  
Crows Nest, we've identified local character, open space and infrastructure as key  
30 considerations when planning for change and growth and that is why those  
documents accompany the draft – the draft plan and you need to read the draft 2036  
plan on the back of those inclusions. I think the local character statement in  
particular is very important. We recognise that plans for areas undergoing change  
should be grounded in an appreciation of what is important to the local community.

35 We undertook local character consultation in March 2018 with the community and  
councils and that's captured in our draft local character statement. The wheel gives  
you a, sort of, visual representation of the sorts of issues that are important to the  
community and the sense of importance that they allocate to those as well. The  
40 character statement notes that there are mixed views about the exhibited planning  
proposal for St Leonards South, however, most agree that the leafy streets are a  
significant part of its character and they should be retained. For the broader St  
Leonards and Crows Nest precinct, the draft local character statement identifies the  
village character of Crows Nest.

45 New schools, more open space and the gradual transitions between low rise and high  
rise development has been very important to the community. We used the local  
character statement to inform the vision, the design criteria and the principles within

the draft 2036 plan so you can see how we are linking those concepts together. Infrastructure is also a very important and fundamental component of the draft 2036 plan. To identify and deliver infrastructure, we have proposed a levy. The draft special infrastructure contribution is a levy on new dwellings to fund state and regional infrastructure to support growth. We are preparing special infrastructure contributions across many precincts and growth areas of Sydney, Newcastle and Wollongong so this is not a concept that is being applied at St Leonards, Crows Nest only, this is a broader concept.

10 MS MILLAR: All right. And that sits separately to section 94 contributions - - -

MR WHITWORTH: That's - - -

MS MILLAR: - - - that the council would be seeking.

15

MR WHITWORTH: Yes, it does sit separately to section 94 contributions. For each special infrastructure contribution area, we always undertake an analysis to determine the average capacity to pay, which determines the rate of the levy applied to each new dwelling, because the Act gives us a requirement to set a reasonable charge. Consistent with the actions in the North District Plan and feedback to the department's community consultation, the draft SIC for St Leonards, Crows Nest funds open space, new school places and active transport links and you can see those on that – on the map that we released with the draft SIC.

20

25 There are a number of infrastructure items in the draft SIC for St Leonards, Crows Nest which cater specifically for St Leonards South. These items include improvements to three pedestrian crossings on the Pacific Highway, a new regional cycling connection along Canberra Avenue and improvements to a pedestrian crossing at the intersection of River Road and Canberra Avenue.

30

MR M. TODD-JONES: Sorry. I think the commissioner has dropped – has just dropped out, his number. Sorry.

MR P. COCHRANE: Hello.

35

MR TODD-JONES: Hi, Peter.

MS MILLAR: Hi, Peter. Thanks.

40

MR COCHRANE: Hi.

MR WHITWORTH: So the infrastructure planning work undertaken for the draft 2036 plan incorporated the development proposed in the exhibited planning proposal, as I – as I referenced earlier. Turning to – away from infrastructure and to the draft 2036 planned vision, design criteria and design principles, the vision for St Leonards, Crows Nest sets the framework for the design criteria and the principles that will guide future development in the area. If you're interested – and we've got copies, I –

45

we've given you copies but that's on page 4 of the draft – the draft 2036 plan. The vision has been, as I said, informed by the draft local character statement and derived down from the North District Plan and the recommendations that we received from our numerous technical studies.

5

The design criteria provide considerations for assessing proposed development, including – and importantly, I think – overshadowing controls based on solar access to public open space and important public places. That's a really sort of critical way in which we've said and appropriate what are heights for the area.

10

Specific design principles have been developed for South St Leonards as a focus for the independent review in response to the feedback on the proposal, and you can find those specific – the principles on page 63 of the draft 2036 plan. In terms of the St Leonards – South St Leonards Planning Proposal and talking a little bit more about it, we understand that Lane Cove Council commenced its preparation of a master plan for South St Leonards in August 2014. So this has a reasonable history in terms of the plan, and that was in response to the policies of the metropolitan strategy for Sydney.

