

Submission: Planning Proposal for the St Leonards South Residential Precinct

Request for Confidentiality. The matter below, including appendices and attachments contains the personal information of myself and others. Please do not disclose or publish this information. Thank you.

Dear Commissioners,

There are so many aspects of the St Leonards South (SLS) Proposal that are inadequate, ill-defined, unsupported, and just plain wishful thinking, it is hard to know where to start in preparing a submission. I have spent many man months on efforts to understand what is being proposed, how it complies with guiding principles and good planning, and attempting to persuade the planning authority to consider some appropriate level of community involvement. Many other community members have put in similar efforts.

Many, many objections to this proposal have been submitted over the period since the proposal was first revealed to the wider community. These objections relate to fundamental aspects of the proposal which are of great concern. Furthermore, these objections remain valid today, in light of the fact that there has been no material change to the proposal in that time, and environmental conditions associated with ongoing neighbouring developments have only served to exacerbate many of the issues raised. Please find attached my submissions and associated correspondence:

Appendix A: Correspondence with Mr D Brooks-Horn (April 2015) - Submission: 'Draft St Leonards South Master Plan – SU5573'

Appendix B: Correspondence with Mr A Roberts (May 2015 - February 2017) - St Leonards South Precinct Development

Appendix C: Correspondence with GSC (October 2016) - North District - Strategic Centres Submission - St Leonards

Appendix D: Correspondence with Lane Cove Council (January 2018) - Submission: 'St Leonards South - SU5945'

Appendix E: Submission Presented in the IPC Meeting of 20 May, 2019 (May 2019)

Appendix F: 500 Signature Petition of July 2015 Referenced in the Correspondence Above (July 2015)

With regard to the lack of consistency of the SLS Proposal in relation to the goals and intent of the 2036 Plan for St Leonards and Crows Nest, please see the table below:

Table 1: Major Inconsistencies of the St Leonards South Proposal with the 2036 Plan for Crows Nest and St Leonards

Terms of Reference	Consistent with 2036 Plan?	Assessment of Proposal Against Terms of Reference
Movement – An accessible place An attractive and easy place to walk cycle and move through, with improved local and regional connections	NO	1. Stalin Era solid wall of high rise is attractive to nobody. 2. The SLS proposal offers no serious contribution towards improved regional connections, despite the massive number of new residents that will need this, and the citing within the plan of many community facilities outside the precinct that will require such access.
Built Form – A well -designed place New buildings that model the highest quality design, respecting and enhancing the existing local character of the area	NO	1. The proposed building designs fail to meet the basic solar access standards or promote adequate solar access to the immediate environment surrounding the buildings. 2. There is not a single feature of the proposal that can seriously be identified as "respecting and enhancing the existing local character of the area".

Terms of Reference	Consistent with 2036 Plan?	Assessment of Proposal Against Terms of Reference
<p>Land Use – An employment Hub Providing 16,500 additional jobs over the next 20 years to support a growing and evolving economy, with opportunities for employment in the industrial, professional, creative, retail, health and education sectors</p>	NO	1. This proposal makes no contribution to achieving the primary objective of promoting employment growth. 2. This proposal effectively blocks any other proposal from achieving the intended goals for this precinct.
<p>Landscape – A greener place Parks and public green spaces will provide areas for local to be active, creative, and enjoy green leafy spaces throughout the area, away from built up areas in St Leonards</p>	NO	1. This proposal does not add any significant public green spaces to the precinct. The 'pocket parks' proposed are a joke. These parks will not be big enough for children to run, play with their pets or play ball games in. These pocket parks will be heavily overshadowed and likely require artificial surfaces. Some proposed locations for pocket parks are on slopes that will make them impractical for many uses. 2. This proposal actually contributes to the 'built up areas in St Leonards', without contributing to increasing and enhancing the available green space.
<p>Area Wide Design Principles – Comprising Place: Ensure no additional overshadowing of public open spaces and important places in accordance with solar access controls identified on pg. 49 of the Plan</p>	NO	1. The proposed plan will result in massive overshadowing of Newlands Park, as well as an unsustainable increase in the demand for park use.
<p>Area Wide Design Principles – Comprising Built Form Consider cumulative impacts of new developments on existing areas, including overshadowing, wind impacts and loss of views</p>	NO	The SLS proposal fails to consider cumulative impacts of new developments on existing areas, including overshadowing, wind impacts and loss of views.
<p>Area Wide Design Principles – Comprising Built Form Contain taller buildings between St Leonards Station and Crows Nest Station and nominated significant sites along the Pacific Highway</p>	NO	Towering high rise buildings are proposed for the SLS area, particularly the northern section.
<p>Area Wide Design Principles – Comprising Built Form 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</p>	NO	1. A true transition area would comprise buildings of the scale and bulk that would fall within medium density zone parameters. The very purpose of medium density zoning is to readily enable such transitions. 2. From the 2036 draft: "Lane Cove Council's planning proposal for St Leonards South ... proposing gradual height changes from higher density to lower density areas" (p22). No change to the planning proposal has been made, despite consistent feedback from the community that gradual transitions are necessary to preserve neighbourhood character and amenity.
<p>Area Wide Design Principles – Comprising Land Use Ensure new development contributes to a range of dwelling types in the area to cater for all life cycles.</p>	NO	SLS presents an ideal opportunity to contribute in this way. The current proposal offers substantially similar dwelling types across the entire area. Taking up the opportunity to provide intermediate dwelling types that appeal to downsizing empty nesters looking to stay within the area, but still have some outdoor connection, can also support the implementation of transition areas.
<p>Area Wide Design Principles – Comprising Movement Avoid a monolithic street wall effect through the distribution of higher buildings. Transition heights from high rise areas down towards existing lower scale areas, including areas not proposed for height changes</p>	NO	A true transition area would comprise buildings of the scale and bulk that would fall within medium density zone parameters. The very purpose of medium density zoning is to readily enable such transitions. The SLS proposal fails to avoid a monolithic street wall effect.

