



Planning Proposal

21-41 Holdsworth Avenue and 18-32 Canberra Avenue
St Leonards

On behalf of
Top Spring Australia Property &
Development Services Pty Ltd
April 2019



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6 February 2019

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* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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Executive Summary

This Planning Proposal has been prepared by Mecone on behalf of Top Spring Australia Property & Development Services Pty Ltd (Top Spring) who is the developer of the site. The site includes the properties at 21-41 Canberra Avenue and 18-32 Holdsworth Avenue, St Leonards, which are all of Top Springs land holdings. The Planning Proposal is broadly consistent with the Draft LEP and DCP controls as specified in Lane Cove Council's St Leonards South Residential Precinct, with minor variances to resolve site specific constraints and limitations.

Planning Background

In March 2018, State Government released the North District Plan proposing priorities and actions for a productive and liveable District focused on planning a city of people and of great places as well as a supply of a range of housing and employment opportunities. It was guided by the aim of the Greater Regional Plan to establish a 30-minute city, where people are 30 minutes from jobs and services by public transport and 30 minutes from local services by active transport. St Leonards is identified in the District Plan as a Strategic Centre and as a health and education precinct with anticipated job growth.

While the St Leonards Strategic Centre is outlined for commercial and services growth, the District Plan also outlines the need for additional housing in close proximity to centres and services. A housing supply target is set for the Lane Cove LGA for an additional 1,900 dwellings to be delivered between 2016 and 2021, which includes the dwellings identified by Lane Cove Council.

In recent years, Lane Cove Council has earmarked St Leonards South for redevelopment to high density residential use based on wider strategic directions for the delivery of additional housing and transit-oriented development. The St Leonards South Precinct currently has a Master Plan for redevelopment, and a council-led Planning Proposal to implement the draft controls.

Concurrently, State Government has identified the St Leonards and Crows Nest area as a Priority Precinct and has been reviewing future planning directions for the wider area in response to the growth of St Leonards as a Strategic Centre and the opening of the new Crows Nest Metro Station in 2024.

Subject Site

The site includes 21-41 Canberra Avenue and 18-32 Holdsworth Avenue, St Leonards, and is approximately 450m south from St Leonards town centre and approximately 4.5km north from Sydney CBD. The site is located within the St Leonards South precinct; a leafy low-rise housing precinct proposed for R4 High Density Residential zoning.

Proposal

The intended outcome for the Planning Proposal is to allow for the draft controls within Council's Planning Proposal for St Leonard South Residential Precinct, including the rezoning to R4, and incentive FSR and height controls, to be applied to the site with flexibility around the delivery of amalgamation patterns and public benefits. The Planning Proposal assumes that Council's draft DCP controls are applied to the site.

Rationale for the proposed changes to Planning Controls

The proposed changes to Planning Controls are largely influenced by the inability to achieve Council's desired amalgamation packages of 'Area 7' and 'Area 8', despite numerous attempts made by Top Spring to attain the two outstanding lots from their land holdings (No. 16 Holdsworth Avenue and No. 19 Canberra Avenue). Subsequently, Top Spring is unable to deliver the 15m wide west-east link required by Council's draft incentive controls to be provided on these lots.

Alternatively, the Planning Proposal seeks to create new amalgamation packages on the Top Spring landholdings – 'Area H' (comprising Council's Area 9, 10 and 11) and 'Area I' (comprising Top Spring 21-25 Canberra Avenue and 18-24 Holdsworth Avenue, St Leonards). The Planning Proposal will deliver a new 15m wide link within Area I. In future, this link could be consolidated with Council's proposed link to provide a 30m wide park.

The proposed height and FSR controls are consistent with Council's draft rezoning.

Urban Design

The building footprints are guided by Council's draft setback control of 4m from the street, protection of existing mature trees, as well as the deliverance of the west-east 6m wide pedestrian path, the north-south green spine, and a 15m wide through-site link along the northern boundary. The building envelopes allow for 7-11 storeys, and are designed to provide a stepped and staggered built form above a two-storey townhouse expression at street level. This built form is intended to provide a human scaled street interface while responding to the fall of the site and maximising solar access and internal amenity.

Economic Analysis

As outlined in AEC's Economic Report attached in **Appendix 3**, the Planning Proposal will create positive economic impact in the following ways:

- Facilitating a rare opportunity to amalgamate a large area of land, unlocking developable land close to a Strategic Centre;
- Increasing local housing supply and delivering housing diversity to meet changing market demands towards smaller sized dwellings;
- Increasing the number of dwellings located within close proximity to retail, commercial and transport infrastructure offerings aligned with strategic planning objectives, supporting active lifestyles and reducing vehicle usage; and
- Supporting an increase in investment, business activity and employment growth in a Strategic Centre.

Traffic and Parking

The proximity of the site to St Leonards centre and existing transport infrastructure indicates that future development on the site will have relatively low vehicle reliance and will encourage active modes of transport.

A Traffic and Transport Study prepared by SCT Consulting accompanies this Planning Proposal at **Appendix 2**, including an analysis of:

- Existing traffic networks and conditions;
- Review of Council's Planning Proposal; and
- Traffic and transport impact appraisal.

Overall, the scale of traffic impacts for the proposed development are minor and not significant relative to the other proposals in the area – comprising only 9.5% of the total St Leonards South yield. The total traffic generation is less than 55 vehicles per hour in the peak periods.

The Traffic and Transport Study indicates the impacts of the Planning Proposal are able to be appropriately mitigated by the proposed infrastructure schedule. From a transport perspective, the proposal is consistent with the St Leonards South Planning Proposal and DPE draft 2036 Plan.

Social Impacts

Submissions from within the precinct during the preparation of the draft Master Plan and Council's Planning Proposal were overwhelmingly in favour of the general principle of increased residential development. Refer to the Council Report dated 13 July 2017 (located in Council's Planning Proposal attachments). Several groups formed to produce alternative density patterns that were generally higher than that proposed in the Master Plan. The social well-being of the future community is directly addressed in the form of community benefits sought via development – namely open space, community facilities and cross precinct walkways. This is consistent with the TOD principle of liveability.

This Planning Proposal seeks to achieve the delivery of high density residential and ensures that appropriate public domain updates and open space is also provided to maintain the social well-being of the future community.

Conclusion

This report provides a full justification of the proposal in line with the Department of Planning and Environment's template for gateway rezoning's. The justification demonstrates that the proposal:

- Is consistent with the Greater Sydney Region Plan and North District Plan;
- Is consistent with the objectives of the St Leonards South Master Plan;
- Is consistent with the objectives of Council's Planning Proposal for the St Leonards South Residential Precinct;
- Is consistent with relevant Ministerial Directions;
- Creates an exciting opportunity for transit-oriented development in the St Leonards South area, providing homes close to jobs, encouraging active lifestyles and reduced car reliance;
- Provides housing diversity and choice for the future residents of Lane Cove LGA;
- Increases the size of the public domain and provides various open spaces and landscaping elements; and
- Delivers new pedestrian improvements within the site, integrating into the broader open space network.
- Contributes to the transition of the wider St Leonards South Residential Precinct; and

Leverages the NSW Government's investment in major infrastructure including the provision of through site links and open space on site and providing new housing in close proximity to the infrastructure and services provided in St Leonards and Crows Nest.

1 Introduction

This Planning Proposal has been prepared by Mecone on behalf of Top Spring Australia Property & Development Services Pty Ltd (Top Spring) who is the developer of the site. The site includes the properties at 21-41 Canberra Avenue and 18-32 Holdsworth Avenue, St Leonards which are all of Top Springs land holdings.

The site is divided into two portions, which are outlined in the table below. For the purposes of the Planning Proposal, the site will be referenced by the site addresses or Areas H and I to ensure consistency throughout the Planning Proposal. It is noted that the consultant reports refer to Council's Planning Proposal references, being Areas 7 and 8 and Areas 9, 10 and 11.

| Table 1 – Outline of subject site | | |
|---|---|--|
| Reference | Northern site | Southern site |
| Site address | 21-25 Canberra Avenue 18-24 Holdsworth Avenue | 27-41 Canberra Avenue 26-32 Holdsworth Avenue |
| Council's reference in Planning Proposal | Part Areas 7 and 8 (excludes the two northern sites which don't form part of Top Springs landholdings) | Areas 9, 10 and 11 |
| Reference in subject Planning Proposal (to reflect proposed wording of amended LEP provisions) | Area I | Area H |

The Planning Proposal is broadly consistent with the St Leonards South Master Plan and Council's St Leonards South Residential Precinct Planning Proposal to implement the Master Plan. This Planning Proposal follows the Draft DCP controls in Council's Planning Proposal and is generally consistent with the Draft LEP controls. Any inconsistencies between the two Planning Proposals are only due to resolving site-specific constraints and land ownership issues.

The Planning Proposal seeks the following amendments to Lane Cove Local Environmental Plan (LCLEP) 2009:

- Rezone the site from R2 Low Density Residential to R4 High Density Residential;
- Amend the maximum height of buildings from 9.5m to 2.5m, 15m, 31m and 37m; and
- Amend the maximum floor space ratio from 0.5:1 and 0.6:1 to 2.75:1 (Area H) and 3:1 (Area I);
- Insert an incentive clause for the increase in height and FSR which requires the development to be generally consistent with St Leonards South Masterplan and the St Leonards South Development Control Plan and requires the two through site links to be provided;

- Amalgamate the sites into two lots – 'Area H' (27-41 Canberra Avenue and 26-32 Holdsworth Avenue) and 'Area I' (21-25 Canberra Avenue and 18-24 Holdsworth Avenue);
- Incorporate a 15m wide through site link in Area I and incorporate a 6m wide pedestrian path in Area H;
- Insert a new clause which ensures a Clause 4.6 variation cannot be provided for variations to the height and FSR controls;
- Insert satisfactory arrangement for the provision of a Special Infrastructure Contributions (SIC) levy;
- Remove the existing 550m² minimum lot size and replacing it with no minimum lot size;
- Implement the Draft DCP controls set by Council's Planning Proposal (with minor adjustments).

The Planning Proposal will enable the development of approximately 350-375 residential units and 387-518 parking spaces on the site.

Greaton currently also owns two large landholdings in the St Leonards South Precinct (including 24-34 and 27-37 Berry Road, 23-31 Holdsworth Avenue and 42 – 46 River Road and 26-34 Park Road) which include Areas 20 and 22 and part Areas 18 and 19 as referenced in Council's Planning Proposal. Greaton are also in the process of lodging a Planning Proposal for their landholdings. We have ensured that consistency has been applied between our Planning Proposal and Greaton's Planning Proposal in relation to general approach and wording of LEP provisions.

A Concept Development Application (DA) has also been lodged to Council for the site 27-41 Canberra Avenue and 26-32 Holdsworth Street (Area H). The Concept DA provides further detail on how the proposed massing can be achieved and is to be considered during the Planning Proposal assessment.

The Planning Proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EPAA); and
- The NSW Department of Planning and Environment's (DP&E) *A guide to preparing planning proposals*.

Specifically, the Planning Proposal includes the following information:

- A description of the site in its local context;
- A statement of the objectives or intended outcomes of the proposed instrument;
- An explanation of the provisions that are to be included in the proposed instrument; and
- The justification for those provisions and the process for their implementation including:
 - Whether the proposed instrument will comply with relevant directions under Section 9.1;
 - The relationship to the strategic planning framework;
 - Environmental, social and economic impacts;
 - Any relevant State and Commonwealth interests; and
 - Details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

The Planning Proposal Report is accompanied by the following reports:

- Appendix 1 – Urban Design Package including Landscape Masterplan;
- Appendix 2 - Traffic and Parking Assessment;
- Appendix 3 – Economic Report;
- Appendix 4 – LEP Maps;
- Appendix 5 - VPA letter of offer;
- Appendix 6 – All statutory submissions to Government prepared on behalf of Top Spring; and
- Appendix 7 – Consistency with Draft St Leonards South DCP.

1.1 Proponent and Project Team

The Planning Proposal has been prepared on behalf of the land owner, Top Spring and the table below outlines the project team.

| Table 2 – Project Team | |
|--------------------------------|------------------------------------|
| Item | Description |
| Project Management | PDS Group |
| Urban Planning Assessment | Mecone |
| Architect/ Landscape Architect | Bates Smart Architects and Arcadia |
| Traffic and Parking Assessment | SCT |
| Economic | AEC Group |

2 The Site

2.1 Site Location

The site is located on the block between Canberra Avenue and Holdsworth Avenue and is approximately 450m south from St Leonards town centre and approximately 4.5km north from Sydney CBD. The site is located within the St Leonards South precinct; a leafy housing precinct proposed for R4 High Density Residential zoning.



Figure 1 Site Aerial
Source: SIX Maps



Key

-  St. Leonards South Masterplan
-  Site Boundary
-  Railway line

Figure 2 Site Context
Source: Bates Smart

2.2 Site Description

The table below provides the legal description, and a brief summary of the site and surrounding context. In addition, a site plan is provided at **Appendix 1**.

| Table 3 – Site Description | |
|----------------------------|---|
| Item | Description |
| Legal Description | <p>21 Canberra Avenue Lot 15, Section 3, DP7259</p> <p>23 Canberra Avenue Lot 2, DP 105732</p> <p>25 Canberra Avenue Lot 17, Section 3, DP7259</p> <p>27 Canberra Avenue Lot B, DP345135</p> <p>27A Canberra Avenue Lot A, DP345135</p> <p>29 Canberra Avenue Lot 20, Section 3, DP7259</p> <p>31 Canberra Avenue Lot 21, Section 3, DP7259</p> <p>33 Canberra Avenue Lot 22, Section 3, DP7259</p> <p>35 Canberra Avenue Lot 23, Section 3, DP7259</p> <p>37 Canberra Avenue Lot 24, Section 3, DP7259</p> <p>39 Canberra Avenue Lot B, DP411375</p> <p>41 Canberra Avenue Lot A, DP411375</p> <p>18 Holdsworth Avenue Lot 34, Section 3, DP7259</p> <p>20 Holdsworth Avenue Lot 33, Section 3, DP7259</p> <p>22 Holdsworth Avenue Lot 32, Section 3, DP7259</p> <p>24 Holdsworth Avenue Lot 31, Section 3, DP7259</p> <p>26 Holdsworth Avenue Lot 30, Section 3, DP7259</p> <p>28 Holdsworth Avenue Lot 29, Section 3, DP7259</p> <p>30 Holdsworth Avenue Lot 28, Section 3, DP7259</p> <p>32 Holdsworth Avenue Lot 27, Section 3, DP7259</p> |
| Total Area | 12,653m ² |
| Street Frontage | <p>Approximately 225m to Canberra Avenue</p> <p>Approximately 140m to Holdsworth Avenue</p> <p>Approximately 10m to River Road</p> |
| Site Description | <p>The site is irregular in its shape and has considerable level change falling west to east and north to south.</p> <p>The area has historically been used for residential purposes, and currently accommodates 20 residential housing lots comprising a mix of one and two storey dwellings.</p> <p>The existing tree cover, in both public and private ownerships, creates a green, leafy character.</p> |
| Surrounding Context | <p>Directly north of the site is low scale residential uses earmarked for high density redevelopment, and further north is St Leonards centre with St Leonards Rail station and future Crows Nest Station due east.</p> <p>Directly east of the site is Canberra Avenue and Newlands Park. Opposite Newlands Park on Marshall Avenue is a mix of low to</p> |

Table 3 – Site Description

| Item | Description |
|------------------|--|
| | <p>medium density housing. Directly south of the site is River Road and low-rise residential dwellings further south. Directly west of the site is low scale residential uses earmarked for high density redevelopment.</p> <p>The surrounding area of St Leonards south is generally suburban and features a mix of residential styles such as detached dwellings, attached dwellings, and residential flat buildings. The significant grade changes both north-south and west-east provide for varied views. Towards the north and west along Pacific Highway is a transition towards medium and high-density mixed uses forming the local centres of St Leonards and Crows Nest due east. The centres include the Royal North Shore Hospital, St Leonards Station, Gore Hill Oval, the future Crows Nest Station, as well as established commercial uses, cafes, restaurants and shops.</p> |
| Public Transport | <ul style="list-style-type: none"> • St Leonards Station approximately 450m north of the site. • Wollstonecraft Station approximately 500m south of the site. • The anticipated Crows Nest Metro Station is also located approximately 450m east of the site. • The site is well serviced by buses with a bus stop directly south on River Road providing services to Sydney CBD, and various bus stops along Pacific Highway approximately 400m north providing various services to Central Station, Sydney Airport, Macquarie Park, Cherrybrook and Epping. |

The site and its surrounding context is presented in the following figures.