15

20

At that time, the study area was bounded by the Pacific Highway, Greenwich Road and River Road and the railway line south of St Leonards Station. The master planning process that the council employed used including community workshops, opportunities and constraints analysis and development of different options for renewal of the area, and, in fact, the Lane Cove Council exhibited five options for renewal. And those five options were reported to council on 13 July 2015.

25

30

In that council report, the council recommended a change to the area in which the plan should occur to be the land bound by Canberra Avenue, River Road, Berry Road and Marshall Avenue and that those areas be zoned for increased density and residential development. Council resolved to – later to include the – sorry. Council involved to include the area between Berry Road and Park Road including the commercial zone land fronting the Pacific Highway. That commercial core zone land along the Pacific Highway has been excluded from the exhibited planning proposal and will retain its current zone.

35

40

Turning to the gateway conditions for South St Leonards Planning Proposal, on 19 May, Lane Cove Council submitted its request to the department for a gateway determination for the South St Leonards Planning Proposal to adopt the master plan. The department issued its gateway determination on 2 September 2016. As I said previously, a condition of that gateway requires the proposal to be amended to be consistent with the findings of the department's investigations for St Leonards and Crows Nest. I can read that out, but I think we've given you that on the slide.

45

A condition requiring satisfactory arrangements for state and regional infrastructure was also included. So this condition foreshadows that there would be a special infrastructure contribution in the area or that there would be some mechanism to obtain contributions for state infrastructure. The department chose not to delegate

the plan making function for this rezoning to the council. So the department remains the plan making – retains the plan making authority.

5 Since the gateway was issued, council has sought an extension to the timeframe for completing the planning proposal, and that – and then extension was granted to 2 June 2019. Council has written to the department seeking a further extension, and it's likely that we will grant that extension so as not to try and force a closure on this issue before the Commission has done its work.

10 MS HARVEY: Can I just make a clarification. That extension is the extension to the 2 June 2019?

MR WHITWORTH: That is to the - - -

15 MS HARVEY: We've granted a - - -

MR WHITWORTH: Yes.

MS HARVEY: To 2 June.

20

MS MILLAR: Yes. I was going to ask about that from a timing perspective.

MS HARVEY: Yes. Yes.

25 MS MILLAR: Okay.

MS HARVEY: There hasn't been a further - - -

MR WHITWORTH: There hasn't been a further request?

30

MS HARVEY: No. Not at this stage. No.

MS MILLAR: Yes. Okay.

35 MR WHITWORTH: Okay. All right. Okay. I think, though, we would – if their request was made, we would be happy to grant an extension. About the – I think, just to take you through what some of the changes that the South St Leonards Planning Proposal would entail in terms of what impact it would have on the existing LEP, the changes in the planning proposal, as it was exhibited from 30 October 2017  
40 to 5 January 2018, which is a considerable exhibition period – the key changes proposed were to rezone the site and to include new development controls for maximum heights and floor space ratios. Most of the site is proposed to be rezoned from an R2 low-density residential zone to an R4 high-density residential zone, although there were a number of areas that are proposed to be rezoned for open  
45 space.



To activate and incentivise the development of the area and to ensure lot consolidation to facilitate new through-site links and the transfer of land for relaying between Berry and Park Roads that would form a transition along Park Road, there were a number of incentives – changes to the planning controls that would enable and incentivise that development. Those incentives included maximum heights of between 15 and 65 metres and increased maximum floor space ratios of between 2.75 to one and four to one. So they are considerable – you know, that’s a considerable increase in height where you look at – the existing maximum heights are 9.5 metres and the existing maximum floor space ratios vary from between .5 to one and .6 to one, so effectively talking about going from a low-density residential area to a high-density residential area suggested by the change in zone.

We understand that there are a number of developer-led proposals and concept development applications that have been lodged with council for the South St Leonards area. Two separate planning proposals and three concept development applications were received by council in February and March this year. Council has not yet submitted these planning proposals to the department for a gateway determination and I do not believe that they have reported them to the council yet.