Terms of Reference	Consistent with 2036 Plan?	Assessment of Proposal Against Terms of Reference
<p>Area Wide Design Principles – Comprising Movement Consider cumulative traffic impacts</p>	<p>NO</p>	<p>The LCC SLS proposal relies upon a traffic report based on 2013 data that has been 'calibrated'. The scope of the traffic study document is specifically limited to the impact of five distinct development sites within the LCC area. This study takes no account of the substantial number of developments within the greater region that will feed onto key arterial roads that pass directly through the St Leonards / Crows Nest area. Furthermore, the LCC traffic study falls far short of considering the cumulative effects of an additional 7,525 new dwellings in the area.</p> <p>The most recent correspondence available on this topic from LCC suggests that Council has an expectation that two amendments to the current proposal will result in some perceptible improvement to the traffic network when burdened with the additional load from 2400 dwellings:</p> <ol style="list-style-type: none"> 1. <i>Provide for full two lane capacity on the north side of River Rd by prohibiting street parking in the vicinity of the proposed development.</i> In fact, current parking controls are such that this section of River Rd is already effectively two lanes wide during the peak period. And this section of road is currently functioning beyond capacity in peak hours. 2. <i>Remove on-street parking on Berry Rd in the vicinity of the Pacific Highway in order to improve exit capacity.</i> Unfortunately, as per the 2036 Cardno report, this portion of the highway will already be loaded beyond capacity well before 2036, based on network projections with currently planned growth. So improving flow to a clogged bottleneck is unlikely to help. <p>So at this point there has been no reassessment of the traffic loads to fully take into account the cumulative impacts of other precinct developments, nor external arterial road loading factors. The currently proposed measures cannot be considered credible.</p>

With regard to the lack of any attempt at genuine board community engagement at an appropriate level, please see my submission presented in the IPC meeting of 20 May, 2019 (Appendix E).

Further to what was presented on 20 May 2019, I note that a document pertaining to Community Engagement by the Lane Cove Council (LCC) on this proposal has since been posted on the IPC website ("ST LEONARDS (sic) SOUTH STRATEGY STAGE 2 COMMUNITY ENGAGEMENT REPORT"). This document clearly illustrates that participation from the broader community did not take place at this time (2014), and the document clearly shows that the survey respondents comprised 89% residents (at the time) from the SLS precinct. This intentional overwhelming selection bias consequently led to a similar bias in the key outcomes. Unsurprisingly, the only formal submission received from such a select group is a collective submission endorsing the highest possible density development.

This document should be considered as a submission of historic interest only - there is no evidence that the views and outcomes contained therein represented the broader community at the time, and there is ample evidence that the views and outcomes contained therein are in direct contrast to those of the broader community now.

Consistent with the above, the letter from the LLC to the local MP, dated 27 January 2017 (Appendix B, Attachment B), explicitly states that the 'extensive community consultation program' undertaken during the drafting of the SLS Master Plan involved restricting engagement to 'Consultation with residents within the entire Master Plan precinct'.

Also, following on from presentations made in the aforementioned public meeting, I wish to voice further concern that there appears to be a position of entitlement being adopted by some parties. Such entitlement is entirely without basis:

Any landowner is permitted to pursue development within the constraints of the prevailing regulations, and may shape such development to ensure private economic feasibility.

Conversely, there is no moral or legal obligation whatsoever for a regulatory authority to relax any constraints to ensure the feasibility of a development that may be otherwise be deemed infeasible by a landowner.

This is the case regardless of what a landowner's expectations may be and the source of such expectations. Decisions on changes in land use are to be made on the basis of good planning principles, broad consensus, and solid commitments to necessary infrastructure support.

Deviation from these principles on the basis of lot size, property value, public contributions, or any other rationale will undermine the foundations of land use management and planning.

Please consider the above and the attached in your review.

As a community, we look forward to the opportunity to participate positively and effectively in the formulation of a development proposal for St Leonards South that satisfies all higher level planning objectives, exceeds expectations on enhancing community living and dwelling diversity, and restores faith in the planning process.

Please consider a recommendation to **restart the St Leonards South planning process** to ensure consistency with the draft 2036 plan, to respect the community views reported from the 2018 workshop, and to ensure that any development is complementary to other planned developments so as to deliver a diversity of housing stock and comply with the intent of transition zones.

Yours sincerely,

[Redacted signature block]

Attached:

- Appendix A:** Correspondence with [Redacted] (April 2015) - Submission: 'Draft St Leonards South Master Plan – SU5573'
- Appendix B:** Correspondence with [Redacted] (May 2015 - February 2017) - St Leonards South Precinct Development
- Appendix C:** Correspondence with GSC (October 2016) - North District - Strategic Centres Submission - St Leonards
- Appendix D:** Correspondence with Lane Cove Council (January 2018) - Submission: 'St Leonards South - SU5945'
- Appendix E:** Submission Presented in the IPC Meeting of 20 May, 2019 (May 2019)
- Appendix F:** 500 Signature Petition of July 2015 Referenced in Correspondence Above (July 2015)

[REDACTED]

From: [REDACTED]

Sent: Tuesday, 14 April 2015 8:12 PM

To: [REDACTED]

Subject: Submission: 'Draft St Leonards South Master Plan – SU5573'

Dear David,

Thanks for taking the time to provide more background on this issue during our call on Friday.

As discussed, I have compiled my comments and observations in relation to the St Leonards South Masterplan document, and listed these below.