Figure 3 Site frontage to Canberra Avenue

Source: Bates Smart



Figure 4 Intersection at River Road and Canberra Avenue looking towards east.
Source: Bates Smart



Figure 5 Holdsworth Avenue looking towards west
Source: Bates Smart



Figure 6 Holdsworth Avenue looking towards north
Source: Bates Smart



Figure 7 Views of the Newland park from Canberra Avenue.

Source: Bates Smart



Figure 8 Existing property facing River Road frontage.

Source: Bates Smart



Figure 9 Pedestrian link at the intersection of Holdsworth Avenue and River Road.

Source: Bates Smart

3 Planning Context

3.1 Regional Context

3.1.1 A Metropolis of Three Cities – the Greater Sydney Region Plan

A *Metropolis of Three Cities* was finalised in March 2018 and outlines a vision for the Greater Metropolitan Sydney region to 2056 with a 20 year plan to support this vision. The Plan states that Greater Sydney is growing and that by 2036, the NSW Government will need to deliver over 725,000 new homes for an additional 1.36 million people, and places for 817,000 additional jobs.

The Plan outlines directions for:

- Providing housing supply, choice and affordability with access to jobs, services and public transport;
- Delivering integrated land use and transport for a 30 minute city;
- Creating and renewing great places and local centres;
- Increasing urban tree canopy and delivering Green Grid connections;
- Growing targeted economic sectors and preserving employment lands;
- Reducing carbon emission and managing energy water and waste efficiently; and,
- Planning for a city supported by infrastructure.

The Plan proposes that in order to deliver these new homes, housing and infrastructure, policy will need to adapt to ensure that Sydney is:

- A city of housing choice, with homes that meet our needs and lifestyles. Urban renewal is essential to meet the demand for new housing in Sydney;
- Supported by local centres which are a focal point for neighbourhoods, integrate public transport access and provide day-to-day services for local populations; and
- A great place to live with communities that are strong, healthy and well connected and where streets are streets and public places are activated.

Growth centred around strategic centres is essential for the successful delivery of the Plan's priorities and objectives. The Plan includes a focus for strategic centres to support residents through the provision of accessible retail, employment and services available with walkable catchment and with good levels of accessibility.

St Leonards is located in the North District of Greater Metropolitan Sydney. St Leonards is identified as a Strategic Centre and major asset along the well-connected Eastern Economic Corridor from Macquarie Park to Sydney Airport.

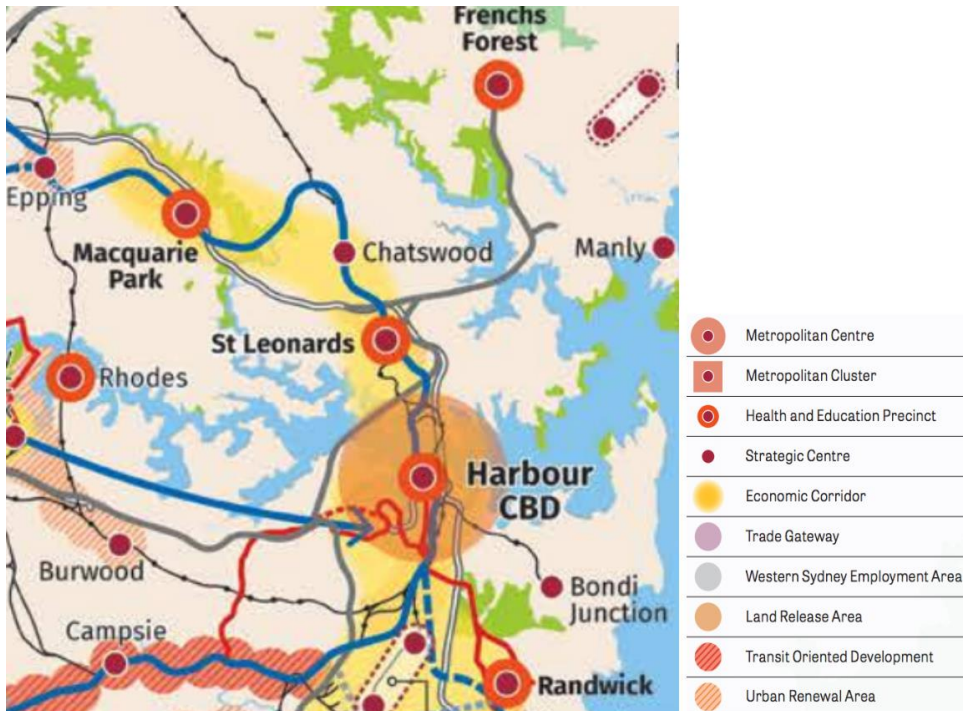


Figure 10 Greater Sydney Region Plan 2018

Source: Greater Sydney Commission

3.1.2 North District Plan

In March 2018, the Greater Sydney Commission also finalised the North District Plan, setting out priorities and actions for Greater Sydney's North District.

The proposed priorities and actions for a productive and liveable North District focused on planning a city of people and of great places as well as a supply of a range of housing and employment opportunities. It is guided by the aim of establishing 30-minute cities, where people are 30 minutes from jobs and services by public transport and 30 minutes from local services by active transport. This is projected to be achieved by responding to the planning priorities outlined in the District Plan.

St Leonards is identified in the District Plan as a Strategic Centre and as a health and education precinct. The Centre is anticipated to have job growth from an estimated 47,100 jobs in 2016 to between 54,000 and 63,500 jobs by 2036. The relevant approaches set to strengthen St Leonards include:

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

While the St Leonards Strategic Centre is outlined for commercial and services growth, the District Plan also outlines the need for additional housing in close proximity to centres and services. A housing supply target is set for the Lane Cove LGA for an additional 1,900 dwellings to be delivered between 2016 and 2021, which includes the dwellings identified by Lane Cove Council to be delivered in the St Leonards South precinct (refer below for further discussion).

Section 7.2 below demonstrates how the proposed development aligns with each of the District's Planning Priorities.



Figure 11 St Leonards Strategic Centre

Source: Greater Sydney Commission

3.2 Local Strategic Planning Context

3.2.1 St Leonards South Residential Precinct Plan (Council led)

The St Leonards South redevelopment area has long been earmarked for redevelopment with the process to rezone the land formally commencing in mid 2012. At this time Lane Cove Council resolved to undertake a master planning process (known as the St Leonards Strategy) for a 20ha precinct in St Leonards bounded by the Pacific Highway to the north, the railway line to the east, River Road to the south and Greenwich Road to the west.

A Masterplan Study was undertaken by an external consultant on behalf of Lane Cove Council, who resolved in December 2014 to prepare a development strategy for the area of land bounded by the Pacific Highway, Greenwich Road, River Road and the railway line – an existing low rise residential precinct within immediate proximity of St Leonards Station. The precinct was recognised as an appropriate location to accommodate growth, aligned with the then Sydney Metropolitan Strategy directions for housing growth close to services and transit-oriented development.

On 13th July 2015, Council resolved to amend and support the St Leonards South Master Plan, and the proposed Lane Cove Local Environmental Plan (LEP) amendment, to permit the rezoning of a portion of the precinct for the purposes of higher density residential development (bounded by Canberra Avenue, Marshall Avenue, Park Road and River Road). The Draft LEP amendments were endorsed by the State Government's 'Gateway' process in September 2016, subject to a number of supporting studies being undertaken. These studies were undertaken for Design, Transport and Accessibility, Heritage, Economic Review, Contributions, Community Facilities and other factors. Public exhibition for the St Leonards South Residential Precinct Draft Plans (the Draft Plan) and supporting studies was held in late 2017 through to January 2018.

In March 2018, a Gateway extension to complete the St Leonards South Planning Proposal was granted to Council to allow for the release and consideration of the 'St Leonards / Crows Nest Planned Precinct Draft Lane Use Infrastructure and

Implementation Plan' (refer below for further discussion). This amended Gateway approval required that the NSW Government's then-titled 'Land Use and Infrastructure Plan' (LUIP) for the wider lands within the Crows Nest and St Leonards 'Planned Precinct' be publicly exhibited.

Draft Lane Cove LEP, DCP and Landscape Masterplan

The proposed controls within the Draft LEP and DCP include the following key changes to the precinct:

- Rezoning of the land from R2 Low Density Residential Zone to R4 High Density Residential and some RE1 Public Recreation;
- Incentive Height and FSR controls triggered by:
 - Nominated amalgamation packages; and
 - Land dedication to community infrastructure including pedestrian paths, roads, open space and facilities.
- Revised built form controls for setbacks, height in storeys, open space and landscaping, basement parking, and pedestrian and vehicle access.

The key draft controls specific to the subject land for this Planning Proposal are:

| Table 4 – Council PP Draft LEP Controls | | |
|---|--|---|
| Item | Areas 7 & 8 | Areas 9, 10 & 11 |
| Zoning | R4 High Density Residential | R4 High Density Residential |
| Incentive height | 37m | 15m to 31m |
| Incentive FSR | 3:1 | 2.75:1 |
| Amalgamation of lots | <p>'Area 7' amalgamation package 19-25 Canberra Avenue</p> <p>'Area 8' amalgamation package 16-24 Holdsworth Avenue</p> | <p>'Area 9' amalgamation package 27-31 Canberra Avenue</p> <p>'Area 10' amalgamation package 26- 30 Holdsworth Avenue</p> <p>'Area 11' amalgamation package 32 Holdsworth Avenue and 33-41 Canberra Avenue</p> |
| Public benefit outcomes | <p>15m wide east-west through-site link at Area 7 & 8 northern boundary</p> <p>New north-south green spine connection along Area 7 and 8 shared boundary</p> | <p>6m wide east-west pedestrian pathway in Area 11 between Canberra Avenue and Holdsworth</p> <p>New north-south green spine connection along Area 9 and 10 shared boundary</p> |

It is also noted that the subject Planning Proposal assumes that the current draft DCP controls for the St Leonards South precinct will progress and demonstrates its ability to be generally consistent with these DCP controls, including:

| Table 5 – Council PP draft DCP Controls | | |
|---|---|--|
| Item | Areas 7 & 8 | Areas 9, 10 & 11 |
| Minimum lot sizes | Area 7 - 2,500m ² Area 8 - 2,500m ² | Area 9 - 2,500m ² Area 10 – 1,500m ² Area 11 – 4,000m ² |
| Public benefit outcomes | 15m wide east-west through-site link at Area 7 & 8 northern boundary New north-south green spine connection along Area 7 and 8 shared boundary | 6m wide east-west pedestrian pathway in Area 11 New north-south green spine connection along Area 9 and 10 shared boundary |
| Building setbacks | Fronting Canberra Avenue and Holdsworth Avenue: 4m on street level +3m at and above Level 6 | Fronting Canberra Avenue and Holdsworth Avenue: 4m on street level +3m at and above Level 6 Fronting River Road: 10m on street level +7m at Level 4 and 5 +7m at and above Level 6 |



Figure 12 Proposed building envelopes for the St Leonards South Residential Precinct
 Source: Lane Cove Council

3.2.2 St Leonards and Crows Nest Planned Precinct (State Government led)

In July 2016, the then Minister for Planning announced the strategic planning investigation of the St Leonards and Crows Nest Station Precinct ('the Precinct'). The Precinct is identified as a Strategic Centre in the North District Plan, and holds a unique opportunity for renewal and activation due to its importance as a key employment centre in Sydney and the new Sydney Metro station set to open in 2024. The Department of Planning and Environment (DPE) has been progressing a precinct wide strategy to guide future development in the area.

Exhibition of the planning statement in Sept. 2017

In August 2017, DPE released an Interim Statement for the St Leonards and Crows Nest Precinct, identifying the key assets, employment review, draft vision, objectives, guiding principles, character areas,

The key opportunities and key considerations for the Residential - St Leonards South character area (Area 5) were outlined as:

- St Leonards South is proposed to be a higher density residential area over time;
- Increased densities will be focused on those areas closest to St Leonards station; and
- Key matters for consideration include traffic, access and connections, provision of open space, schools and minimizing overshadowing

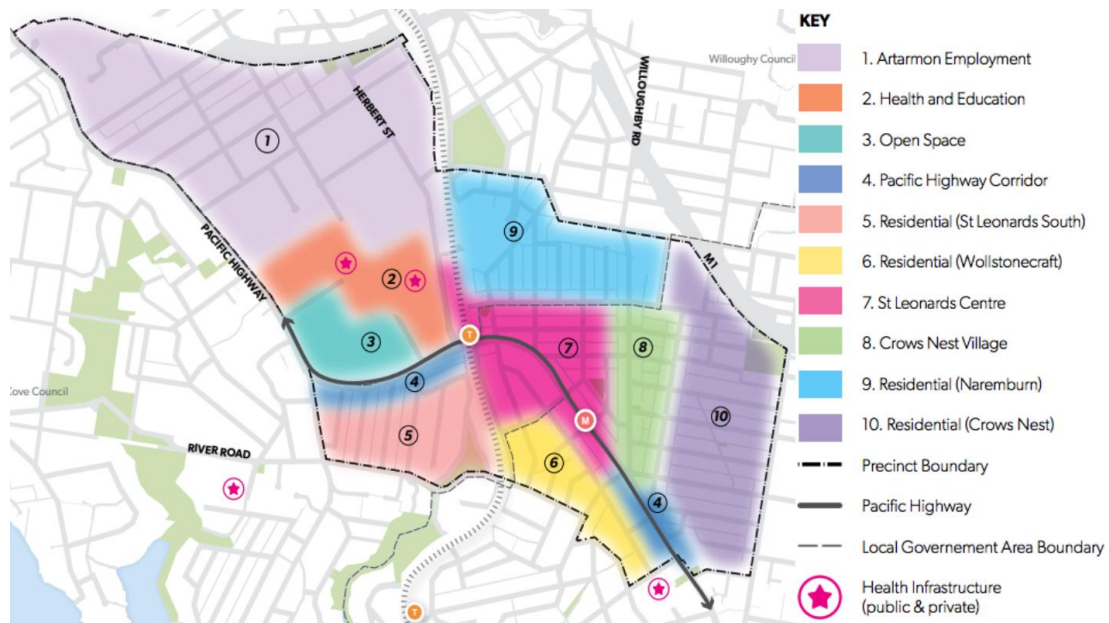


Figure 13 Proposed character areas in interim statement

Source: DPE

Second Exhibition – 2036 plan – November 2018 (originally a LUIP)

As noted in Section 2.2.1 above, the most recent Gateway approval for the St Leonards South precinct required further exhibition of the wider LUIP for St Leonards and Crows Nest 'Planned Precinct'.