MS .....: Correct.

MR WHITWORTH: The concept development applications appear largely consistent with council’s exhibited planning proposal for St Leonards South. What I would like to do is now move to housing targets. I’m probably getting towards the end of the presentation. One of the Commission’s terms of reference is to consider St Leonards South in the context of housing targets. The North District Plan includes a housing target for Lane Cove local government area of 1900 new dwellings by the year 2021. So between 2017 and 2021, the target for Lane Cove is 1900 new dwellings. Development approvals suggest that Lane Cove Council is on track to exceed its five-year housing target already. This was confirmed in a letter from the Greater Sydney Commission to Lane Cove Council on 16 May and I understand the Commission has a copy of that letter.

MS MILLAR: Yes.

MR WHITWORTH: The same letter from the Greater Sydney Commission noted the exhibited St Leonards South Planning Proposal could contribute to housing growth beyond 2021. The North District Plan does not include housing targets for local government areas beyond 2021. The Sydney Region Plan sets out housing targets for each region in Sydney to 2036 but councils are being asked to use their local strategic planning statements to address issues of what housing would be needed between, effectively, year 6 to year 20 for their housing needs. It’s important to note that the performance of all three councils in the St Leonards and Crows Nest area is consistent with the performance of the wider Sydney region in that around 75 per cent of local government areas in the Sydney region are on track to meet or exceed their five-year housing targets.

We understand there are a number of approved developments which will contribute to the five-year housing target and I always like this slide because it gives an understanding geographically of where housing is occurring – where housing completions are occurring. As I've said, the exhibited South St Leonards planning proposal is not expected to contribute to the initial 2017 to 2021 five-year housing target, simply because the dwellings are not expected to be built before 2021.

As I've said, all councils in New South Wales are reviewing their local environmental plans and preparing local strategic planning statements. In Sydney, councils are also preparing housing strategies as part of this process. Councils will be using their housing strategies to inform their housing area targets. We expect – the department expects that Lane Cove Council will update the Commission on their local environmental plan review and the development of their local strategic planning statement, including any related housing analysis.

As I said before, we believe that there are already a number of projects in the broader St Leonards area that have been approved and are under construction that will contribute to the five-year housing target, including recent completions along Marshall Avenue and two mixed-use developments that are under construction at 496 to 520 Pacific Highway and 472 to 494 Pacific Highway that will contribute 390 and 520 dwellings each. We also know that there is a project that is under construction at 75 to 79 Lithgow and 84 to 90 Christie Street, known as JQZ, that will contribute approximately 650 dwellings.

The Commission has asked us to address feedback to exhibition on the Draft 2036 Plan which relates to the South St Leonards Planning Proposal. There were a range of issues that the community raised during exhibition about the South St Leonards Planning Proposal. They include that the boundary should be expanded or reduced. I received representations and had meetings with a number of the landholders that were concerned that the setting of the boundary meant that the development would impact on them, and they would like to see it be extended to include their lands so that they could take advantage of it and not be impacted by the proposal. There were concerns that the overshadowing impacts are unacceptable and are exacerbated by the topography of the area, and I'm assuming that you've been out or you will be out to walk the area and you will see that topography.

MS MILLAR: Yes.

MR WHITWORTH: The proposal does not meet the design principles in the Draft 2036 Plan. Comments were made that there is not enough open space to serve the new population. Comments were also made that the area will not cope with the additional traffic and the demand for parking. Comments were made that there will be an oversupply of housing and some people have been – some people feel that they've not been well-informed on what has been happening. I should also say that we received 10 site-specific submissions that generally support the proposal and are expressing a concern that IPC review could cause a delay as well.

In terms of community groups and their feedback, several community groups made detailed submissions and representations to the department during exhibition of the Draft 2036 Plan. We've made available all submissions for the Commission to review and those submissions are also on our website as we've been able to make  
5 them public in terms of people requesting privacy and so on. Matters raised by the community groups in submissions include that heights and transitions proposed are inappropriate for the area.