From our discussion it certainly seems that there is every chance to realign the planning direction to ensure a result that gives a good balance between better utilisation of the region in the immediate vicinity of the railway station, and maintaining the character and amenity that is currently enjoyed by residents of the precinct and the surrounding area.

Given the shortcomings of the study document and associated draft plan, as detailed below, it appears there has not been sufficient consideration of all factors at this point in time to justify support for anything but a minor rezoning of some properties within this precinct.

In the past I have supported well considered local developments, including a multi-unit development adjacent to my property. And I would support well-considered developments within the St Leonards South precinct - but there seems to be some ground to cover between the current AAUD draft master plan and a comprehensive supportable plan.

I look forward to meeting with you at the upcoming consultation session.

Regards,

Comments and observations in relation to the St Leonards South Masterplan Draft

Refs:

- St Leonards South Strategy Precinct Report by David Lock Associates (DLA)
- St Leonards South Masterplan Draft study document Annand Associates Urban Design (AAUD)

1. Lack of breadth in consideration of all potential development directions

From the AAUD document "The study's aim is to produce options for developing infrastructure and future land use for this precinct that Council can consider and take to the community or their views." The document does not fulfil its stated aim. The focus of the report is generally on high FSR and maximising building height for dwelling developments - this is particularly evident in the Executive Summary and in the Recommendations chapter.

This lack of balance does not allow councillors to sensibly evaluate the merits of alternative development directions, particularly in regard to ensuring the final development direction is sympathetic to the subject site - a site that is unfavourable in terms of its aspect and topology from the perspective of significantly elevated buildings. AAUD states "The major constraint to development is the overshadowing issue which relates to south facing slopes. Any major east-west buildings will throw long shadows to the south. In fact existing development already causes significant shadowing across the Precinct", and "a most problematic south facing, steeply sloping context". DLS states "The fall of the land will also influence the nature of any future development given the need to avoid any unreasonable impacts on the amenity of existing residential properties, such as overshadowing", and "New

development must not impact on existing amenity of residential properties in terms of overshadowing, overlooking and bulk."

Potential development directions also need to consider the many other issues as raised in the AAUD and DLS documents. The DLS document acknowledges this need for a considered approach - "A diversity of housing densities and types is desired – including apartments and flats, townhouses and detached dwellings to accommodate a diversity of population close to transport and employment", and "Transition in scale across the Study Area – the scale and siting of built form should provide a transition in scale generally from north to south to allow adequate view sharing and ensure no unreasonable amenity impacts in terms of overshadowing of existing properties".

However, the AAUD document does not provide for any such diversity in the recommendations. On the contrary, the document specifically seeks Council endorsement of the "High Density Concentrated Development". Chapter 4 of the AAUD document describes some simple alternatives to High Density Concentrated Development, but does not explore these in any depth before performing an assessment essentially based on the dwelling yield achievable from some basic scenarios. This high density development direction is further reinforced by the somewhat speculative financial viability analysis of Chapter 7.

Nowhere in the AAUD document is there a balanced assessment that compares the various issues and opportunities associated with this development and objectively analyses the different development density directions against criteria derived from these issues and opportunities.

2. Lack of reference to the prior Stage 1 (DLA) report

Aspects raised in the DLA report such as graduated development and consideration of shadowing of the surrounding area are not addressed in any detail in the AAUD document. Indeed it seems that the only reference in the AAUD document to the DLA report is in relation to a tree survey.

The DLA executive summary highlighted a number of significant findings, issues and concerns that warrant consideration and resolution prior to determining a preferred option:

- Opportunities exist to encourage a diversity of housing types including apartments, townhouses and detached houses to respond to different sectors of the housing market to enable a range of household types to live in the area.
- There are opportunities to provide a broad range of land uses that will meet the changing demands of the diverse population within the Study Area. This includes improving access to employment opportunities, community facilities such as schools or public parks as well as increasing the diversity of other retail and entertainment land uses.
- There would be opportunity for the built form of any future development to maintain a diversity of scale and siting and provide a transition in built form scale generally from north to south and east to west. Siting should respond to the existing character in terms of front and rear setbacks and be respectful to any heritage character.
- Medium and high rise is not the preferred and single dwellings should be maintained.
- The area within 200m of the Station should be high-rise with a transition in height towards River Road.
- The fall of the Study Area from north to south provides an opportunity for future development to accentuate the existing topography. Taller buildings could be sited on higher ground to capture views and signify the importance of the Pacific Highway as a major arterial road and commercial centre.

A recurrent theme throughout the DLA document is to take advantage of the characteristics of the study area to implement a diversity of housing types while applying a transition in scale that addresses the concerns inherent in the topology in relation to view sharing and overshadowing of existing properties.

These aspects are important and valid considerations in determining the appropriate development direction for the precinct yet have been largely ignored in the AAUD document.

3. Inconsistency with the Metropolitan Strategy intent of 'Urban Renewal'

St Leonards is nominated as a Strategic Centre by the Department of Planning and Environment's "A Plan for Growing Sydney". This plan cites Urban Renewal as being relevant for this centre and Direction 2.2 states - "New housing will be complemented by additional jobs and social infrastructure – especially in strategic centres. The Government recognises that investment in infrastructure such as schools, community facilities, open space and public spaces will be critical to the appeal of these places."

It is evident (from the AAUD document alone) that the St Leonards South region under study, with its unfavourable aspect, topology and access limitations does not present an appropriate development opportunity that aligns with the intent to incorporate in a substantial way all of the associated *critical* requirements of the renewal concept. It may well be that other localities around the St Leonards hub offer opportunities that have the potential to meet the Department of Planning and Environment's deemed requirements.