This draft planning package for St Leonards and Crows Nest 2036 Plan was placed on exhibition from October 2018 until 8th February 2019. The draft planning package includes:

- Draft Local Character Statement
- Draft 2036 Plan
- Draft Green Plan
- Draft Special Infrastructure Contribution
- Draft proposed rezoning for the Crows Nest Metro station site

Critically, the draft 2036 Plan recommends that Lane Cove Council's Planning Proposal for St Leonards South Residential Precinct be sent for review by the Independent Planning Commission (IPC) to ensure consistency with the wider Priority Precinct directions.

The Plan recommends the following Design Principles be considered by the independent panel:

- Consider accessibility to St Leonards and Crows Nest Stations;
- Minimise overshadowing of public open space and streets with a significant public domain function within and outside of the Plan boundary;
- Minimise overshadowing to Heritage Conservation areas and residential areas outside of the Plan boundary;
- Ensure new open spaces improve connections to existing surrounding open spaces;
- Improve active transport connections;
- Consider cumulative traffic impacts; and
- Transition buildings appropriately to lower scale buildings.

The next steps in the process for the St Leonards and Crows Nest precinct include the following:



Figure 14 Proposed next steps for Precinct

Source: DPE

3.2.3 IPC required review

The draft 2036 Plan recommends for Lane Cove Council's Planning Proposal to be sent for review by the Independent Planning Commission (IPC) to ensure consistency with the wider priority precinct directions.

In a letter issued from the Minister to IPC dated 20 December 2018, the following was requested for consideration:

- To provide advice on the Planning Proposal's consistency with the vision and design principles of the draft 2036 Plan having regard to matters raised in public submissions as well as the need for the Proposal to meet Council's housing targets;
- To consider the scale of residential development contained in the proposal and whether the whole site needs to be rezoned to meet housing targets identified by the Greater Sydney Commission;
- To provide advice on whether some staging of the Proposal is appropriate; and
- To consider holding a public meeting after the closure of exhibition of the draft 2036 Plan given the public interest in the planning proposal and draft 2036 Plan.

3.3 Top Spring engagement with Government to date

3.3.1 Submission to the Draft LEP/DCP controls for St Leonards South – December 2017

The draft St Leonards South Residential Precinct Planning Proposal by Lane Cove Council was placed on formal exhibition from December 2017 to January 2018. Top Spring undertook an initial review of the draft Planning controls and prepared a submission to Council. The submission was generally supportive of the Proposal controls applicable to Top Spring land holdings, and suggested a number of alternate options and considerations including:

- Flexibility in building envelopes to allow for innovative or creative building solutions
- Acknowledgement of difficulty in achieving solar access provisions at the south end of the site
- Better management of the level difference between Holdsworth and Canberra Avenue along the through-site link
- Permit basement parking under the identified 'deep soil' areas in certain circumstances to achieve functional basements
- Flexibility in the delivery of site amalgamation 'Area' packages and the types of community infrastructure to be delivered for each 'Area'.

The submission concluded with a request to meet with Council officers in early 2018 to discuss progress of the controls and the Top Spring owned sites for redevelopment.

A copy of the submission is attached in **Appendix 6**.

3.3.2 Meeting with Council – 30 April 2018

On 14th May 2018, Top Spring, Bates Smart and Mecone attended a meeting with Council to discuss planning processes and timeframes surrounding the St Leonards South Residential Precinct Planning Proposal, and Draft LEP and DCP controls. The following matters were raised at this meeting:

- The difficulty in achieving some of the amalgamation patterns identified in Council's draft controls, despite numerous attempts to acquire the missing two lots (Areas 7 & 8) for Top Spring;
- Overall project likely timeframes, including the need for the updated draft St Leonards – Crows Nest Planned Precinct Plan to be exhibited; and
- Timeframes for lodging development applications assuming progress of the Planning Proposal.

3.3.3 Meeting with Council – 5 July 2018 (Design Review Panel)

On 5 July 2018, Top Spring, Bates Smart and Mecone presented a preliminary scheme at a meeting with Council's 'Design Review Panel', who had been formed to review the submissions made to the Planning Proposal's exhibition and provide recommendations on any changes to be made to the draft controls in response to the submissions.

The meeting was productive, with Top Spring and Bates Smart focusing on the issue of lot consolidation for Areas 7 and 8 and any possible alternative solutions for delivery of public benefits in these Areas. Most importantly, the Panel acknowledged the importance of working with the major landowners in the precinct to ensure its future delivery.

Although the DRP will only make recommendations, Mecone supports to continue working with this Panel to address some of the current land ownership and public benefits issues – particularly with respect to Areas 7 and 8.

3.3.4 Meeting with Council December 2018 – Michael Mason

Top Spring's Director met with Michael Mason and Greaton's representative in December 2018 to discuss the progress of Council's Planning Proposal, given the request for review by the Independent Planning Committee in the draft St Leonards and Crows Nest 2036 Plan. Given the significant time lag in progressing Council's Planning Proposal, the possibility of lodging a landowner led Planning Proposal for the Top Spring sites was discussed broadly at this meeting. Top Spring reiterated its position of a desire to progress a development consistent with Council's own vision for the precinct.

3.3.5 Attendance at Council's 2036 plan consultation December 2018

Council hosted a community session facilitated by an external consultant on 12 December 2018, designed to be interactive so as to be able to note in more detail any issues raised in the Plan package. A representative of Top Spring's planning consultant Mecone attended the session for the purpose of listening and communicating with the community, Council, and stakeholders.

3.3.6 Submission to DPE's draft 2036 Plan - December 2018

Most recently, the draft planning package for *St Leonards and Crows Nest 2036 Plan* has been developed by DPE and is currently on exhibition between October 2018 and 8 February 2019.

Top Spring prepared a submission for DPE generally supporting the wider precinct plan objectives including Design Principles that will apply to St Leonards South. The following requests were outlined for consideration in the finalisation of the final Plan:

- That the IPC review of Council's draft controls be undertaken in timely manner, with a transparent scope and approach, in order to provide final planning certainty to this precinct, given almost five years of strategic planning has been undertaken to date;
- That any future controls related of overshadowing to Newlands Park be able to be flexibly applied when considering the other benefits proposed to be delivered within the precinct; and
- That St Leonards South be excluded from the application of the SIC levy.

A copy of the submission is attached in **Appendix 6**.

3.4 The Need for a Landowner Led Planning Proposal

Planning for the redevelopment of the St Leonards South area has been ongoing since mid 2012. Although Council has been progressing the rezoning process since that time, there have been extensive delays – despite agreement at all levels of government that the area is suitable for redevelopment as proposed. Most recently, Council has indicated its preference that the recommended independent review of the St Leonards South Planning Proposal not occur until the Department's 2036 Plan is finalised. The timing of this is unknown and it would appear that there are significant issues to be resolved as part of the Plan, issues which do not relate to St Leonards South. In this context, finalisation of the 2036 Plan could take many months if not years.

The subject proponent-initiated Planning Proposal Top Spring's landholdings therefore seeks to unlock the development of these St Leonards South sites and decouple them from the 2036 Plan process. Existing delays are causing significant holding costs to the landowners and appear to be unwarranted in terms of meeting key strategic planning tests including the NSW Government's 'Strategic Merit Test' and 'Site Specific Merit Test'.

Accordingly, Top Spring (and Greaton) has prepared a proponent-initiated Planning Proposal, and associated Concept Development Applications, to provide additional certainty to Council and the community regarding the scale, amenity and design quality of the development proposed for these sites.

4 Planning Proposal Overview

Section 3.33 of the Act outlines the required contents of a planning proposal. The former Department of Planning and Infrastructure's "A Guide to Preparing Planning Proposals" (October 2012), breaks these requirements into six parts. These parts are addressed in proceeding chapters as follows:

- Chapter 4 addresses Part 1—a statement of the objectives and intended outcomes;
- Chapter 5 addresses Part 2—an explanation of the provisions to be included in the proposed instrument;
- Chapter 6 addresses Part 3—justification of the objectives, outcomes and the process for implementation;
- Chapter 7 addresses Part 4—maps to identify the modifications required to the proposed instrument and the area to which it applies;
- Chapter 8 addresses Part 5—details of the community consultation to be undertaken; and
- Chapter 9 addresses Part 6—draft timeline for the Planning Proposal.

4.1 Overview of Council's Planning Proposal

This section provides an outline of the key controls in the Draft Lane Cove LEP and Draft St Leonards South DCP in Council's Planning Proposal as they apply to the subject site.

4.1.1 Draft Lane Cove LEP 2009

The subject Planning Proposal is generally consistent with the Draft LEP controls, However, it proposes a slightly amended amalgamation pattern and public benefits (including the extension of the 15m wide through site link to Area I), which are only due to the fact that some adjoining landowners have refused to amalgamate in line with Council's vision. The table below outlines the consistency with Council's Draft LEP.

Table 6 – Consistent with Council's draft LCLEP 2009 controls

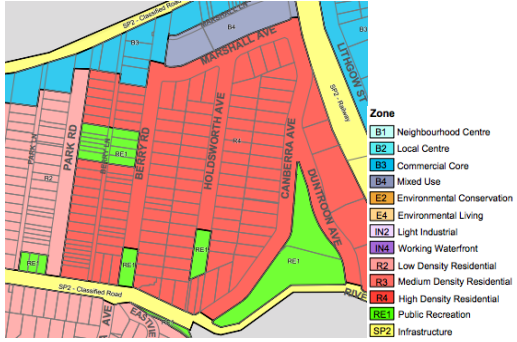
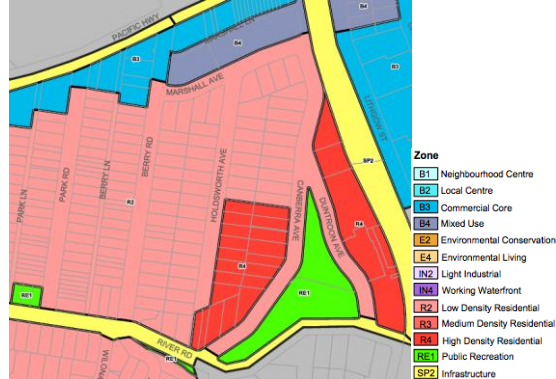
| Clause | Council's proposed control | Top Spring proposed control | Consistency with Council's Draft LEP |
|-------------------------|--|--|--|
| Land use zoning | <p>Areas H and I are drafted to be zoned R4 High Density Residential</p>  | <p>The proposal is consistent with Council's Planning Proposal</p>  | ✓ |
| 4.1 Lot Size Map | <p>Areas H and I are drafted to be subject to no minimum subdivision lot size (currently 550m²).</p> | <p>The proposal is consistent with Council's Planning Proposal.</p> | ✓ |
| 4.3 Height of buildings | <p>Area I is drafted to be subject to maximum building heights between 2.5m (A), and 37m (V1) and Area H is drafted to be subject to maximum building heights between 2.5m (A), 15m (O) and 31m (U).</p> | <p>The proposal is consistent with Council's Planning Proposal with slight amendments to the building outlines.</p> | <p>✓ The heights of buildings are consistent with Council's Draft LEP, however the building outlines have been slightly amended to reflect the current scheme and given the 15m wide through site link</p> |

Table 6 – Consistent with Council's draft LCLEP 2009 controls

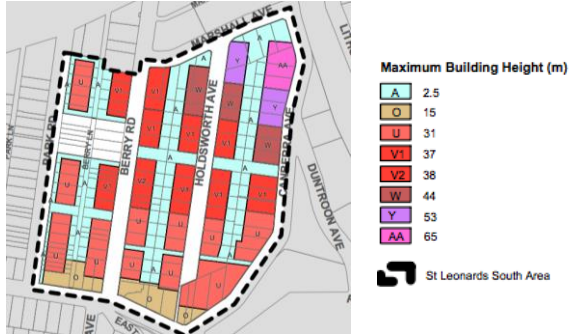
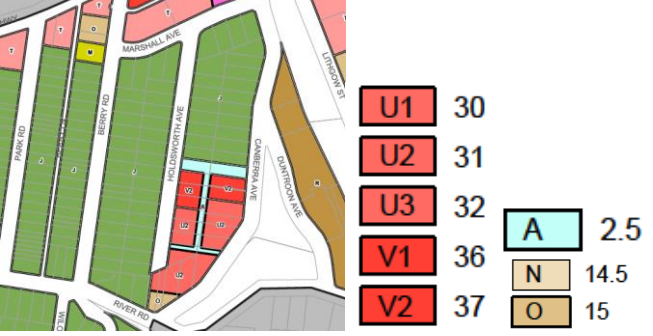
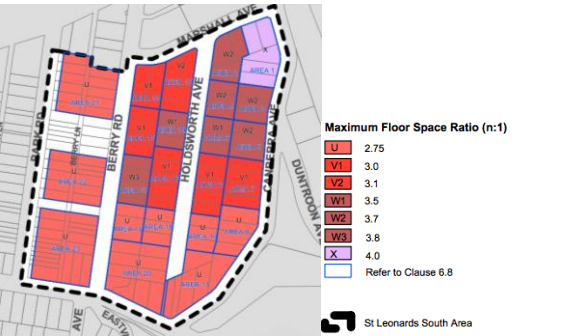
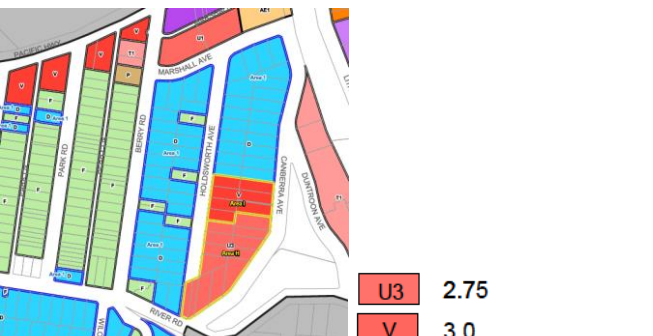
| Clause | Council's proposed control | Top Spring proposed control | Consistency with Council's Draft LEP |
|------------------------------|--|--|--|
| |  <p>Maximum Building Height (m)</p> <ul style="list-style-type: none"> A 2.5 O 15 U 31 V1 37 V2 38 W 44 Y 53 AA 65 <p>St Leonards South Area</p> |  <p>U1 30 U2 31 U3 32 V1 36 V2 37</p> <p>A 2.5 N 14.5 O 15</p> | <p>has been extended to the northern edge of Areas 7 and 8 the height limit has been amended to 2.5m (A) height limit to reflect this.</p> |
| <p>4.4 Floor Space Ratio</p> | <p>Area I is drafted to be subject to a maximum floor space ratio of 3:1 and Area H is drafted to be subject to a maximum floor space ratio of 2.75:1.</p>  <p>Maximum Floor Space Ratio (n:1)</p> <ul style="list-style-type: none"> U 2.75 V1 3.0 V2 3.1 W1 3.5 W2 3.7 W3 3.8 X 4.0 Refer to Clause 6.8 <p>St Leonards South Area</p> | <p>The FSRs are consistent with Council's Draft LEP, however the amalgamation patterns have been amended slightly.</p>  <p>U3 2.75 V 3.0</p> | <p>✓/x The FSRs are consistent with Council's Draft LEP, however the amalgamation patterns have been amended, Areas 9, 10 and 11 are to be amalgamated to create 'Area H' and Areas 7 and 8 (which reflect Top Springs landholdings) are to be amalgamated to create 'Area I'.</p> |