10 They have raised the increase in population will have a negative impact on essential services and infrastructure and the road network. They are concerned that the housing targets for the area are unclear; that the planning proposal extended to include – or that the planning proposal be extended to include properties between Park Road and Greenwich Road and those are the people that I referred to earlier; the proposal in its current form fails to meet the design principles in the Draft 2036  
15 Plan; and that the Draft 2036 Plan has neglected to identify infrastructure in the South St Leonards area to be funded through the SIC.

In terms of Lane Cove Council's comments on the Draft 2036 Plan, council has made a comprehensive submission to the plan. Council's two key comments in  
20 relation to the South St Leonards Planning Proposal were that it noted that we had used its heights and densities exhibited and is supportive of that approach, and that council would like the St Leonards South Residential Precinct Proposal be excluded from the Special Infrastructure Contributions area to ensure that development  
25 feasibilities are not impacted and that council is able to levy its own section 94 contribution plan. So that's – I know it was a bit of me talking at you but I felt that it was important to take you through that. We are more than happy to take your questions and to cover any other issues that you wanted to raise.

30 MS MILLAR: Okay. Great. Thank you very much for that. So I think one of the first things that we would like to get some feedback from the department on is to what extent does the department have a view on whether or not the planning proposal is consistent or inconsistent with the draft 2036 plan.

35 MR WHITWORTH: I don't want the department to be put in a position where we're foreshadowing or impacting our responsibility to advise the Minister's delegate on what is suitable or not. That is one of the reasons why we've asked for a consideration of the planning proposal by the Independent Planning Commission. We've – I suppose I'm – I don't want to give you the answer to that question. We would prefer to see what the commission's view on that is and we also think that this  
40 is council's planning proposal. We've set the strategic criteria, we would like to see what their response to that question would be.

45 MS MILLAR: Okay. Thank you. In that case, perhaps if we can, sort of, ask some questions about the, sort of, way in which the department has, sort of, formed its view about some of the elements of the 2036 plan. In particular, one of the elements is the concept of transition between different zones. I mean, is there a, you know,

any approach that has been taken in terms of what transition from a low density area would be to a higher density area.

5 MR WHITWORTH: Look, I will start off, and then I might get Elizabeth, Malcolm or Eva to answer – to – to finalise. But I think, as I said in my presentation, the importance of understanding character stems from local open space and important public domain elements like Willoughby Road eatery. So our approach to setting the planning principles comes from that so we want to protect sunlight to Newlands Park, we want to protect as much sunlight to Hume Street Park, we want to protect  
10 sunlight to Willoughby Road eat street so that helps with that concept. There is also an important concept of – when we talk about transitions, we’re talking about ensuring you don’t see a wall of development along the Pacific Highway from St Leonards, Crows Nest down through into North Sydney.

15 MS KINKADE: And then there’s also areas where there’s conservation areas or, you know, heritage and there are some areas up in St Leonards where there is already some existing transitions in place and we’ve had feedback from the community that they support those transitions and so we’ve looked at how we can draw on, I guess, what the community think has worked well and see how we can bring that into other  
20 elements of the plan.

MS KLAIC: Duntroon Avenue was highlighted in our walking workshops.

25 MR WHITWORTH: So Duntroon Avenue, Eva, is actually quite close to St Leonards South planning proposal area, isn’t – it, sort of, runs around Newlands Park.

MR .....: It’s north of the park. It’s east – east of the park - - -

30 MS .....1: The other side of the park’s - - -

MS .....2: .....

35 MR .....: - - - and on a much higher elevation.

MR WHITWORTH: Yes, yes, yes.

40 MR MILLER: So you can just explain that a little further, what the issue was, because our site visit indicated that the park, sort of, shapes up the slippery dip - - -

MS .....2: Yes.

MR MILLER: - - - and we didn’t go up along the top of Duntroon.