The St Leonards South region under study may be able to partially comply with some of these critical requirements, and if so it is appropriate that some localised urban renewal take place, but with the level of development moderated accordingly.

4. Insufficient consideration of the aims of the LEP

The aims of the Lane Cove Local Environmental Plan (2009) in relation to residential development are:

- to provide a housing mix and density that:
- accords with urban consolidation principles, and
- is compatible with the existing environmental character of the locality, and
- has a sympathetic and harmonious relationship with adjoining development, and
- to preserve and, where appropriate, improve the existing character, amenity and environmental quality of the land...

In addition, the LEP cites development standards in relation to building height, with the objectives to:

- to minimise any overshadowing, loss of privacy and visual impacts of development on neighbouring properties, particularly where zones meet, and
- to maximise sunlight for the public domain, and
- to relate development to topography.

In relation to land use, one of the LEP zoning objectives for R4 High Density Residential is "to ensure that the existing amenity of residences in the neighbourhood is respected", and the zoning objectives for R3 Medium Density Residential includes a means to facilitate this, by providing for "a suitable visual transition between high density residential areas and lower density residential areas" and encouragement of "the erection of buildings that are designed in response to the characteristics of the site and locality".

The AAUD document contains recommendations that not only promote overdevelopment, but also ignore the need for sympathetic zone boundary transitions as per the provisions of the LEP legislation.

5. Insufficient consideration of the principles of SEPP No 65 and shadowing

In considering compliance with State Environmental Planning Policy No 65, the three primary quality principles of Context, Scale, and Built Form are most relevant. Despite claims in the AAUD document that the master plan can "Embrace design excellence" by exceeding SEPP No 65 Guidelines, it is evident that the fundamental policy components relating to development character and transition have not been seriously taken into account. In particular the recommendations that propose buildings of 6 - 12 levels on the boundaries of a distinct development precinct show no appreciation of the need to ensure a "considered response to the scale of existing development".

Interpretation of SEPP No 65 depends very much on the nominated "Desired Future Character" for the subject development and adjacent properties. It is not anticipated within the AAUD document, or elsewhere, that there is any intention to rezone areas adjacent to the St Leonards South precinct, nor is there any suggestion that these adjacent areas will change in any way from their current character. So the "scale of the street and the surrounding buildings" will be different depending on which development block is being considered. In close proximity to the Pacific Highway and the station, where the building scales are significant, the intention for the desired future character stated in the AAUD document may well hold. But on precinct boundary streets this is definitely not the case. This SEPP principle that directs the scaling down of developments in such locations is consistent with the LEP aim of sympathetic and harmonious development.

The subject precinct has an aspect and topography that leads to shadowing severity being highly sensitive to the scale and bulk of any development. The AAUD document recognises this and in relation to the townhouse development option comments that this design is "sympathetic to the local topography and is able to take best advantage of available sunlight without generating detrimental shadowing". It is evident from the AAUD shadowing studies that virtually all other development directions lead to such "detrimental shadowing". The so-called

"preferred option" shown in Appendix 4 of the AAUD document shows considerable shadowing over many precinct properties, but shadowing is particularly severe over properties that are immediately to the south of the precinct boundary.

6. The study's premise in relation to the target quantity of housing/dwellings for the St Leonards South Precinct may need to be revisited

The current Department of Planning and Environment's Draft Metropolitan Strategy (2013) for Sydney considers jobs and housing targets for the identified subregions. Each classified hub within each subregion has associated targets - many of these are housing-related targets. The St Leonards Specialised Precinct has no such specific housing target in this document. This is in contrast to the "2,000 to 5,000 new residences" that AAUD study is based upon.

The Department of Planning and Environment's "A Plan for Growing Sydney" document refers to housing in the St Leonards Strategic Centre as an element of "additional mixed-use development" - this most recent document does not call out housing capacity specifically as a focus for the Strategic Centre, nor are there any specific quantitative capacity targets.

Consequently, it would seem prudent to revise aspects of the study document in light of this clarified strategy.

The Hon Anthony Roberts MP,

Attention: The Hon Anthony Roberts MP

St Leonards South Precinct Development

Dear Mr Roberts,

Thank you for your reply of 10 February 2017 (received 17 February 2017) to my letter of 2 November 2016.

As you will have noted, my letter refers back to several previous items of correspondence on this matter voicing community concern, back as far as May 2015 (Attachment A).

The clear request in the letter of 2 November 2016 was for you to **reiterate your original request for council to engage the broader community in meaningful consultation** on this critical and high-risk proposal.

In the meeting of 21 May 2015, attended by Lane Cove Council and yourself, Council stated that consultation up to that date was intentionally restricted to those in the precinct vicinity. Recognising this shortcoming, you stated in the meeting that consultation with wider Greenwich is critical. Since that date there has been **no consultation** with residents.

Draft St Leonards South Master Plan phase

The letter from LCC to your office dated 27 January 2017 (Attachment B) refers to a range of community communications over the Master Planning period. As advised by Council in the meeting with you on 21 May 2015, the broader community was not involved in these interactions, and since that date, as per the LCC correspondence, there has been no subsequent consultation to remedy the situation. Specifically, in relation to the period covered by the planning phase and subsequent to our meeting of May 2015, the LCC correspondence refers only to notifications of Council's resolution in regard to the Proposal, not to any form of community interaction, and concludes that Council has conducted an 'extensive consultation' program.

Draft St Leonards South Gateway Determination

The letter from LCC to your office dated 27 January 2017 also refers specifically to information evenings involving the presentation of an update on aspects of the Proposal - as per proceedings over the course of the Gateway Determination phase. During the information evenings it was explicitly stated by Council that the purpose of the session was for Council to **present** the state of the Proposal following the Gateway Determination, not to provide an open forum for consultation on the nature of the Proposal. Further, the 'formal report' referred to in the LCC letter comprises a three sentence summary of the time, purpose and content of the sessions, with no information whatsoever on any feedback from the sessions. Yet, the claim from LCC in the letter is that these sessions form part of Council's 'consultation' process.