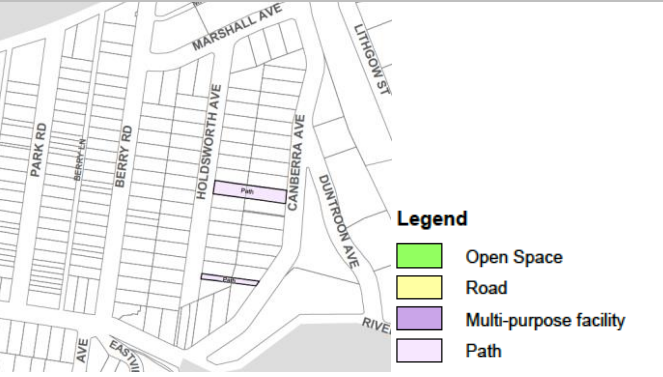
Table 6 – Consistent with Council's draft LCLEP 2009 controls

| Clause | Council's proposed control | Top Spring proposed control | Consistency with Council's Draft LEP |
|--|--|--|---|
| New clause relating to 4.6 – Exceptions to development standards | Plain English Explanation: To ensure that these Local Environmental Plan incentives are not varied, the Proposal includes a separate clause which will prevent applicants from changing development standards (i.e. floor space ratios and height limits). | The proposal is consistent with Council's Planning Proposal and proposes wording for a new clause - 4.6(8)(e). | ✓ The proposal seeks to retain this provision and the wording for Clause 4.6(8)(e) is outlined in Section 5. |
| New clause 5.1(2) Land acquisition within certain zones | Plain English Explanation: In order to achieve a new local park and link road (between Berry Road and Park Road), Council has identified and reserved land through this Planning Proposal. The Land Reservation maps identify land that shall be acquired. Identified lands to be acquired will be valued as if it was able to be developed at the same scale as adjacent lots (i.e. with a floor space ratio of 2.75:1). | | N/A to the site |
| New LEP incentive Clause in Part 6 Additional Local Provisions | Plain English Explanation: An 'incentive' clause and maps (similar to current ones operating in City of Sydney and Ryde Councils) will control development. The incentive maps identify suitable locations where additional floor space and height can be applied. These eligible sites must meet preferred land amalgamation patterns and have a high level of landscaping (as defined in the Landscape Master Plan) in order to be considered for incentives. | The proposal is consistent with Council's Planning Proposal and proposes wording for a new clause – 6.11. | ✓ The proposal seeks to retain this provision and the wording for Clause 6.11 is outlined in Section 5. Note that the proposal does not meet Council's preferred land |

Table 6 – Consistent with Council's draft LCLEP 2009 controls

| Clause | Council's proposed control | Top Spring proposed control | Consistency with Council's Draft LEP |
|---|---|---|--|
| | <p>Further incentives are available to select sites closest to the St Leonards Station if they provide open space, multi-purpose facilities (child-care centres and community halls), key worker housing, and efficient pedestrian and traffic circulation. These incentives are designed to promote appropriately located built form that transitions down from the St Leonards Station to River Road.</p> | | <p>amalgamations due to the inability for Top Spring to attain two sites located in Areas 7 and 8 (Area I). Numerous attempts have been made to purchase these lots and it has been realised that there is no opportunity to negotiate an outcome with the current landowners.</p> |
| <p>New community Infrastructure map</p> | <p>Area I are drafted to include a 15m path between Canberra Avenue and Holdsworth Avenue. Area H are drafted to include a 6m path between Canberra Avenue and an open space area directly adjacent to the west.</p> | <p>The proposal is generally consistent with Council's Planning Proposal with the exception of the extension of the 15m wide through site link to Area I.</p> | <p>✓/x The through site link for Area H is consistent with Council's Draft LEP however the 15m wide through site link has been extended to the northern edge of the Top Spring landholdings with the potential for a 30m wide through</p> |

Table 6 – Consistent with Council's draft LCLEP 2009 controls

| Clause | Council's proposed control | Top Spring proposed control | Consistency with Council's Draft LEP |
|--|--|--|--|
| |  |  | <p>site link, which is a further improved public benefit outcome.</p> |
| <p>Satisfactory arrangements for contributions to designated State public infrastructure</p> | <p>Plain English Explanation: This proposal includes a State Government clause for developer contributions towards State public infrastructure. At this stage it is unclear what form this contribution will take; however Council will continue to liaise with relevant government agencies and insert the State imposed infrastructure contribution into the final Planning Proposal.</p> | <p>The proposal is consistent with Council's Planning Proposal and proposes wording for a new clause – 6.12.</p> | <p>✓ The proposal seeks to retain this provision and the wording for Clause 6.12 is outlined in Section 5.</p> |

4.1.2 Draft St Leonards South DCP

This Planning Proposal adopts Council's Draft DCP for St Leonards South (Final Exhibition Draft 10/10/2017) in its entirety. It is proposed that the redevelopment of the subject land would be undertaken in accordance with the Draft DCP which sets in place Urban Design Guidelines to facilitate Council's vision for St Leonards South to guide future development in the St Leonards South Transit-Oriented Development Precinct. The Draft DCP provisions are intended to supplement the provisions of the Lane Cove LEP 2009 (as amended) as they apply to the subject land. A full list is provided in **Appendix 7**, comparing controls for the Planning Proposal and draft the DCP controls.

The Urban Design Report (**Appendix 1**) includes the building envelopes for the Top Spring landholdings which are generally consistent with the guidelines set out in the Draft DCP. The proposal will vary from Council's Draft DCP in the following respect:

- **Built form and massing:** The proposal will create an orthogonal geometry which is consistent with the massing of the wider precinct. The proposal reduces the façade length along Canberra Avenue and Holdsworth Avenue and creates smaller scale forms which are stepped and staggered along the street frontages. The number of storeys will vary between 7 and 11 (however comply with the FSR and height LEP controls) whilst the Draft DCP incorporated a 8 and 10 storey maximum (4 storeys along River Road) with a 5 storey street wall height along Canberra Avenue. The built form along Canberra Avenue will provided a two storey townhouse expression which activates the street front and creates a pedestrian scale;
- **Retention of significant trees:** The proposed massing will retain 3 of the 4 significant trees in Area H (referenced as Area 11 in Council's Planning Proposal) whilst Draft DCP only retained 1 significant tree;
- **Extension of pocket park:** The proposal will create opportunities to provide additional open space on site;
- **15m through site link:** The proposal will extend the 15m through site link further to the south (within the Top Spring landholdings) with the potential to create a 30m wide through site link;
- **Amalgamation patterns:** The amalgamation patterns have been amended, with Areas 9, 10 and 11 to be amalgamated (referenced as Area H in the Planning Proposal) and Areas 7 and 8 (only including Top Springs landholdings and referenced as Area I in the Planning Proposal) are to be amalgamated. The two northern sites of Areas 7 and 8 were unable to be acquired by Top Spring despite numerous attempts to acquire the land, and therefore they don't form part of Areas 7 and 8;
- **Vehicle access points:** The proposal will reduce the number of vehicle access points from 6 to 2 to minimise traffic/pedestrian conflicts, improve the public domain and ensure the vehicle access point is above the 1 in 100 year flood level; and
- **Deep soil landscaping for the Green Spine:** The Green Spine should comprise of a minimum 50% deep soil landscaping. Whilst the proposal doesn't comply with this provision the proposal will provide generous deep soil landscaping for Areas 7-11 which well exceeds the ADG requirement of 7% and the deep soil landscaping above the green spine will have an ADG compliant soil depth.

These variations from the Draft DCP controls are required having regard to detailed design and modelling that has occurred on a site specific basis following preparation of the Precinct wide masterplan on which the controls have been based. A Concept development application has been prepared for Area H (9,10 & 11) to demonstrate that the alternate envelope proposal will deliver a superior built form and amenity result.

The amendments to the Draft DCP can be made post any Gateway determination, and the Applicant would be happy to assist Council in this regard.

5 Objectives and Intended Outcomes

The objectives and intended outcomes of the Planning Proposal are to:

- To facilitate the redevelopment of the site which is consistent with the objectives of the current Planning Proposal by Lane Cove Council, as well as the directions of the *Metropolitan Strategy: A Plan for Growing Sydney*, the *North District Plan*, and the draft planning package for the *St Leonards and Crows Nest Priority Precinct*;
- To amend the Lane Cove LEP 2009 to implement the recommendations of Council's adopted St Leonards South Master Plan for the site, and to resolve site-specific issues included in Council's Planning Proposal for St Leonards South;
- To adopt Council's Draft DCP for St Leonards South in its entirety and ensure the redevelopment of the site is generally consistent with the guidelines;
- To facilitate the rezoning of the site to R4 High Density Residential which is supports the principles of transit-orientated development and liveability near the existing St Leonards Station, future Crows Nest Sydney Metro Station, a number of bus services and a range of services and facilities in St Leonards town centre;
- To increase the height of buildings and FSR provisions as an incentive to amalgamate sites, provide public benefits and provide a high level of landscaping (consistent with Council's Draft LEP provisions);
- To improve permeability in the locality with the provision of two through site links which are generally consistent with Council's Planning Proposal;
- To provide amalgamation patterns which will easily facilitate the redevelopment the site;
- To facilitate an appropriate massing for the site which will be consistent with the wider precinct, respond to the sloping topography and step down to Newlands Park, and deals with other site-specific constraints such as flooding etc;
- To facilitate a development which will retain the majority of the significant trees within and surrounding the site and provide a high level of landscaping around the street frontages of the site and through the green spine. Furthermore, there will be potential to increase the size of the pocket park at the southern end of Holdsworth Avenue within Area H;
- To provide for additional dwellings in an urban area while minimising adverse amenity impacts on the surrounding residential dwellings, the public domain and Newlands Park; and
- To assist in achieving State and local government's housing targets and address the lack of housing availability within the locality by providing additional residential accommodation.

6 Explanation of Provisions

The intended outcome for the Planning Proposal is to allow for the draft controls within Council's PP including the incentive FSR and height controls to be applied to the identified site, with flexibility around the delivery of amalgamation patterns and public benefits.

The Planning Proposal seeks to amalgamate the site into two separate lots (Areas H and I), consistent with the objectives of the amalgamation patterns detailed in Council's Planning Proposal, refer to the figure below. The Planning Proposal will also extend the 15m through site link to Areas 7 and 8 further to the south which will create the opportunity to create a 30m through site link.

The Planning Proposal would result in an amendment to the LCLEP 2009. This Planning Proposal assumes that the Council's draft DCP controls will be applied to the site.

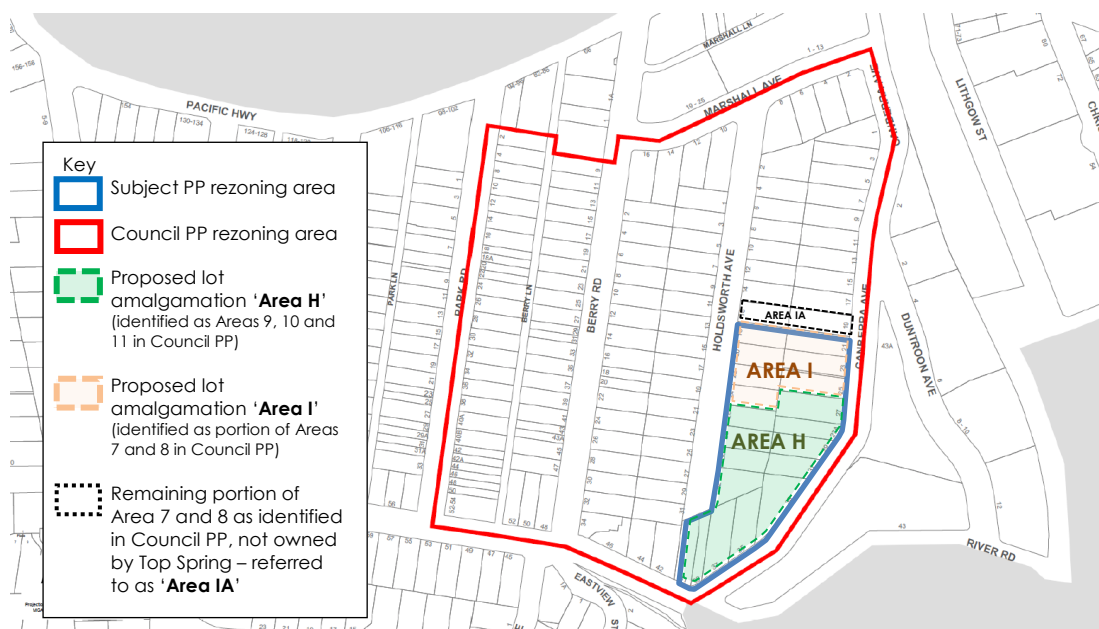


Figure 15: Proposed rezoning area and intended outcome

Source: LCLEP 2009 revised by Mecone

The proposed outcomes will be achieved by the following amendments to the LCLEP 2009.

6.1 Provisions

- **Land Use Zone Table:**
 - Rezone the site from R2 Low Density Residential to R4 High Density Residential Zone.
- **New sub-clause 4.6(8)(e):**
 - Insert the additional subclause into 4.6(8)(e) referring to the LEP incentive clause as described below:

4.6 Exceptions to development standards

(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(a) development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) clause 5.4,

(ca) clause 4.1A.

(d) a development standard that relates to the height or floor space ratio of a building on land known as St Leonards South Sites F and G (as referred to in clause 6.9).

(e) a development standard that relates to the height or floor space ratio of a building on land known as St Leonards South Areas H and I (as referred to in Clause 6.11).

Note: Subclause (d) above includes the draft provision as proposed in Greateron's Planning Proposal.

- **New LEP incentive clause in Part 6 Additional Local Provisions:**

- o Insert Clause 6.11 as additional local provision as described below:

6.11 Development at Canberra Avenue and Holdsworth Avenue, St Leonards

(1) This clause applies to the following land at St Leonards:

(a) 27-41 Canberra Avenue and 26-32 Holdsworth being:

| | |
|----------------------|---------------------------|
| 27 Canberra Avenue | Lot B, DP345135 |
| 27A Canberra Avenue | Lot A, DP345135 |
| 29 Canberra Avenue | Lot 20, Section 3, DP7259 |
| 31 Canberra Avenue | Lot 21, Section 3, DP7259 |
| 33 Canberra Avenue | Lot 22, Section 3, DP7259 |
| 35 Canberra Avenue | Lot 23, Section 3, DP7259 |
| 37 Canberra Avenue | Lot 24, Section 3, DP7259 |
| 39 Canberra Avenue | Lot B, DP411375 |
| 41 Canberra Avenue | Lot A, DP411375 |
| 26 Holdsworth Avenue | Lot 30, Section 3, DP7259 |
| 28 Holdsworth Avenue | Lot 29, Section 3, DP7259 |
| 30 Holdsworth Avenue | Lot 28, Section 3, DP7259 |
| 32 Holdsworth Avenue | Lot 27, Section 3, DP7259 |

referred to herein as Area H.

(b) 21-25 Canberra Avenue and 18-24 Holdsworth being:

| | |
|----------------------|---------------------------|
| 21 Canberra Avenue | Lot 15, Section 3, DP7259 |
| 23 Canberra Avenue | Lot 2, DP 105732 |
| 25 Canberra Avenue | Lot 17, Section 3, DP7259 |
| 18 Holdsworth Avenue | Lot 34, Section 3, DP7259 |

| | |
|----------------------|---------------------------|
| 20 Holdsworth Avenue | Lot 33, Section 3, DP7259 |
| 22 Holdsworth Avenue | Lot 32, Section 3, DP7259 |
| 24 Holdsworth Avenue | Lot 31, Section 3, DP7259 |

referred to herein as Area I.