45 MS KLAIC: Certainly. So the department undertook walking workshops with local community group representatives and others who registered to attend in March of last year to inform the draft 2036 plan and draft local character statement and we met

with community group representatives beforehand to determine the routes that we would take and there was a keen interest to walk St Leonards South planning proposal area and the area all the way to Greenwich Road and we walked Duntroon Avenue in that – in that same walking workshop. And while there are definitely  
5 mixed views about the appropriate heights, many in the walking workshop thought that Duntroon Avenue was a good example of the buildings – of transition.

MR WHITWORTH: Of that transition, yes.

10 MS KLAIC: So they had a landscape setback, an upper story setback so those were noted so many felt that that was a good example; I couldn't say that everybody thinks it.

MR WHITWORTH: So there's some elements of spatial transition but there's also  
15 some elements of design based transition as well.

MS MILLAR: Yes. Are you able to perhaps, sort of, maybe talk us through that in the context of the draft indicative building height and building map plan for St Leonards South where we have – and, Peter, I'm looking at the draft LEP plans and  
20 the – I think it's the second plan, which is the draft – sorry; says draft incentive height of – incentive height of buildings map – where we have the areas identified as A with a maximum building height of 2.5 metres. Is that intended to be these setbacks and - - -

25 MR WHITWORTH: I think – I think, respectfully, that's a question for council - - -

MS MILLAR: Okay.

MR WHITWORTH: - - - because this is council's plan and the thinking that the  
30 council had about how to manage that design transition is something that I feel that you should put to the council. They had – June – July 2018, undertaken their design workshop so they very clearly have a design perspective for the area. I do take you to our presentation where we had the sort of perspectives of what the bulk and massing that that plan gives you and whether that's – now, I suppose asking council  
35 the question of that - - -

MS MILLAR: That - - -

MR WHITWORTH: - - - that transition in the context of that would be a – would  
40 elicit an interesting outcome, I think.

MS MILLAR: And just in terms of the model that you've done with bulk and massing, does that also have overshadowing elements to it; is that something that we'll be able to have a look at if we get the - - -  
45

MR WHITWORTH: It - - -

MS KINKADE: It's not shown on the - - -

MS MILLAR: This – sorry; this is - - -

5 MS KINKADE: It's not shown on the model .....

MS MILLAR: This is a “model” model, as opposed to a - - -

10 MR WHITWORTH: I thought, Eva, did we – or, Malcolm, we had some overshadowing work done.

MS KINKADE: .....

15 MS KLAIC: We have – we have undertaken some testing and so that we've got a physical model but we've also got a digital model where we've got overshadowing tested so we could provide that to the commission.

20 MR WHITWORTH: If we've got that data, I'm happy for us to provide that to the commission, yes.

MS MILLAR: Yes, if there's a digital model that we could look at, that would be, I think, very helpful.

25 MS KLAIC: Yes.

MR WHITWORTH: Yes, yes.

MS MILLAR: Absolutely.

30 MS KINKADE: And we can give you – if we've generated already some reports - - -

MR WHITWORTH: Yes.

35 MS KINKADE: - - - we can – we're happy to make them available as well.

40 MS MILLAR: That would be very helpful. Could I ask a question: in the context of setting the infrastructure contributions and looking at the requirements for public open space, is there a particular metric that's used, dwellings to square metres of, like, public open space, that type of thing, that - - -

45 MR WHITWORTH: This is a – that's a – that is one of the great questions of planning in New South Wales at the moment. There is no formal standard but people tend to use a very old standard of 2.83 hectares per 1000 people, which, as I understand, arrives from a village green somewhere in England. The government architect has produced in draft form a document called Greener Places where it starts

to talk about some metrics in terms of open space per person but it also talks about those metrics in terms of accessibility as well.

5 The challenge in these sorts of environments is what is – we’re changing, I suppose, the conversation. There’s open space, and then there’s public spaces. So what is open space? What’s an appropriate number? In a constrained environment, what is the trade off in terms of buying that open space given the very high land values versus what is public space. Not a St Leonards South discussion, but a St Leonards Crows Nest conversation is how much does the public space of Willoughby Road  
10 contribute to the character of the area. And if we were to be able to expand the concept of Willoughby Road and create some through connections to Hume Street Park, as an example, to extend a plaza to then connect that more closely to the metro station, that starts to improve the public space.