As you would be aware, the Gateway process is required to be fully transparent and clearly demonstrate the fostering of meaningful community involvement in planning and decision-making. Council's actions in regard to this matter have continued to demonstrate failure in adherence to both the spirit and letter of this requirement:

- Rejecting calls from the community and local member for broader consultation;
- Failing to respond to multiple petitions submitted in relation to this matter, including a petition with over **500 signatories**, dating back to 2015;
- Citing notification of Council's resolution and implementation steps as 'consultation'; and
- Arranging Information Sessions limited to specific attendees with no intent to gather feedback and referring to this as 'consultation'.

Could you please confirm that these Council actions meet with your expectations for meaningful community involvement and consultation in accordance with the Gateway Determination process. Or advise what the next steps will be to rectify this situation.

We look forward to your timely assistance in this matter.

Yours sincerely,

A large black rectangular redaction box covers the signature and name of the sender.

From: [REDACTED]
Sent: Wednesday, 2 November 2016 4:53 PM
To: [REDACTED]
Subject: St Leonards South Actions
Attachments: GCA Objection 24 September 2015.pdf; Key Points from the Meeting of 21 May 2015, Re: 'Draft St Leonards South Master Plan – SU5573'

St Leonards South Actions

Dear Mr Roberts,

I write once more to remind you of the meeting that was attended by you in May 2015, and the points that you made in that meeting. In particular you specifically requested that the LCC broaden the consultation on this significant community planning issue.

You may be aware that a Draft Planning Proposal Gateway Determination has now been released on this issue. No direct notification of this has been provided by the LCC or any other authority to ensure that all those residents that will be directly affected by this determination have been informed.

The first communication from the council on this matter since the determination has been directed specifically to those owners of land within the precinct that is the subject of the proposal - those that stand to benefit from the sale of their property (and so not committed to contend with the real consequences of planning decisions on the community). The council correspondence is an invitation to a council communication session that has capped attendance and targets land owners within the precinct. So, once again the local broader community is being treated with contempt by the council.

Could you please reiterate your original request for council to engage the broader community in meaningful consultation on this critical and high-risk proposal. As has already been demonstrated in this endeavour: late consultation amounts to no consultation.

We look forward to your re-engagement on this issue to help steer it in the direction of progressive, but rational and reasonable development planning.

Yours sincerely,

[REDACTED]
[REDACTED]
Sent: Friday, 9 October 2015 9:40 PM

[REDACTED]
Subject: St Leonards South Actions

Dear Mr Roberts,

As you will recall from your meeting with residents of the St Leonards South area on 21 May 2015, the community was very concerned about the direction of the proposed Draft St Leonards South Master Plan. Since that time our concern has grown deeper.

As you will no doubt be aware, since 13 July 2015 Lane Cove Council has been working on the preparation of a formal planning proposal in relation to this area. The Council has not engaged the local community in this planning process despite the fact that they have been informed that there has been a lack of community involvement on many occasions including during the meeting at which you were present (see attachment of 21 May 2015), and through correspondence from the major local community association (see attachment of 24 September 2015). This

last correspondence is supported by a petition (see attachment of 10 July 2015), in addition to the one that you have already received, with **over 500 signatories**.

During the meeting in May you were supportive of the concerns of the residents and expressed your concerns over the likely costs that would need to be borne by the State Government. Could you please provide us with an update on what actions are being taken to ensure that this plan adopts a rational and reasonable development approach, particularly in regard to:

- Building heights and built forms to transition and blend to that of the existing dwellings within the boundaries of the planning zone.
- Density within the zone to be appropriate so that it is supported by local infrastructure and facility upgrades that have agreed funding prior to any plan approval.
- Confirmation that the recent 9-block amalgamation and sale to foreign interests will not lead to any relaxation of principles governing building heights, form, and transitioning - in accordance with the undertaking from the May meeting.

Please contact me as soon as possible should you require more information on this matter.
We look forward to your response on this vital community issue.

Yours sincerely,

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Greenwich Community Association Inc

PO Box 5057, Greenwich, NSW 2065
www.greenwich.org.au

24 September 2015

The General Manager
Lane Cove Council
PO Box 20
LANE COVE NSW 1595

Dear Mr Wrightson,

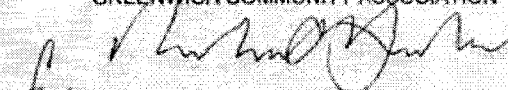
St Leonards South Master Plan Finalisation

Lane Cove Council passed a resolution on 13 July 2015 for the staff to prepare a planning proposal based on the Annand draft plan for St Leonards South.

The scope and scale of this plan vastly exceeds any prior residential redevelopment plan within the Council region and will consequently have significant impacts upon the community. In light of this the Greenwich Community Association is concerned about the lack of broad community involvement in the preparation of the St Leonards Master Plan by Lane Cove Council. Such broad involvement is appropriate for such a transformational development and the plan adopted in July has not taken into account a range of views. A petition with over 500 signatures submitted to Council supports this position. It requested that the planning process be deferred until such time as effective community consultation has taken place. Could you please provide details on the community input that Council would seek over the period of planning proposal preparation.

In addition, the community acknowledges the intent of Council to obtain firm commitments from government agencies that the necessary improvements to infrastructure will be fully funded and carried out, particularly in regard to schools, roads and traffic improvements. The GCA requests that Council clearly states how such 'firm commitments' will be obtained to a level that provides assurance to the community that government funding will be irrevocably allocated for school facilities, roads, and other infrastructure, in advance of the exhibition of any Draft LEP.