- (2) Development consent must not be granted to a building on land referred to herein as Area H or I unless the consent authority is satisfied that the proposed development is generally consistent with the St Leonards South Masterplan and the St Leonards South Development Control Plan.
- (3) Development consent must not be granted to a building on land referred to herein as Area H or I unless the consent authority is satisfied that the proposed development incorporates a high amenity, two public east-west through site links with one being 6m in width between the open space and Canberra Avenue and 15m between Holdsworth Avenue and Canberra Avenue.

Note: Clause 6.9 and 6.10 are utilised as draft provisions in Greaton's Planning Proposal.

- **Satisfactory arrangements for contributions to designated State public infrastructure:**

- Insert Clause 6.12 as satisfactory arrangements provision as described below:

6.12 Arrangements for contributions to designated State public infrastructure on certain land in St Leonards South

(1) The objective of this clause is to require assistance towards the provision of designated State public infrastructure to satisfy needs arising from intensive development for residential accommodation on land in St Leonards South identified as 'Area H' and / or 'Area I' as defined under clause 6.9 of this plan.

(2) This clause applies to development for the purposes of residential accommodation (including by way of subdivision) on Sites H and / or I.

(3) Development consent must not be granted for development to which this clause applies unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that development or that such a contribution is not required.

(4) This clause does not apply to the granting of consent to a development application if:

(a) the development will not result in an increase in the residential accommodation provided on the land to which this clause applies, or

(b) the whole or any part of the land on which the development is to be carried out is in a special contributions area (as defined by section 93C of the Act), or

(c) the application is a staged development application.

(5) In this clause, designated State public infrastructure means public facilities or services that are provided or financed by the State (or, if provided or financed by the private sector, to the extent of a financial or an in-kind contribution by the State) of any of the following kinds:

(a) bus lanes,

(b) State and regional roads,

(c) integrated public domain works (that is, town squares, urban plazas, footpaths or paving) above any transport interchanges.

6.2 Mapping

The amended LEP maps are provided in **Appendix 5** and outlined below:

- **Land Zoning map** – LZN_004:
 - Amend the LEP 2009 Land Zoning Map to reflect the R4 High Density Residential Zone.

- **Height of Buildings map** – HOB_004:
 - Amend the LEP 2009 Height of Buildings Map from 9.5 metres to the various building heights as shown in **Appendix 5** which include:
 - Areas 7 and 8 (which is to be referenced Area I in our Planning Proposal): maximum building heights between 2.5m (A), and 37m (V1); and
 - Areas 9, 10 and 11 (which is to be referenced Area H in our Planning Proposal): maximum building heights between 2.5m (A), 15m (O) and 31m (U).

***Note:** the building outlines have been slightly amended to reflect the current scheme and given the 15m wide through site link has been extended to the south the height limit has been amended to 2.5m (A) height limit to reflect this.*

- **FSR map** – FSR_004:
 - Amend the LEP 2009 Floor Space Ratio Map from 0.5:1 and 0.6:1 to the floor space ratio shown in **Appendix 5** which include:
 - Areas 7 and 8 (which is to be referenced Area I in the Planning Proposal): maximum FSR 3:1; and
 - Areas 9, 10 and 11 (which is to be referenced Area H in the Planning Proposal): maximum FSR 2.75:1.
 - Furthermore, the amalgamation patterns are to be amended for Areas 7 and 8 to reflect the Top Spring Landholdings.

- **New community infrastructure map:**
 - Incorporate a 15m wide through site link between Canberra Avenue and Holdsworth Avenue for Areas 7 and 8 and create a 6m wide through site link for Areas 9, 10 and 11 between Canberra Avenue and Holdsworth Avenue.

- **Lot Size map** – LSZ_004:
 - Remove the existing 550m² minimum lot size and replacing it with no minimum lot size.

The following table summarises what the Planning Proposal delivers for the site:

| Table 7 – Summary of proposed controls | | |
|--|--|---|
| Item | Area 'H' | Area 'I' |
| Zoning | R4 High Density Residential | R4 High Density Residential |
| Incentive height | 2.5m, 15m and 31m | 2.5m and 37m |
| Incentive FSR | 2.75:1 | 3:1 |
| Amalgamation of lots | 27-41 Canberra Avenue and 26-32 Holdsworth Avenue | 21-25 Canberra Avenue and 18-24 Holdsworth Avenue |
| Public benefit outcomes | 6m wide east-west pedestrian pathway Canberra Avenue and Holdsworth Avenue | 15m wide east-west through-site link at northern boundary |

7 Part 3 – Justification

7.1 Section A – Need for the proposal

1. Is the Planning Proposal a result of any strategic study or report?

Yes. This Planning Proposal has been prepared in response to the Planning Proposal lodged by Lane Cove Council for the wider St Leonards South Residential Precinct. The Planning Proposal is largely consistent with the draft controls in Council's Planning Proposal and wholly consistent with its objectives. Therefore, this Planning Proposal is the result of the strategic studies and reports undertaken for the precinct since 2012 when Lane Cove Council commenced the preparation of the draft St Leonards South Master Plan.

The St Leonards South Master Plan (adopted 13 July 2015) was undertaken in response to the policies of the Metropolitan Strategy for Sydney, in particular, the principle of locating growth close to rail stations. The objective of the Masterplan was to recommend a development strategy for the Precinct, which was identified as being within immediate proximity of St Leonards Station and suitable for increased density. The study noted that *“Council foresaw a need to prepare for future growth pressures and work within its community to ensure any future development has regard to infrastructure capacity, the need for controlled growth (timing, zoning, heights) and improved amenity for both existing and new residents.”*

Stage 1 of the St Leonards South Strategy collected data on the existing situation and was completed in December 2013. Stage 2, the preparation of the draft St Leonards South Master Plan, commenced in August 2014.

During the extensive community consultation process, issues emerged as priorities including:

- The importance of growth being matched by infrastructure provisions, in particular traffic, schools and other community infrastructure;
- The appropriate boundary location between high and low densities;
- Design and scale controls to moderate the transition along boundaries;
- Financial viability; and
- Precinct character, sense of community and liveability.

The evaluation of planning options for the precinct was based on the following Ten Principles for Transit-Oriented Development (TOD), which reflect the concerns and values of the local community, as expressed during preliminary Stage A consultation, and summarised by the consultant:-

1. Density / Zoning / Boundaries/ Lot Size (in relation to the rail station);
2. Financial Viability (to motivate change);
3. Infrastructure (appropriate to increased density);
4. Traffic / Parking / Access for Vehicles and Cycles (resulting from density);
5. Walkability / Cycling / Access (to support liveability);
6. Amenity (Built Form, Streetscape);
7. Public Domain / Open Space (to support liveability);
8. Community Facilities (to support liveability);
9. Housing for All Stages (seniors, key workers, adaptable design); and

10. Liveability in general (such as attractiveness, social connectivity and conviviality)

The Master Plan envisages the potential extension of the higher densities westwards in future years, subject to infrastructure capacity. Whilst it investigated this area, the study found that the precinct west to Greenwich Road) has differing characteristics from the eastern precinct, in terms of road network, heritage, topography, subdivision patterns and distances to transport. The eastern precinct is the only area proposed on these grounds, having regard also to the submissions from wide-ranging government agencies indicating that significant traffic infrastructure measures would be required and are not proposed at this time.

More recently, the Department of Planning & Environment has released the draft planning package for the wider St Leonards and Crows Nest 2036 Plan. The 2036 Plan identifies opportunities for renewal and rezoning for the wider St Leonards and Crows Nest area in response to the approved future Crows Nest Metro Station and growth of St Leonards as a Strategic Centre.

The Draft 2036 Plan was released essentially with no change to Council's Planning Proposal. Rather, the Draft 2036 Plan incorporates the proposed zonings, heights, FSR's etc. specified in Council's Planning Proposal noting, in respect of St Leonards South, that:

feedback in response to the Local Character Statement consultation undertaken by the Department in March 2018 included a range of differing and sometimes opposing views on the proposal. There were different views about the extent of the boundary of the proposal as well as how dense the proposal should be. However the community agreed that high quality design is important to future development (Draft 2036 Plan, Oct. 2018).

The Draft 2036 Plan ultimately recommends referral of the Council Planning Proposal for St Leonards South to an independent panel for review to ensure consistency with conditions of the Gateway determination and the draft plan. It identifies Design Principles relating to the St Leonards South site which it notes should be considered by the independent panel.

2. Is the Planning Proposal the best means of achieving the objectives and outcomes, or is there a better way?

The planning proposal is the best means of achieving land use change and redevelopment over a large consolidated site within a reasonable timeframe.

The current planning controls for the area prohibit the transit-orientated development precinct envisaged by the Master Plan. Extensive work over approximately seven years has already been undertaken for this Precinct to date, resulting in controls which are far more progressed than the remainder of the St Leonards and Crows Nest area.

The original draft Master Plan set a framework to provide planning clarity and confidence for the public, including:

- The draft plan provides significant future amenity and liveability;
- A generic base FSR and height of building estimated to be around 2.5:1, is an equitable approach for all property owners. This will also provide financial viability for development;
- An incentive scheme to permit additional height and FSR for sites providing identified community benefits, including a community facility, child care centre, and/or pedestrian links and open space; and

- The resultant built form, shadowing and traffic generation have been tested and shown to be viable.
- It has received the support of government agencies. However their commitment to infrastructure provision for the population growth are a pre-requisite for Council's support for increasing density.

Planning for the redevelopment of the St Leonards South area has been ongoing since mid 2012. Although Council has been progressing the rezoning process since that time, there have been extensive delays – despite agreement at all levels of government that the area is suitable for redevelopment as proposed. Most recently, Council has indicated its preference that the recommended independent review of the St Leonards South Planning Proposal not occur until the Department's 2036 Plan is finalised. The timing of this is unknown and it would appear that there are significant issues to be resolved as part of the Plan, issues which do not relate to St Leonards South. In this context, finalisation of the 2036 Plan could take many months if not years.

The subject proponent-initiated Planning Proposal for Top Spring's landholdings therefore seeks to unlock the development of these St Leonards South sites and decouple them from the 2036 Plan process. Existing delays are causing significant holding costs to the landowners and appear to be unwarranted in terms of meeting key strategic planning tests including the NSW Government's 'Strategic Merit Test' and 'Site Specific Merit Test'.

Accordingly, Top Spring has prepared a proponent-initiated Planning Proposal, and associated Concept Development Applications, to provide additional certainty to Council and the community regarding the scale, amenity and design quality of the development proposed for these sites.

Given Council's wider Planning Proposal is being deferred by broader elements including the draft 2036 Plan, the subject site is considered to be capable of redevelopment on its own and is considered to be the best means of achieving the objectives and outcomes of Council's Planning Proposal as:

- The Planning Proposal is consistent with the objectives of Council's Planning Proposal and demonstrates how it will integrate successfully with the wider precinct rezoning vision;
- The Planning Proposal resolves site-specific constraints unobserved by the wider Council Planning Proposal, including amalgamation packages, topography, and community infrastructure deliverance; and
- The Planning Proposal will not create limitations to the progression of the wider draft 2036 Plan, and will provide planning certainty for the precinct while creating a benchmark for future development;

7.2 Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Metropolitan Strategy and exhibited draft strategies)?

Premier's Priorities

The 'Premier's Priorities' have been recently released and essentially supersedes the previous NSW 2021. The 'Premier's Priorities' set out 12 priorities which reflect a whole-of-government approach to tackling important issues for the people of NSW, from helping vulnerable children and raising the performance of school students, to improving housing affordability and building local infrastructure. The proposal is

consistent with the priority 'making housing more affordable' as discussed further in the table below.

| Table 8 – Consistency with the 'Premier's Priorities' | | |
|---|--|--|
| Priority | What the NSW government are doing? | Consistency |
| Making housing more affordable | <p>The Premier has a commitment to deliver an average 61,000 housing completions per year, which will be achieved through two targets:</p> <ul style="list-style-type: none"> 90 per cent of housing approvals determined within 40 days by 2019 State-led rezoning for 10,000 additional dwellings on average per year in appropriate areas to 2021. <p>Planned precincts will be expanded to fast track the delivery of new homes which will accelerate the rezoning of land to support new and more diverse developments.</p> | <p>The site falls within the St Leonards and Crows Nest Planned Precinct and will provide 350-370 residential units which will contribute to the government's housing targets.</p> |

A Metropolis of Three Cities - Greater Sydney Region Plan 2056

The Greater Sydney Regional Plan 2056 was published in March 2018 and sets out a vision, objectives, strategies and actions for a metropolis of three cities across Greater Sydney. The Plan replaced the previous *A Plan for Growing Sydney*. The Plan outlines 10 overarching directions supported by 40 objectives which aim to provide interconnected infrastructure, productivity, liveability and sustainability benefits to all residents.

The planning proposal's consistency with the 40 objectives are discussed below:

| Table 9 – Consistency with Greater Sydney Region Plan 2056 | | |
|--|--|---|
| Directions | Objectives | Consistency |
| Infrastructure and collaboration | | |
| 1. A city supported by infrastructure | <p>Objective 1: Infrastructure supports the three cities</p> <p>Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>Objective 3: Infrastructure adapts to meet future needs</p> <p>Objective 4: Infrastructure use is</p> | <p>In relation to Objectives 1-3, we are consistent as we will be providing new housing and green/open space in close proximity to the future Crows Nest Metro Station.</p> <p>In relation to Objective 4, the Planning Proposal will optimise public transport use given it is located within walking distance of St Leonards Station and the future Crows Nest Metro Station. The development will maximise the use of these existing public transport assets</p> |

Table 9 – Consistency with Greater Sydney Region Plan 2056

| Directions | Objectives | Consistency |
|--------------------------------|---|---|
| | optimised | and will reduce the need for additional infrastructure. |
| 2. A collaborative city | Objective 5: Benefits of growth realised by collaboration of governments, community and business | The Planning Proposal will be prepared with the collaboration of State and local government agencies and will be notified to the community. The Planning Proposal has been prepared in response to Council's precinct wide Planning Proposal, and is consistent with recent planning strategy directions by State Government for the St Leonards and Crows Nest Precinct. |
| Liveability | | |
| 3. A city for people | Objective 6: Services and infrastructure meet communities' changing needs Objective 7: Communities are healthy, resilient and socially connected Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation | Objectives 6 and 7 are met by the Planning Proposal's indicative inclusion of high quality residential dwellings in close proximity to the St Leonards Centre and open space of Newlands Park, encouraging active transport. The Planning Proposal also delivers community infrastructure including two through site links and a green spine to improve connectivity, natural outlook and opportunities for social interaction. In relation to Objective 8, a development on this site would be expected to provide a safe and pleasant pedestrian and resident experience. The provision of the through-site links, additional open space and green spine will maintain the leafy character of the neighbourhood. In relation to Objective 9, there may be opportunities to provide public art with future redevelopment. These items will be explored during the future detailed Development Application stage. |
| 4. Housing the city | Objective 10: Greater housing supply Objective 11: Housing is more diverse and affordable | The Planning Proposal will allow for high density residential dwellings on the site, which creates additional housing stock in close proximity to transport, services and jobs. The Planning Proposal delivers apartment style dwellings between 1 and 3 bedrooms in size and also delivers terrace-style dwellings at ground level to provide a diverse range of housing sizes and types to meet community needs. |