15 If you think about St Leonards and the forum development, that is an example of public space, albeit within a private context. That question about public – sorry – open space, as I said, is a challenging one, and I think the council has sought to deal with that by creating local open space that is accessible for the community in the area. The question is have they identified enough for the rate of development, and  
20 then the broader question is the utilisation. So public open space has both passive and active. If you’re increasing the utilisation of active open space, you’ve got to think differently in terms of its surface, its facilities that surround it.

25 Gore Hill parklands are an example where Willoughby Council has sought to increase and extend the life of that open space by making it an artificial surface – an artificial grass surface so that you can have all weather utilisation of the park, that you can have greater utilisation by different sporting groups. That’s a particular challenge in the area that I pointed out in my presentation that we’ve got three local government areas that are all very close. Gore Park Oval – sorry.

30 It’s Gore Hill Oval. The Gore Hill Oval is within a five-minute walk of St Leonards South, but it’s – but St Leonards South is in Lane Cove local government area, and Gore Hill Over is in Willoughby local government area. So if you think about Lane Cove, should they be applying those standards, or should we be looking at that  
35 broader area? And that has been one of challenges for us in the St Leonards Planning.

MS MILLAR: Okay. Russell, do you have questions?

40 MR MILLER: I would just like to go to the objectives and – that are set out in the council’s planning proposal of 29 September 2017, and as a factual matter only, not a matter of - - -

45 MR WHITWORTH: Yes.

MR MILLER: - - - opinion from the department, can you point to any of those objectives that would seem to be inconsistent with the planning principles that are set out in the 2036 plan?

5 MR WHITWORTH: We would have to take that on notice, I think.

MR MILLER: That would be fine.

10 MR WHITWORTH: Yes. Yes.

MR MILLER: And if you do that and just come back to us with a note, it would just be helpful to know.

15 MR WHITWORTH: And just so we're very clear, you – you're looking for as a factual matter, not a - - -

MR MILLER: As a factual matter.

20 MR WHITWORTH: - - - not an opinion.

MR MILLER: Correct.

MR WHITWORTH: Do we see any inconsistencies?

25 MR MILLER: Factually.

MR WHITWORTH: Yes. Yes.

30 MR MILLER: And if so, how – just in a table - - -

MR WHITWORTH: Yes.

MR MILLER: - - - how it's inconsistent.

35 MR WHITWORTH: Yes. Yes.

MR MILLER: Or if it's consistent – entirely consistent as well.

40 MR WHITWORTH: Yes. Yes. Okay.

MR MILLER: That would be very helpful. Thank you.

MR WHITWORTH: Okay. All right.

45 MS MILLAR: Yes. On the question of timing and staging, I've seen in some of the community's submissions and I think also the letter from the Department of Education talked about the capacity of local schools to meet future demand for



residents. Do you have any information about timing for, you know, new educational development within the area in terms of how that would be coming online?

5 MR WHITWORTH: We don't have a detailed timing. What I can say – and I will get either Elizabeth or Malcolm to elaborate a bit more – but we do have a plan for improved education facilities in the area.

10 MS KINKADE: Yes, absolutely. And we're – you know, there is the TAFE site there. We're working with Department of Education, and we – I guess we make sure that and we want to assure that as development occurs that Department of Education can fulfil its statutory obligation which is to ensure that there is education facilities. So that's part of the – that informs, I guess, the approach that we take.

15 MS MILLAR: Okay.

MR McDONALD: Also, too, Department of Education made a submission to council in relation to the ..... of its planning proposal, and it advised that education department had allowed for the growth assumptions of St Leonards South Planning  
20 Proposal and they were incorporated as part of a proposed upgrade to Greenwich Public School. But when the growth forecast for the broader St Leonards investigation area are taken into account, then Department of Education has acknowledged the need for additional primary and secondary schools.