Yours sincerely,
GREENWICH COMMUNITY ASSOCIATION


Tom Gervay
President

From:
Sent:
To:
Cc:

Wednesday, 27 May 2015, 8:33 PM

Subject:

Key Points from the Meeting of 21 May 2015, Re: 'Draft St Leonards South Master Plan – SU5573'

Dear Anthony,

Just a quick note to follow up on your meeting with representatives of the residents of Eastview St and Wilona Ave last Thursday, 21 May.

Thank you again for taking the time to understand this issue and make your views on the matter known. Below is a brief summary of the key points from our notes.

Please get back to us promptly if there have been any misunderstandings or omissions.

Date: 21 May 2015

Time: 6:30pm

Present:

State and Local Government:

The Hon. Anthony Roberts, MP

Councillor David Brooks-Horn, Mayor of Lane Cove

Michael Mason, Executive Manager - Environmental Services, Lane Cove Council

Stephanie Bashford, Manager - Strategic Planning, Lane Cove Council

Chris Pelcz - Strategic Planner, Lane Cove Council

Residents:

Allan Watts, Andrew Harvey, Peter Sweeney, Carly Lupton, Ray Leung (All of Eastview St)

Albert Jubian, Anita Jubian (St Leonards)

1. A petition objecting to the draft master plan, signed by 49 residents of Eastview St (100%) and Wilona Ave (95%+), was presented to Anthony Roberts.
2. With regard to notification of residents about the plan, council officers stated that the intent was to notify residents within the vicinity that would be affected directly, and involve them in consultation. The notification of residents in our streets was not verified, and although this notification has evidently failed council is not intending to initiate any action to rectify this prior to taking the next step in pursuing the master plan.
3. Michael Mason stated that the restricted targeting to those in the precinct vicinity only for consultation was intentional as the planning was in an early stage.
4. Anthony Roberts asked if LCC could broaden the consultation.
5. AR said that this was a unique opportunity to take control of the development process and that there is 'no done deal' here.
6. All government representatives present confirmed that there had been no meetings with developers or residents on this issue other than those noted on the council website. "Council has had no discussion with any developers".
7. The master plan approach is a council initiative and there is no fixed goal for the number of dwellings. Council acknowledged they are already meeting their dwelling targets.
8. It was noted that some recent property transactions in the precinct anticipate a development outcome. Council gave assurance that this is not relevant to the decision making process.
9. The residents stated their concern that it was not appropriate to have 12+ storey buildings on one side of the road, with single storey buildings on the other side of the road - as per the Annand proposal.
10. AR rejected the planning concept of a high-rise building being sited adjacent to existing single dwelling blocks and supports a plan that includes a transition in building heights to sympathise with existing properties at the boundaries of the subject zone:

- The concerns of Eastview St residents are absolutely rational and reasonable
 - Transition of building heights is critical
 - Consultation with wider Greenwich, including those of Eastview St and Wilona Ave, is critical
11. AR believes that development of high-rise has been excessive in all adjacent LGAs and praised the LCC for managing planning to prevent undesirable tower block development.
 12. The residents raised the issue of lack of financial commitment by the state government to fund services and facilities for what is effectively an entire suburb (Water, Sewer, Electricity, Gas, Telecommunications, Schools, Public transport, Health facilities, Major roads and road upgrades). MM stated that these factors would only be considered at a level to enable costs to be estimated at the Gateway stage.
 13. AR is concerned that the costs that will need to be borne by the state government will be excessive (sewerage was singled out as possibly \$100M+).
 14. The residents noted that the Annand proposal did not seem to deliver on many of its own principals, nor against the Metropolitan Strategy for Sydney, in which housing in St Leonards is NOT a priority.
 15. The residents clarified their concerns with regard to the master plan and outlined what was considered to be the nature of reasonable development: Building heights and built forms to transition and blend to that of the existing dwellings within the boundaries of the planning zone, and density within the zone to be appropriate so that it is supported by local infrastructure and facility upgrades that have agreed funding prior to any plan approval.
 16. MM requested that further objections be submitted to council from the residents, and these will be taken into account.
 17. AR is supportive of the vision to embrace and take control in consultation with residents and stated this would not be the last of our meetings.

Once again, thank you for becoming involved in this issue, we appreciate your support and stance on progressive, but rational and reasonable development planning.

Regards,



The Honourable
Anthony Roberts MP
Member for Lane Cove



Ref: 2/1822



10 February 2017

Dear 

Following your representations regarding the lack of broader community consultation concerning the St Leonards South precinct development, I have received the enclosed reply from the General Manager of Lane Cove Council.

Thank you for raising this issue with me and I trust the information provided by the General Manager of Lane Cove Council has been of assistance to you.

Please do not hesitate to contact me if I can be of further assistance to you.

Best wishes,

THE HON ANTHONY ROBERTS MP
Member for Lane Cove
Minister for Planning
Minister for Housing
Special Minister of State
Leader of the House
AR:SF



Lane Cove Council

48 Longueville Road, Lane Cove NSW 2066

Tel: 9911 3555

Fax: 9911 3600

Date: 27 January 2017
Doc Ref: 76753/16

The Honourable Anthony Roberts MP
Member for Lane Cove
Minister for Industry, Resources and Energy
Leader of the House
PO BOX 20
LANE COVE NSW 2066

Dear Anthony,

Re: Response to Dr Peter Sweeney's comments

Thank you for your letter (your ref: 2/1822) on behalf of Dr Peter Sweeney, resident of 6 Eastview St, Greenwich regarding the lack of broader community consultation with respect to St Leonards South precinct development.