Table 9 – Consistency with Greater Sydney Region Plan 2056

| Directions | Objectives | Consistency |
|----------------------------------|---|---|
| | | The provision of additional housing will also assist in addressing housing affordability, and will create housing options for local workers and students utilising the St Leonards health and education precinct. |
| 5. A city of great places | <p>Objective 12: Great places that bring people together</p> <p>Objective 13: Environmental heritage is identified, conserved and enhanced</p> | <p>In relation to Objective 12, the Planning Proposal creates a sense of place on the site through the public realm, landscaping and open spaces. The layout improves pedestrian connectivity and provides green infrastructure to support the sustainability of the region and peoples wellbeing.</p> <p>The Planning Proposal ensures that the site will be developed with private and public spaces which are attractive, safe, clean and flexible with a mix of sizes and functions.</p> <p>In relation to Objective 13, there are no actual or potential heritage items on the site, nor is the site within a heritage conservation area. The site is not located within close proximity to any heritage items or heritage conservation areas. However, the area is known for its quiet, leafy character which is intended to be retained with this Planning Proposal through provision of open space, tree canopy, and deep soil.</p> |
| 6. A well connected city | <p>Objective 14: A metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities</p> <p>Objective 15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p> <p>Objective 16: Freight and logistics network is competitive and efficient</p> <p>Objective 17: Regional connectivity is enhanced</p> | <p>In relation to Objective 14, the Planning Proposal will enable a significant number of additional dwellings within walking distance of a strategic centre which offers services and transport infrastructure as well as projected job growth, a new Metro Station, and progression as a health and education precinct along the Eastern Economic Corridor.</p> <p>Objectives 15 and 17 are met by providing new dwellings within walking distance of a Strategic Centre along the Eastern Economic Corridor. By concentrating residential growth on the fringe, it encourages growth of the centre and ensures that the strategic core will be preserved for jobs growth</p> |

Table 9 – Consistency with Greater Sydney Region Plan 2056

| Directions | Objectives | Consistency |
|---|--|--|
| | | <p>and supporting services, facilities, and businesses. This creates accessible and concentrated jobs for the wider region and also reduces traffic congestion by encouraging active modes of transport.</p> <p>Objective 16 is not considered to be relevant to the Planning Proposal as it does not relate to or impact on Greater Sydney's freight and logistics sector.</p> |
| <p>7. Jobs and skills for the city</p> | <p>Objective 18: Harbour CBD is stronger and more competitive</p> <p>Objective 19: Greater Parramatta is stronger and better connected</p> <p>Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</p> <p>Objective 21: Internationally competitive health, education, research and innovation precincts</p> <p>Objective 22: Investment and business activity in centres</p> <p>Objective 23: Industrial and urban services land is planned, protected and managed</p> <p>Objective 24: Economic sectors are targeted for success</p> | <p>The Planning Proposal will assist in growing St Leonards as a Strategic Centre between the Harbour CBD and Greater Parramatta, with a focus on health and education. Increased local housing will support the growth of the specialised health and education precinct of St Leonards, which will in turn attract international visitors and investment.</p> <p>The Planning Proposal does not impact on industrial and urban services land.</p> |
| <p>8. A city in landscape</p> | <p>Objective 25: The coast and waterways are protected and healthier</p> <p>Objective 26: A cool and green parkland city in the South Creek corridor</p> <p>Objective 27: Biodiversity is</p> | <p>Objectives 25 and 26 are not relevant to the Planning Proposal as the land is not in proximity to the South Creek Corridor, coast or waterways. Future development on the site will be capable of providing sufficient deep soil and landscaping, and on-site water management measures to ensure there are no adverse environmental impacts. In relation to Objective 27, 28 and 30,</p> |

Table 9 – Consistency with Greater Sydney Region Plan 2056

| Directions | Objectives | Consistency |
|-----------------------------|---|--|
| | <p>protected, urban bushland and remnant vegetation is enhanced</p> <p>Objective 28: Scenic and cultural landscapes are protected</p> <p>Objective 29: Environmental, social and economic values in rural areas are protected and enhanced</p> <p>Objective 30: Urban tree canopy cover is increased</p> <p>Objective 31: Public open space is accessible, protected and enhanced</p> <p>Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths</p> | <p>the site is identified within 'Urban Area' and is not listed as having bushland or biodiversity within the LCLEP 2009. Albeit, the Planning Proposal allows for future redevelopment on the site to retain and increase landscaping and tree canopy to retain the established leafy character of the neighbourhood. Objective 29 is not considered to be relevant as the site is in developed urban area.</p> <p>Objectives 30, 31 and 32 are met by the Planning Proposal by providing a pedestrian path and pedestrian through-site link which increase connectivity through the area and towards Newlands Park, the future Berry Park, and the on-site green spine. These spaces create high quality open space of varied size and potential uses.</p> |
| 9. An efficient city | <p>Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>Objective 34: Energy and water flows are captured, used and re-used</p> <p>Objective 35: More waste is re-used and recycled to support the development of a circular economy</p> | <p>In relation to Objective 33, the proposal will create a transit-oriented development with a variety of housing types in close proximity to jobs, services and transport within the St Leonards Strategic Centre, supporting zero-emission commuting through active transport.</p> <p>In relation to Objectives 34 and 35, a development is able to incorporate sustainable construction methods and energy efficient design measures within the building which will be explored further as part of the building detailed design and Development Application process.</p> |
| 10. A resilient city | <p>Objective 36: People and places adapt to climate change and future shocks and stresses</p> <p>Objective 37: Exposure to natural and urban hazards is</p> | <p>Objectives 36-38 could be met through specific building design features and sustainability measures which will be explored further as part of the building detailed design and Development Application process. Objective 37 will be met through building design that incorporates safety features and noise</p> |

Table 9 – Consistency with Greater Sydney Region Plan 2056

| Directions | Objectives | Consistency |
|---------------------------|--|--|
| | reduced Objective 38: Heatwaves and extreme heat are managed | mitigation. |
| 11. Implementation | Objective 39: A collaborative approach to city planning Objective 40: Plans refined by monitoring and reporting | The Planning Proposal is consistent with the local and state government-led strategic directions set for St Leonards South and the wider St Leonards and Crows Nest Priority Precinct. |

North District Plan

In March 2018, the Greater Sydney Commission also finalised the North District Plan, setting out priorities and actions for Greater Sydney's North District.

The proposed priorities and actions for a productive and liveable North District focused on planning a city of people and of great places as well as a supply of a range of housing and employment opportunities. It is guided by the aim of establishing 30-minute cities, where people are 30 minutes from jobs and services by public transport and 30 minutes from local services by active transport. This is projected to be achieved by responding to the planning priorities outlined in the District Plan.

Table 10 –Consistency with Northern District Plan

| Directions | Planning Priority/Actions | Consistency |
|---|---|---|
| A city supported by infrastructure | N1: Planning for a city supported by infrastructure | The proposal aligns with forecast growth, and will help connect residents to the St Leonards Strategic Centre and the new Crows Nest Metro Station. The Planning Proposal has inserted a satisfactory arrangement clause regarding the SIC levy (refer to Section 6.1 above) as is standard practice in LEP amendments. However, the VPA letter of offer notes that the development will not have capacity to pay this levy given the 7.11 contributions and local infrastructure requirements (refer to Appendix 5). |
| A collaborative city | N2: Working through collaboration | NA. Actioned by the Greater Sydney Commission |
| A city for people | N3: Providing services and | The location also allows for more people to live closer to jobs, services, facilities, |

Table 10 –Consistency with Northern District Plan

| | | |
|-------------------------------------|---|---|
| | social infrastructure to meet people's changing needs | and transport infrastructure offered in the St Leonards health and education precinct. The proposal allows for the delivery of social infrastructure on site including two new through site links between Holdsworth Avenue and Canberra Avenue, upgraded public domain, potential to increase the pocket park and landscaping to increase amenity, walkability and connectivity. |
| | N4: Fostering healthy, creative, culturally rich and socially connected community | The proposal encourages an active and healthy lifestyle for the local community by creating connective of, and access to, diverse walking routes and open spaces. The proposal assists in delivering walkable streets that provide direct, accessible and safe pedestrian connections from the residential precinct to schools, jobs, daily needs, services and recreation facilities offered in St Leonards and Crows Nest precinct. |
| Housing the city | N5: Providing housing supply, choice and affordability with access to jobs, services and public transport | The proposal allows for urban renewal in an accessible location linked to key infrastructure and employment opportunities. High density residential housing will also ensure the delivery of the increased housing diversity and stock to assist in achieving the 5 year housing target outlined for Lane Cove LGA: an additional 1,900 dwellings between 2016-2021. |
| A city of great places | N6: Creating and renewing great places and local centres, and respecting the District's heritage | The proposal will allow for the development of a new residential precinct with a well-designed built environment incorporating fine grain urban form and high quality social infrastructure. The proposed envelopes allow for the retention of the leafy character of the St Leonards South area, and respond to the topography to deliver improved connectivity and pedestrian links. The proposal does not impact on any identified heritage items or heritage conservation areas. |
| Jobs and skills for the city | N7: Growing a stronger and more competitive Harbour CBD | N/A The proposal is not located within the identified Harbour CBD area. |
| | N8: Eastern Economic Corridor is better | St Leonards is included in the Eastern Economic Corridor. Delivery of high density housing close to the centre but on |

Table 10 –Consistency with Northern District Plan

| | | |
|--------------------------------|---|---|
| | connected and more competitive | the fringe will deliver housing targets but also preserve space in the strategic centre for employment growth. |
| | N9: Growing and investing in health and education precincts | St Leonards is noted as an important health and education precinct, containing the Royal North Shore Hospital. Delivery of high density housing within walking distance assists in progressing the Maturity Pathway for the health and education precinct by facilitating jobs closer to home. Additional residents in the area also encourages associated businesses and services supporting the growth of the precinct, which is targeted to have an additional 6,900 to 16,400 jobs between 2016 and 2036. |
| | N10: Growing investment, business opportunities and jobs in strategic centres | The proposal will allow for more people, including workers and students, to live within a walkable distance from the centre. It also encourages non-vehicle trips, which foster healthier communities. The proposal will achieve this without occupying land within the centre itself and therefore will not constrain the ongoing operation and expansion of the commercial, retail, health and education activities. |
| | N11: Retaining and managing industrial and urban services land | N/A. The site is located on residential land within a residential area. |
| | N13: Supporting growth of targeted industry sectors | N/A. The Planning Proposal is related to residential redevelopment. However, it does provide additional housing in close proximity to the health and education precinct which will support its growth. |
| A well connected city | N12: Delivering integrated land use and transport planning and a 30-minute city | The proposed development allows for new residential dwellings within walking distance from the St Leonards Strategic Centre and health and education precinct. The proposal will also allow for the delivery of public infrastructure and quality built form and landscaping. |
| | N14: Leveraging inter-regional transport connections | N/A. The Planning Proposal is related to residential redevelopment. |
| A city in its landscape | N15: Protecting and improving the health and | The site is located within the Port Jackson basin as identified in the North District Plan. Future development on the site will |

Table 10 –Consistency with Northern District Plan

| | | |
|--------------------------|---|---|
| | enjoyment of Sydney Harbour and the District's waterways | be capable of providing sufficient deep soil and landscaping, and on-site water management measures to ensure there are no adverse environmental impacts. |
| | N16: Protecting and enhancing bushland and biodiversity | The site is identified within 'Urban Area' and is not listed as having bushland or biodiversity within the LCLEP 2009. The Planning Proposal allows for future redevelopment on the site to retain and increase landscaping, tree canopy and deep soil to retain the established leafy character of the neighbourhood. |
| | N17: Protecting and enhancing scenic and cultural landscapes | The site is currently developed land and is not directly contributing to any key natural assets. The Planning Proposal retains the maximum amount of significant trees on site and delivers a green spine through the site which allows for the retention and improvement of tree canopy and natural outlooks in the neighbourhood. |
| | N18: Better managing rural areas | N/A. The site is developed urban land. |
| | N19: Increasing urban tree canopy cover and delivering Green Grid connections | The Planning Proposal retains the maximum amount of significant trees on site and delivers a green spine through the site which allows for the retention and improvement of tree canopy and natural outlooks in the neighbourhood. |
| | N20: Delivering high quality open space | The Planning Proposal creates high quality pedestrian links which provide direct access to the envisioned pocket parks identified for the precinct in Council's wider Planning Proposal. |
| An efficient city | N21: Reducing carbon emissions and managing energy, water and waste efficiently | The Planning Proposal unlocks opportunities for redevelopment on the site which can achieve high quality design to improve energy, water and waste efficiency. The location of the site also encourages active modes of transport and reduces vehicle reliance. |
| A resilient city | N22: Adapting to the impacts of urban and natural hazards and climate change | The Planning Proposal has identified the constraints of the site, particularly flooding and limited solar access, responding with mitigation methods to ensure that hazards are minimised. |
| Implementation | N23: Preparing local strategic planning statements informed by local | The Planning Proposal responds to local strategic planning objectives and directions. |

| Table 10 –Consistency with Northern District Plan | | |
|---|---|------|
| | strategic planning | |
| | N24: Monitoring and reporting on the delivery of the Plan | N/A. |

Draft St Leonards and Crows Nest 2036 Plan

The Draft St Leonards and Crows Nest 2036 Plan identifies opportunities for renewal and rezoning for the wider St Leonards and Crows Nest area in response to the approved future Crows Nest Metro Station, including Council's St Leonards South Precinct.

The draft plan acknowledges the St Leonards South precinct is earmarked for high density residential development, but recommends referral of Lane Cove Council's Planning Proposal to an independent panel for review to ensure consistency with conditions of the Gateway Determination and the draft 2036 Plan.

While the St Leonards South precinct is recommended for review, the specific site in this Planning Proposal can demonstrate consistency with Draft 2036 Plan design principles. Consistency is presented in the table below.