25 MS MILLAR: Okay. Peter, do you have any questions on the line?

MR COCHRANE: Yes, Ilona. I've got a couple, but I will need to work my way through the presentation because I missed out on the verbal bit of it, or some of it. A  
30 question on water and sewerage provision, does the increased density – Sydney Water have any comment on the increased amount for water and sewerage services with the additional number of dwellings – that was one question. Second one is if there are to be – the open spaces involve harder surfaces rather than, I assume, the softer surface of the current residential development, does the – is the drainage capacity able to deal with that, has that been thought through, and, in particular, if  
35 over the next 20 or 30 years we have the potential for much more intense rainfall events, is – is the development got that in mind – or is the planning got that in mind, thanks.

MR WHITWORTH: Peter, we're happy to look at the Sydney Water issue in terms  
40 of whether they made a submission but I also respectfully suggest that they're questions for the council as it's its planning proposal. The department would have had a view at the time that we issued the gateway determination, I suppose, that the council needed to address the Ministerial directions about infrastructure about open space and about the general impact on the environment and would have asked  
45 council to address those in its – in its planning proposal. Again, its view – council's views on that would be important for the commission but it's also a matter that, if there is a significant concern, it would go to the ability of the department to advise

the Minister's delegate on the planning proposal as to whether it was suitable to proceed to finalisation and I don't want to foreshadow – prejudge that process.

MR COCHRANE: Okay, thanks. Accept that, thanks.

5

MS MILLAR: Right. Okay. Now, in terms of the public submissions on the 2036 plan, I understand that there's over 1000 of them. Are you preparing a submissions report and is that something that we may get access to?

10 MS KINKADE: Yes, it'll be a summary of submissions rather than a response, I guess, to the issues raised in the submissions so we are in the process of doing that.

MR WHITWORTH: Yes.

15 MR MILLER: Be very helpful to have that up on the site before we have the public meeting because in terms of transparency, that's a - - -

MR WHITWORTH: That might be a challenge because I think the report's being – still being written and I would like to get the approval of the Minister to – or at least  
20 advise the Minister that we're going to release that.

MR MILLER: Sure. But if it's – if it's a – it's a summary - - -

MR WHITWORTH: It's - - -

25

MR MILLER: - - - of 900, I think you said, public submissions - - -

MR WHITWORTH: Yes, yes, yes.

30 MR MILLER: - - - you must be well on the way with the draft and if you – if we can encourage you in the interests of ensuring - - -

MS KINKADE: Yes.

35 MR WHITWORTH: Yes.

MR MILLER: - - - the community is informed to get that up on the website.

MR WHITWORTH: Yes. Okay.

40

MR MILLER: If it's not possible, it's not possible.

MR WHITWORTH: Yes.

45 MR MILLER: Maybe you – if it isn't possible, might be useful for you to say something about it at a meeting.

MR WHITWORTH: Yes.

MR MILLER: If it's up on the site, well, then we don't need to say anything about it, we can draw attention to it.

5

MR WHITWORTH: Okay. I don't think we were intending to make any submissions at the meeting or to request to speak but, yes, we'll – we will do our best, and if we can't, we'll let you know.

10 MR MILLER: Thank you.

MS MILLAR: Okay. Matthew, anything?

15 MR TODD-JONES: Are you happy everything in the agenda questions are covered?

MS MILLAR: I – just let me do that, yes. I – I think, sort of, with the qualification that's been made about pre-empting our decision, I think we've probably taken matters as far as we can.

20

MR MILLER: Yes, I'm – it was a very helpful presentation, thank you.

MS MILLAR: Yes, the presentation, very helpful.

25 MR WHITWORTH: All right. Thank you for your time.

MR MILLER: So – and the papers are very useful too.

30 MR WHITWORTH: And I just want to thank the team for pulling together this for you. If you have questions, we are more than happy to – you know, if something comes up and you think later – or going through the submission – and I note Peter's still churning his way through – we're more than happy to take anything further on notice.

35 MS MILLAR: No, that's great. Thank you very much for your time this afternoon, and I will close the meeting now. Great. Thanks.

**RECORDING CONCLUDED**

**[1.34 pm]**