Draft St Leonards South Master Plan phase

I advise that Council did undertake an extensive community consultation program during the draft St Leonards South Master Plan phase. The consultation program involved:-

- Establishment of a Community Liaison Committee
 - o Made up of residents from the entire Master Plan precinct, to guide both Stages 1 & 2 of the St Leonards South Master Plan area.
 - o Guided the process from 2012 until September 2014.
- Consultation with residents within the entire Master Plan precinct
 - o Two community informal sessions (an information day and community workshop) during October 2014.
- Consultation with residents within the entire Master Plan precinct, immediately adjoining areas, government agencies and surrounding Council areas (North Sydney & Willoughby residents)
 - o The draft Master Plan was originally publicly exhibited from 19th December 2014 to 13th March 2015.
 - o A community drop-in session was then held in February 2015.
 - o Due to the level of community interest, this deadline was extended until 17th April 2015 – but was further extended, because of school holidays, until 1st May 2015.
 - o A community information session was held April 2015.

Following this program, a final report was presented back to Council at its Extraordinary Council meeting on 13 July 2015 – where it was resolved to adopt the Master Plan with amendments. In accordance with Council policy, all of the residents, including Mr Sweeney, mentioned above were notified of Council's resolution via letter (Attachment A) in August 2015. The letter outlined the next steps in the process as well as indicative timeframes.

Council's consultation program has, therefore, been extensive and thorough all throughout the draft Master Planning process.

Draft St Leonards South Gateway Determination

I can now advise that since then Council formally submitted a Planning Proposal to NSW Planning & Environment for Gateway Determination. This is in accordance with the

Environmental Planning and Assessment Act 1979 and Regulation, as well as State Government guidelines for Local Environmental Plans and Planning Proposals.

Once the Gateway Determination was issued, residents from within the Master Plan precinct and immediately adjoining areas were notified via letter (Attachments B & C) and invited to an information evening at Council in November 2016.

Both letters clearly state:

"The purpose of the evening is to provide an update of the Draft Planning Proposal & Gateway Determination affecting the St Leonards South precinct's landowners.

The Gateway Determination has imposed a series of conditions that will need to be addressed prior to exhibition. Council staff are working their way through these requirements".

The information evenings were held in the Council Chambers across two separate nights, this was due to capacity constraints of the Chambers. As a result, attendances at both sessions were required to be limited for safety reasons. Copies of the presentation were distributed to all those who attended the meeting, via email, and a formal report on the sessions provided to the 21 November 2016 Council meeting.

It is my understanding that Mr Sweeney registered and attended the information evening of the 7th November 2016 and was provided a copy of the powerpoint presentation via email afterward.

It is worth noting that these informal sessions form only one part of Council's consultation process for the planning proposal. Notwithstanding that, they are far in excess of NSW Environmental Planning and Assessment Act 1979, Regulation, standards & guidelines.

Furthermore, the Gateway Determination has concluded that a number of tasks must be undertaken and completed, prior to formal public exhibition, of the Planning Proposal. Once completed, the formal exhibition documents will provide clear evidence based information "to assist the community to make an informed comment on the proposal" (A guide to preparing local environmental plans, NSW Planning & Environment: 2016, pg 19).

Overall, I advise that Council's processes have been extensive and thorough and will continue to be even more extensive and thorough moving forward on this significant project.

The relevant officer is Michael Mason, Executive Manager – Environmental Services, who may be contacted on [REDACTED]

Yours sincerely,



Craig Wrightson
General Manager

Attachments

Attachment A: Copy of letter notifying residents of Council's adoption of the Master Plan (30 July 2015)

Attachment B: Copy of letter notifying residents of Council's invitation to Information evening on 2nd November 2016 (21 October 2016).

Attachment C: Copy of letter notifying residents of Council's invitation to Information evening on 7th November 2016 (31 October 2016).

Attachment D: Copy of Information evening presentation distributed to residents.

Kathy Sweeney

From:
Sent:
To:

[REDACTED]
Thursday, 13 October 2016 7:31 PM

[REDACTED] - St Leonards

Strategic Centres are Vital

Dear Mr Steane,

The GSC is to be commended for directing development strategy from a foundation of Evidence Based Research. One core component in regard to this is the important role of Strategic Centres, and as highlighted by the HillPDA report (2015), the critical objective of "Growing Strategic Centres - Providing more jobs closer to home". The associated plan directive focuses on "concentrating office development and key businesses and services within centres to benefit from agglomeration and enhance productivity".

A case in point is St Leonards - this Strategic Centre offers a significant opportunity for commercial and employment growth. Unfortunately, this opportunity is being wasted by a focus on short-sighted support for speculative high density apartment development. For the Strategic Centre concept to succeed this trend needs to be reversed urgently, and incompatible 'plans' such as the Lane Cove Council's 'St Leonards South Master Plan' frozen until a collective vision that fully supports the Strategic Centre concept is conceived. Such residential over-development at the expense of strategic planning is claimed by the council to be supported by community consultation responses (SGS, 2016). Such 'support' is by no means widespread - but it is inevitable that the section of the community that stands to gain by a re-zoning windfall are most vocal. Unmentioned in the SGS document are the multiple community petitions submitted to Lane Cove Council seeking deferral of the Master Plan until broader planning considerations have been incorporated.

Cohesive planning based on broad community input and consistency with the Strategic Centre objectives is urgently required - before the opportunities at St Leonards are squandered. Any currently proposed developments and Master Plans need to be sidelined until such a cohesive plan for this Strategic Centre is available. Genuine commercially-focused Strategic Centres are vital for a sustainable growth plan - there will be no second chance to get this right.