Figure 16 Proposed precinct changes

Source: Draft 2036 Plan

| Table 11 –Consistency with the Draft 2036 Plan design principles | | |
|--|---|---|
| Design Principle | Measures | Consistency |
| Place | Ensure new development retains and enhances important heritage elements | N/A. No items or areas of heritage significance on or near the site. |

Table 11 –Consistency with the Draft 2036 Plan design principles

| Design Principle | Measures | Consistency |
|------------------|--|---|
| | by using sympathetic building materials and preserving key views and vistas | |
| | Ensure no additional overshadowing of public open spaces and important places | <p>YES/NO</p> <p>The Planning Proposal will inevitably cause some overshadowing to Newlands Park. Albeit, the Planning Proposal will not cause 'additional' overshadowing compared to what has been proposed by Council's Planning Proposal.</p> <p>Refer to Top Spring's submission in Appendix 6 and the associated Concept DA for further justification as to the reasonableness of the proposed built form when overshadowing is considered for Newlands Park.</p> |
| | Apply casual surveillance and universal access principles to new development to create a safe, including and comfortable environment | <p>YES</p> <p>To be provided at DA stage.</p> |
| | New development should have consideration to wind impacts demonstrated through a wind assessment | <p>YES</p> <p>To be provided at DA stage.</p> |
| Landscape | New development adjoining the new green link should contribute to its landscape character. | <p>YES</p> <p>To be provided at DA stage.</p> |
| | Incorporate new street trees to improve the overall tree coverage | <p>YES</p> <p>To be provided at DA stage.</p> |
| Built form | Consider cumulative impacts of new developments on existing areas, including overshadowing, wind impacts and view loss | <p>YES</p> <p>These issues have been thoroughly assessed for Council's Planning Proposal and have been deemed acceptable. The Urban Design Package in Appendix 1 demonstrates how these impacts are minimal and</p> |

Table 11 –Consistency with the Draft 2036 Plan design principles

| Design Principle | Measures | Consistency |
|------------------|--|---|
| | | manageable. |
| | In transition areas between low and high-rise developments, new development should consider the prevailing scale and existing character in the design of their interfaces | YES The Planning Proposal includes adequate building envelopes, setbacks, and opportunities for fine grain form and articulation at DA stage. The proposed form will assist in the transition between low rise neighbourhood and St Leonards centre. |
| | New building design should provide high on-site amenity and consider street width and character by providing ground and upper level setbacks and awnings to achieve a human scale at street level. | See above. |
| Land use | Ensure new development contributes to a range of dwelling types in the area to cater for all life cycles | YES The Planning Proposal enables the development of various dwelling sizes and types on site to meet the local demographics and demands. |
| Movement | New development should contribute to the improvement of the walking and cycling network in the area as well as help to connect to wider regional areas. | YES The Planning Proposal allows for improved pedestrian connectivity through the area and improved public domain. |
| | New development should encourage use of public transport and reduce the need to use a private car. Innovative solutions such as car sharing are encouraged. | YES The Planning Proposal allows for new Transit Oriented Development, providing more homes within walking distance of transport infrastructure and the St Leonards centre. DA Stage can investigate opportunities for car sharing and other innovative solutions to further reduce car reliance. |

Future Transport Strategy 2056

The Future Transport Strategy 2056 (Strategy) is an update of the 2012 Long Term Transport Master Plan for NSW. It is a 40 year strategy, supported by plans for regional NSW and for Greater Sydney. It outlines a vision, strategic directions and customer outcomes, with infrastructure and services plans underpinning the delivery of these directions across the state.

The vision is built on six outcomes and the proposal is consistent with the outcome 'successful places' refer the table below for further discussion.

| Table 12 – Consistency with the NSW 2021 | | | |
|--|--|---|---|
| Future Transport Statewide Outcomes | Performance focus | Measures and indicators | Consistency |
| Successful Places | Deliver transport initiatives that improve the liveability of places | <u>Liveability of places</u> Increase the number of people able to access centres by walking, cycling and using public transport | The proposal will create additional housing which is in close proximity to St Leonards Station, the future Crows Nest Metro Station and St Leonards town centre which will improve the liveability of future residents. |

NSW State Infrastructure Strategy 2018-2038

The *NSW State Infrastructure Strategy 2018-2038* (SIS) sets out the government's priorities for the next 20 years and combined with the *Future Transport Strategy 2056*, the *Greater Sydney Region Plan* and the *Regional Development Framework*, brings together infrastructure investment and land-use planning for our cities and regions. *Building Momentum State Infrastructure Strategy 2018-2038* looks beyond the current projects and identifies policies and strategies needed to provide the infrastructure that meets the needs of a growing population and a growing economy.

The Strategy is set out in three parts: Strategic Directions, Geographic Infrastructure Directions, and Sectors. Under the Geographic Infrastructure Directions, St Leonards is identified as a strategic centre which the Sydney Metro North-West will service as illustrated in the figure below. The subject site will benefit from the Sydney Metro North-West as it will improve transport connectivity.

One of the recommendations seeks to develop a 10-year rolling program that prioritises active transport at high volume locations in strategic centres. The proposal will benefit from this recommendation as it will improve accessibility for future resident with the future Crows Nest Metro Station.

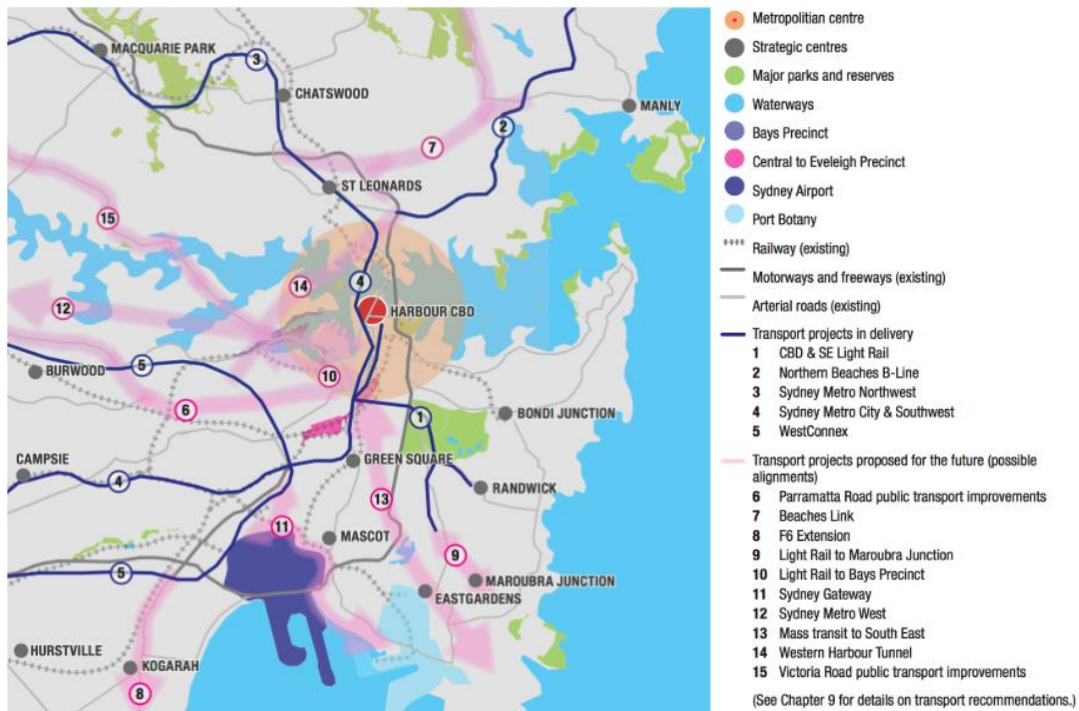


Figure 17: Eastern Harbour City (movement)

Source: NSW State Infrastructure Strategy 2018-2038

4. Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

Draft St Leonards South Residential Precinct Plan and Draft LEP and DCP amendment

The Planning Proposal is informed by the St Leonards South Master Plan and is consistent in terms of objectives, outcomes, and scale of development. As outlined in Section 4, this Planning Proposal includes minor changes to Council's Draft LEP and DCP controls (intended to implement the Master Plan). This is proposed in order to resolve site-constraints and land ownership limitations, but is consistent in achieving the overall vision and deliverables.

Lane Cove Community Strategic Plan 'Liveable Lane Cove 2035'

In June 2018, Lane Cove Council adopted the 'Liveable Lane Cove 2035' Community Strategic Plan. The Plan outlines the needs and values of the community, summarised from extensive research, consultation and consideration of issues that affect Lane Cove now and in the future.

The Plan outlines four Guiding Principles, being Community, Creativity, Sustainability and Best Value.

Table 13 –Consistency with objectives in Liveable Lane Cove 2035

| ID | Objective | Consistency |
|---|---|--|
| 2 Community health and wellbeing | To identify ways to enhance the community's health and well-being. To encourage healthy lifestyles at all life stages. | The Planning Proposal provides more dwellings close to transport, jobs, open space and services, encouraging active modes of transport. The Planning Proposal also improves walkability in the area by providing public domain upgrades, and new pathways and linkages. |
| 6 Community safety | To increase feelings of personal safety. To ensure Lane Cove is a safe place to live and enjoy community life | The Planning Proposal allows for redevelopment on the site for high density residential purposes. The nature of development will provide improved passive surveillance, and the DA stage will be able to explore and implement CTEP principles. |
| 7 Sustainable development | To encourage high quality planning, building and urban design outcomes that preserve, strengthen and enhance the existing diverse character areas of Lane Cove. | The Planning Proposal unlocks opportunities for redevelopment on the site which can achieve high quality design to improve energy, water and waste efficiency. The location of the site also encourages active modes of transport and reduces vehicle reliance. |
| 8 Housing | To promote a range of affordable and sustainable housing options in response to changing demographics and government policies. | The Planning Proposal will increase the number of local dwellings and contribute to diversity of dwelling types in the area. The breakdown of dwelling sizes and types can be explored at DA stage to meet local housing needs. |
| 9 Assets, Infrastructure and Public Domain | To ensure assets and infrastructure cater for increased population growth, are well maintained and support sustainable living across all demographics | The Planning Proposal offers to improve the public domain and connectivity through the site, by providing new pathways, a through-site link, new open space and appropriate landscaping. The future residents will be encouraged to use public and active modes of transport over private vehicle usage. |
| 10 Transport & Mobility | To promote integrated transport options that link people to work, services and facilities. | See above. |

Table 13 –Consistency with objectives in Liveable Lane Cove 2035

| ID | Objective | Consistency |
|-----------------|--|---|
| | To encourage transport options that minimise adverse environmental and social impacts | |
| 11 Parking | To ensure that long and short term community needs for adequate and accessible on and off street parking are met. | The Planning Proposal indicates basement parking will be used to accommodate the additional dwellings. This will be designed to minimise traffic disruption and optimise safety, at the DA stage. The total number of parking spaces will be minimised given the proximity to St Leonards centre and station. |
| 12 Traffic | To alleviate road congestion and improve traffic flow and safety. | See above. |
| 14 Urban Forest | To ensure the tree canopy cover across the Lane Cove area is maintained and increased on both public and private land. | The Planning Proposal seeks to maintain the leafy character of the area, and includes substantial deep soil, landscaping, and open space. The layout of building footprints minimises the loss of existing mature trees, and additional trees can be planted. |

5. Is the Planning Proposal consistent with the applicable state environmental planning policies?

The proposal would address and/or be consistent with all relevant Environmental Planning Policies (SEPPs). The following outlines the intent of the relevant SEPPs and consistency of the Planning Proposal.

Table 14 –State environmental planning policies

| SEPP | Consistent | Comments |
|---|----------------|--|
| SEPP No. 1- Development Standards | Not Applicable | Not applicable pursuant to Clause 1.9 of the Lane Cove LEP 2009. |
| SEPP No. 19 – Bushland in Urban Areas | Not Applicable | |
| SEPP No 21 – Caravan Parks | Not Applicable | |
| SEPP No. 30 – Intensive Agriculture | Not Applicable | |
| SEPP No. 33 – Hazardous and Offensive Development | Consistent | The proposal is to adopt the |

Table 14 –State environmental planning policies

| | | |
|---|----------------|---|
| | | standard instrument definitions of hazardous and offensive development, which are not permitted on precinct. |
| SEPP No. 36 – Manufactured Home Estates | Not Applicable | |
| SEPP No. 44 – Koala Habitat Protection | Not Applicable | |
| SEPP No. 47 – Moore Park Showground | Not Applicable | |
| SEPP no. 50 – Canal Estate Development | Not Applicable | |
| SEPP No. 52 – Farm Dams and Other Works in Land and Water Management Plan Areas | Not Applicable | |
| SEPP No. 55 – Remediation of Land | Consistent | All sites would be appropriately remediated if required, to make it suitable for residential development. |
| SEPP No. 62 – Sustainable Aquaculture | Not Applicable | |
| SEPP No. 64 – Advertising and Signage | Not Applicable | Any future proposals for signage and advertising structures would be consistent with this SEPP and the Lane Cove DCP 2009. |
| SEPP No. 65 – Design Quality of Residential Flat Development | Consistent | The building envelope established by the proposal is capable of accommodating five residential flat buildings which are consistent with SEPP 65 principles and with the objectives in the Apartment Design Guide. For further detail refer to the |

Table 14 –State environmental planning policies

| | | |
|---|----------------|--|
| | | SEPP compliance table in the Urban Design Package in Appendix 1 . Detailed assessment of compliance with SEPP 65 principles and Apartment Design Guide guidelines would occur at DA stage. |
| SEPP No. 70 – Affordable Housing (Revised Schemes) | Consistent | The proposal would not affect the schemes within this SEPP, nor does it propose any new scheme for affordable housing that would need to be included in this SEPP. It is noted that other sites within Council's Planning Proposal were identified for Affordable Housing. |
| SEPP (Affordable Rental Housing) 2009 | Consistent | This proposal does not inhibit any operations of this SEPP. |
| SEPP (Building Sustainability Index: BASIX) 2004 | Consistent | The Planning Proposal creates the opportunity to develop residential flat buildings on the site. Achieving a BASIX Certificate in accordance with this SEPP would occur at DA Stage with detailed floor plans. |
| SEPP (Exempt and Complying Development Codes) 2008 | Consistent | The proposal does not inhibit any operations of this SEPP. |
| SEPP (Housing for Seniors or People with a Disability) 2004 | Not Applicable | |

Table 14 –State environmental planning policies

| | | |
|--|----------------|---|
| SEPP (Infrastructure) 2007 | Consistent | The Planning Proposal will be assessed by relevant concurrences in accordance with the SEPP, and any assessment against site requirements will be addressed at detailed DA Stage. |
| SEPP (Kosciuszko National Park – Alpine Resorts) 2007 | Not Applicable | |
| SEPP (Kurnell Peninsula) 1989 | Not Applicable | |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | Not Applicable | |
| SEPP (Miscellaneous Consent Provisions) 2007 | Not Applicable | |
| SEPP (Penrith Lakes Scheme) 1989 | Not Applicable | |
| SEPP (Rural Lands) 2008 | Not Applicable | |
| SEPP (State and Regional Development) 2011 | Not Applicable | |
| SEPP (State Significant Precincts) 2005 | Not Applicable | |
| SEPP (Sydney Drinking Water Catchment) 2011 | Not Applicable | |
| SEPP (Sydney Region Growth Centres) 2006 | Not Applicable | |
| SEPP (Three Ports) 2013 | Not Applicable | |
| SEPP (Urban Renewal) 2010 | Not Applicable | |
| SEPP (Vegetation in non-rural areas) 2017 | Not Applicable | |
| SEPP (Western Sydney Employment Area) 2009 | Not Applicable | |
| SEPP (Western Sydney Parklands) 2009 | Not Applicable | |
| SREP No. 8 – Central Coast Plateau Areas | Not Applicable | |
| SREP No. 9 – Extractive Industry (No 2 – 1995) | Not Applicable | |
| SREP No. 16 – Walsh Bay | Not Applicable | |
| SREP No. 20 – Hawkesbury – Nepean River (No 2 – 1997) | Not Applicable | |
| SREP No. 24 – Homebush Bay Area | Not Applicable | |
| SREP No. 26 – City West | Not Applicable | |
| SREP No. 30 – St Marys | Not Applicable | |
| SREP No. 33 – Cooks Cove | Not Applicable | |
| SREP (Sydney Harbour Catchment) 2005 | Consistent | |

6. Is the Planning Proposal consistent with applicable Ministerial Directions (S. 117 directions)?

The Planning Proposal is consistent with all relevant S117 Directions. The assessment of these is outlined in the table below.

| Table 15 –Section 117 Ministerial Directions | | | |
|--|--|------------|---|
| Clause | Direction | Consistent | Comments |
| 1 Employment and Resources | | | |
| 1.1 | Business and Industrial Zones | Consistent | The Planning Proposal is consistent with this direction as it creates growth on the fringe of the St Leonards, protecting employment land in the centre while also supporting the viability of the identified strategic centre. Increased residential populations close to the centre, which has been identified in the District Plan as being a health and education precinct, will encourage the growth of retail, commercial, and supporting services contributing to the precinct and also place students and worker close to jobs. The proposal is further justified by an Economic Impact Assessment that has been prepared by AEC with specific regard to this direction, refer to Appendix 3 . |
| 1.2 | Rural Zones | N/A. | |
| 1.3 | Mining, Petroleum Production & Extractive Industries | N/A. | |
| 1.4 | Oyster Aquaculture | N/A. | |
| 1.5 | Rural Lands | N/A. | |
| 2 Environment and Heritage | | | |
| 2.1 | Environmental Protection Zones | N/A. | |
| 2.2 | Coastal Protection | N/A. | |
| 2.3 | Heritage Conservation | N/A. | The site is not within a heritage conservation area and does not contain any heritage |

Table 15 –Section 117 Ministerial Directions

| | | | |
|---|---|------------|---|
| | | | items. There are not items or areas of heritage significance within close proximity to the site, as identified in the LCLEP 2009. |
| 2.4 | Recreation Vehicle Areas | N/A. | |
| 3 Housing, Infrastructure and Urban Development | | | |
| 3.1 | Residential Zones | Consistent | The proposal allows for a range of residential unit types that are consistent with the existing trends and market demands. |
| 3.2 | Caravan Parks and Manufactured Home Estates | N/A. | |
| 3.3 | Home Occupations | | |
| 3.4 | Integrating Land Use and Transport | Consistent | The precinct is within walking distance of a range of retail and business services and public transport options provided in St Leonards, which is anticipated to grow as a Strategic Centre with focus on employment, health and education. |
| 3.5 | Development near Licensed Aerodromes | N/A. | |
| 3.6 | Shooting ranges | N/A. | |
| 4 Hazard and Risk | | | |
| 4.1 | Acid Sulfate Soils | N/A. | |
| 4.2 | Mine Subsidence and Unstable Land | N/A. | |
| 4.3 | Flood Prone Land | Consistent | Flooding constraints for the site and surrounding area have been identified and will be sufficiently managed with mitigation measures as part of any future development application. |
| 4.4 | Planning for Bushfire Protection | N/A. | |
| 5 Regional Planning | | | |
| 5.1 | Implementation of Regional Strategies | Consistent | The planning proposal is consistent with the North District Plan as demonstrated in Section 7.2 of this report. |

Table 15 –Section 117 Ministerial Directions

| | | | |
|--------------------------|---|------------|---|
| 5.2 | Sydney Drinking Water Catchments | N/A. | |
| 5.3 | Farmland of State and Regional Significance on the NSW Far North Coast | N/A. | |
| 5.4 | Commercial and Retail Development along the Pacific Highway, North Coast | N/A. | |
| 5.5 | Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010) | N/A. | |
| 5.6 | Sydney to Canberra Corridor (Revoked 10 July 2008. See Amended Directions 5.1) | N/A. | |
| 5.7 | Central Coast (Revoked 10 July 2008. See amended Directions 5.1) | N/A. | |
| 5.8 | Second Sydney Airport: Badgerys Creek | N/A. | |
| 5.9 | North West Rail Link Corridor Strategy | N/A. | |
| 6 Local Plan Making | | | |
| 6.1 | Approval and Referral Requirements | Consistent | The proposal does not include consultation, referral or concurrence provisions, nor identifies any development as designated development. |
| 6.2 | Reserving Land for Public Purposes | Consistent | The proposal does not contain any land that has been reserved for a public purpose, and no requests have been made to reserve such land. |
| 6.3 | Site Specific Provisions | Consistent | The proposal does not result in unnecessarily restrictive site-specific controls. |
| 7. Metropolitan Planning | | | |

Table 15 –Section 117 Ministerial Directions

| | | | |
|-----|---|------------|--|
| 7.1 | Implementation of A Plan for Growing Sydney | Consistent | The proposal is consistent with the aims, objectives and provisions of the Sydney Metropolitan Plan as demonstrated in Section 7.2 of this report. |
|-----|---|------------|--|

7.3 Section C – Environmental, Social and Economic Impact

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

No. The proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats as this is a long-standing developed urban area.

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

There are no other known environmental effects that could arise from the planning proposal. There is no bushfire hazard for example in the precinct. While the corner of Canberra Avenue experiences flood issues, this will be resolved at the DA stage.

In consideration of the key outcomes of the proposal, the effects of the built form and traffic are discussed below.

Built Form

The Planning Proposal is accompanied by an Urban Design Package prepared by Bates Smart (refer to **Appendix 1**). The built form and layout of the site has been informed by the St Leonards South Master Plan and draft controls in Council's Planning Proposal for the precinct.

The urban design response for the site is for the development to achieve a high quality, fine grain built form which optimizes internal residential amenity while also responding to the sloped topography, existing mature trees and solar constraints of the site. The design responds to land acquisition constraints which limit the Planning Proposal from developing within the amalgamation packages proposed by Council's PP. Alternatively, the Planning Proposal seeks to achieve the intended density, built form and community infrastructure deliverances within the available land owned by Top Spring (the subject site). This is achieved by providing five residential flat buildings at 7-11 storeys with some terrace-style dwellings at ground level, basement parking, a new pedestrian pathway, new 15m wide pedestrian through-site link, and delivery of the green spine with new open space and landscaping. A desktop review analysis of the proposed building envelopes indicates that development is capable of achieving the ADG requirements. The Urban Design Package demonstrates how Council's proposed scale of development can be delivered on the site while retaining the leafy neighbourhood character and linking the surrounding blocks to create a collective precinct.



Figure 18 Ground floor strategy

Source: Bates Smart



Figure 19 Indicative massing

Source: Bates Smart

Parking and Traffic

The site has connections to several local bus services, and is within walking distance from the Wollstonecraft Station, St Leonards station and surrounding jobs, services and facilities. The Crows Nest Metro Station is also proposed to open approximately 500m east of the site in 2024. The proximity of the site to St Leonards centre and

existing transport infrastructure indicates that future development on the site will have relatively low vehicle reliance and will encourage active modes of transport.

A Traffic and Transport Study prepared by SCT Consulting accompanies this Planning Proposal at **Appendix 2**, including an analysis of:

- Existing traffic networks and conditions;
- Review of Council's Planning Proposal; and
- Traffic and transport impact appraisal.

Overall, the scale of traffic impacts for the proposed development are minor and not significant relative to the other proposals in the area – comprising only 9.5% of the total St Leonards South yield. The total traffic generation is less than 55 vehicles per hour in the peak periods.

The Traffic and Transport Study indicates the impacts of the Planning Proposal are able to be appropriately mitigated by the proposed infrastructure schedule. From a transport perspective, the proposal is consistent with the St Leonards South Planning Proposal and DPE draft 2036 Plan.

9. How has the Planning Proposal adequately addressed any social and economic effects?

Social Impacts

A plan to replace a low-density residential precinct with a high density precinct is likely to have a social effect upon:

- a) The existing residential community; and
- b) The future residential community.

Submissions from within the precinct during the preparation of the draft Master Plan and Council's Planning Proposal were overwhelmingly in favour of the general principle of increased residential development. Refer to the Council Report dated 13 July 2017 (located in Council's Planning Proposal attachments). Several groups formed to produce alternative density patterns that were generally higher than that proposed in the Master Plan. The social well-being of the future community is directly addressed in the form of community benefits sought via development – namely open space, community facilities and cross precinct walkways. This is consistent with the TOD principle of liveability.

This Planning Proposal seeks to achieve the delivery of high density residential and ensures that appropriate public domain updates and open space is also provided to maintain the social well-being of the future community.

Economic Impacts

The Planning Proposal is supported by the Economic Report prepared by AEC (**Appendix 3**) and the two financial reviews provided with the Master Plan and HillPDA.

“Locations with large lots within the existing urban area that are close to centres on the rail, light rail and rapid bus systems are particularly suited to urban renewal” (A Plan for Growing Sydney 2014: pg 67)

This Planning Proposal offers a rare opportunity to amalgamate a large area of land to unlock developable land close to a Strategic Centre. While differing to the land packages outlined in Council's Planning Proposal, the proposed lot amalgamations of Top Spring owned land is able to achieve the objectives set by Council, and also achieve the desired redevelopment outcomes.

As outlined in AEC's Economic Report attached in **Appendix 3**, the Planning Proposal will create positive economic impact in the following ways:

- Increasing local housing supply and delivering housing diversity to meet changing market demands towards smaller sized dwellings;
- Increasing the number of dwellings located within close proximity to retail, commercial and transport infrastructure offerings aligned with planning, supporting active lifestyles and reduce vehicle usage (objectives of state and local government); and
- Supporting an increase in investment, business activity and employment growth in a Strategic Centre.

7.4 Section D – State and Commonwealth Interests

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

State Infrastructure

NSW Roads & Maritime Services and Transport for NSW made comments during the planning phase of the St Leonards South Master Plan. Both agencies supported, in principle, the scale of development proposed by the Master Plan as it is consistent with transit-orientated development principles.

Impacts on public transport are expected to be reduced with the recent announcement of a new Metro-style train station in Crows Nest. It is envisaged that this will relieve some of the pressure on the existing St Leonards train station.

A cumulative transport and accessibility study was undertaken by Parking and Traffic Consultants for Council's Planning Proposal. It concludes that with the Sydney Metro, existing train capacity will "increase by more than twice the existing" which will easily accommodate demand. Additional measures proposed for buses should "be sufficient to cater for the additional daily bus trips". The Traffic and Parking Assessment undertaken for this Planning Proposal supports the findings of Council's Transport and Accessibility Study.

Local Infrastructure

The precinct is well serviced by the St Leonards Centre which offers retail and commercial activity, employment, public transport options, and community facilities and infrastructure as part of a health and education precinct. Directly east of the site is Newlands Park which provides accessible public open space.

Council's Planning Proposal outlines various local community infrastructure requirements across the St Leonards South precinct to ensure that there is sufficient pathways, open space, and local services to achieve a connected and accessible public domain. This Planning Proposal assists in delivering a 6m wide pedestrian pathway, open space and green spine, and a 15m wide through-site link.

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

As stated in the attached Council report, seven State Government agencies provided comments for the St Leonards South Master Plan, of which this Planning Proposal is consistent with in terms of objectives and overall outcomes. They can be summarised as follows:

- Transport for NSW & Roads and Maritime Services

Supports subject to Traffic and Accessibility Study (completed)

- Sydney Water

No objection.

- Royal North Shore Hospital

Requests consideration of traffic impacts as well as helicopter flight path.

- Health Promotion Lower North Shore

Supports, with focus on how urban design can improve health.

- Department of Education & Communities

Supports in principle, but key issues were raised in their submission. Most notably, that the proposal would 'significantly' increase educational demand in the future, potentially requiring significant investment in new education infrastructure. In response, the DEC supported a shift in planning policies which have now been addressed as detailed in Council's Planning Proposal:

- the infrastructure costs of additional teaching spaces to be funded from developer contributions;
- optimising the size, amenity and function of existing schools so that they afford greater choice and provide contemporary teaching spaces for students;
- facilitating out of hours shared use of education facilities such as ovals and halls;
- the removal of planning policy barriers to school development;
- land and floor space dedications and appropriate zoning in areas where a new school is required; and
- streamlined planning approvals for new education infrastructure.

The adjoining local government areas of Willoughby and North Sydney also provided comment to the Master Plan:

- Willoughby Council

Supports the Draft Master Plan, with focus on affordable housing, pedestrian access, employment and traffic should be considered.

- North Sydney Council

Supports, and requests consideration of view lines from River Road properties, employment and traffic (the LGA boundary with North Sydney is immediately east of Eastview Street)

All of these submissions were considered and presented in the 13th July 2015 Council Report.

8 Part 4 – Mapping

The following table provides an outline of the proposed amendments to the mapping.

| Table 16 –Proposed Mapping Changes | | |
|------------------------------------|----------------------------|---|
| Control | Current Controls | Proposed Controls |
| Zoning | R2 Low Density Residential | R4 High Density Residential |
| Floor Space Ratio | 0.5:1 to 0.6:1 | 2.75:1 to 3:1 |
| Height of Building | 9.5m | 2.5m, 15m, 31m and 37m |
| Community infrastructure | - | 6m wide west-east through site link 15m wide west-east through-site link |
| Lot Size | 550m ² | - |

The following maps that relate specifically to LCLEP 2009 have been drafted:

- Land Zoning Map (Sheet LZN_004);
- Height of Building Map (Sheet HOB_004);
- Floor Space Ratio Map (Sheet FSR_004)
- Lot Size Map (Sheet LSZ_004)

These proposed maps are provided at **Appendix 4**.

Part 5 – Community Consultation

Community consultation would take place following a Gateway determination made by the Minister for Planning and Infrastructure, in accordance with Section 56 and 57 of the *Environmental Planning and Assessment Act 1979*. It is anticipated that statutory public exhibition would include:

- Notification on the Lane Cove Council website;
- Advertisement in local newspapers that are circulated within the local government area;
- Notification in writing to adjoining landowners and neighbours, and any other relevant stakeholders; and
- A four-week exhibition period.

10 Part 6 – Project Timeline

This Planning Proposal will progress separately to the Council-led Planning Proposal. The project timeline provided in this section is intended to assist with monitoring the progress of the Planning Proposal through the plan making process and assist with resourcing to reduce potential delays.

| Table 17 –Project timeline | | |
|---|------------------------------|---|
| Milestone | Date | Comments |
| Anticipated timeframe for the completion of required technical information | Completed prior to lodgement | Updates to be made if necessary. |
| Lodgement of Planning Proposal to Lane Cove Council | 8 February 2019 | |
| Anticipated commencement date (date of Gateway determination) | August 2019 | |
| Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) | September 2019 | Other relevant agencies to be consulted as necessary or required by the gateway determination |
| Commencement and completion dates for public exhibition period | September 2019 | |
| Dates for public hearing (if required) | Within exhibition period | |
| Timeframe for consideration of submissions | October 2019 | |
| Timeframe for consideration of a proposal post exhibition | October 2019 | |
| Date of submission to the department to finalise the LEP | November 2019 | |
| Anticipated date for publishing of the plan | December 2019 | |
| Anticipated date RPA will forward to the department for notification | December 2019 | |

11 Conclusion

The planning proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act); and
- The NSW Department of Planning and Environment's (DP&E) *A guide to preparing planning proposals*.

The Planning Proposal pertains to the land described as 21-41 Canberra Avenue and 18-32 Holdsworth Avenue, St Leonards (various lot descriptions detailed in Section 2.2 of the report).

This report provides a full justification of the proposal in line with the Department of Planning and Environment's template for gateway rezoning's. The justification demonstrates that the proposal:

- Is consistent with the Greater Sydney Region Plan and North District Plan;
- Is consistent with the objectives of the St Leonards South Master Plan;
- Is consistent with the objectives of Council's Planning Proposal for the St Leonards South Residential Precinct;
- Is consistent with relevant Ministerial Directions;
- Creates an exciting opportunity for transit-oriented development in the St Leonards South area, providing homes close to jobs, encouraging active lifestyles and reduced car reliance;
- Provides housing diversity and choice for the future residents of Lane Cove LGA;
- Increases the size of the public domain and provides various open spaces and landscaping elements; and
- Delivers new pedestrian improvements within the site, integrating into the broader open space network.
- Contributes to the transition of the wider St Leonards South Residential Precinct; and
- Leverages the NSW Government's investment in major infrastructure including the provision of through site links and open space on site and providing new housing in close proximity to the infrastructure and services provided in St Leonards and Crows Nest.



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