Yours sincerely,

[REDACTED]
12 October 2016

Refs:

<http://www.greatersydneycommission.nsw.gov.au/~media/Files/GSC/GSC-reports/strategic-centres-enabling-economic-growth-and-productivity-hill-pda-2015-08.ashx?la=en>

<http://www.greatersydneycommission.nsw.gov.au/~media/Files/GSC/GSC-reports/north-district-local-planning-summaries-sgs-economics-and-planning-2016-02.ashx?la=en>

Kathy Sweeney

From: [REDACTED]

Sent: Thursday, 4 January 2018 10:29 PM

To: [REDACTED]

Subject: Submission: 'St Leonards South – SU5945'

Attachments: Petition 10 July 2015.pdf; Key Points from the Meeting of 21 May 2015, Re: 'Draft St Leonards South Master Plan – SU5573'; GCA Objection 24 September 2015.pdf; TRIM_Submissions Summary - Public - St Leonards South Report 13 July 2015 - Business Paper AT-8_995017.PDF; Submission 14APR15.pdf; TRIM_Policy CS 02 Community Engagement Policy_1180403.DOCX; St Leonards traffic study.pdf; st leonards crows nest faqs 2017 12.pdf; gsc_lga_sheet_n_lane_cove.pdf

Importance: High

The General Manager
Lane Cove Council

[REDACTED]
[REDACTED]
Via email

4 January, 2018

Dear Sir,

Ref: St Leonards South –SU5945

I wish to register my **strong objections** to the draft St Leonards South Master Plan, and request that Council **cancel this plan** on the following grounds:

As an elected local government body, the LCC has as its prime responsibility the obligation to make decisions and commitments that reflect the views of the community that has elected the Council members. This obligation applies equally to Councillors, Council planners, and Council staff.

In making such decisions and commitments the Council must, of course, ensure compliance with any overriding State or Federal laws and avoid decisions that are in direct conflict with any ratified planning policies and strategies that may be published by higher planning authorities from time to time.

In the case of the proposed St Leonards South Master Plan it is abundantly clear that there is currently no broad-based community support for such an ill-founded proposal, and this reflects the situation at the time when the planning proposal motion was passed by Council in 2015 (Ref: TRIM_Submissions Summary - Public - St Leonards South Report 13 July 2015 - Business Paper AT-8_995017, attached). As can be seen from the referenced document, those outside the subject precinct fortunate enough to be aware of the proposal were overwhelmingly objecting,

and those within the precinct were divided. At this time factors other than the dominant broad community view evidently drove the decision to pursue this proposal further.

Furthermore, it has now been established, despite indications to the contrary by some, that there is no higher level planning authority policy, strategy, or directive that obliges Council to pursue this proposal in any form. References to documents such as the GSC Council snapshot of the revised draft North District Plan - LCC (October 2017, attached), and the DPE's St Leonards and Crows Nest Station Precinct Project Update (December 2017, attached) make this evident. In fact, it is clear from recent communication with the Department of Planning and Environment (DPE) on this matter that there are aspects of the proposal that are not in alignment with the current direction on local planning and many critical questions still remain unanswered at this crucial stage of "Public Exhibition".

Please find attached detailed objections to this proposal, as per correspondence sent to your office on 14 April 2015. I note that this correspondence, and many other similar objections from others in the broader community, was NEVER forwarded to the DPE to assist in a balanced Gateway assessment.

In addition to the detailed objections laid out in the prior submission, attached (Submission: 'Draft St Leonards South Master Plan – SU5573' - 14APR15), please find below a listing of these and a summary of further points of objection that have arisen from the recent "Public Exhibition".

1. Lack of Breadth in Consideration of All Potential Development Directions

2. Lack of Reference to the Prior Stage 1 (DLA) Report

3. Inconsistency with the Metropolitan Strategy Intent of 'Urban Renewal'

4. Insufficient Consideration of the Aims of the LEP

5. Insufficient Consideration of the Principles of SEPP No 65 and Shadowing

6. The Study's Premise in Relation to the Target Quantity of Housing/Dwellings for the St Leonards South Precinct may Need to be Revisited

7. Absence of Any Genuine Attempt at Broad Community Consultation in Relation to this Draft Proposal, both Before and Since the Council's Resolution of July 2015:

7.1 Prior to July 2015 Council Resolution:

- No direct notification was made to the broader community of the proposal, despite the fact that it would have far reaching effects on the community.
- Residents outside of the property value beneficiary precinct were never informed directly and became aware of this only through indirect community communications.
- On 21 April 2015, the Council held a presentation session "St Leonards South Master Plan Community Information Session" which has been misleadingly labelled on Council's website as "Consultation Session Presentation - From Community Consultation Session 21 April 2015". This information session focussed on the presentation of an escalation in the scale of the proposed development and there was no element of broad community consultation. The presentation document on Council's website reflects this.
- Following direct representation to the Council and the local member in May 2015 (minutes attached), it was revealed by Council that restricting consultation to those within the property value beneficiary precinct was intentional, and it was agreed that Council would take into account objections from residents who live outside of the subject precinct and engage in broad community consultation. No such broad community consultation has ever occurred.
- On 10 July 2015 Council was presented with a petition (attached) of over 500 signatures of objection - a number far outweighing those in support of the proposal from within the benefitting precinct. This petition was ignored - no acknowledgement was ever received and there was no mention of this in Submissions Summary report of 2015.

7.2 Subsequent to July 2015 Council Resolution:

- Concerns raised by the relevant community association regarding lack of consultation were ignored (see attached GCA Objection).
- The Planning Proposal submitted to Gateway by Council mentions prior community consultation only in relation to the activities directed to residents of the subject precinct. Under the heading of "Community Consultation" (Part 5) there is mention made of an intention to engage in **agency consultation exclusively**. There is **NO mention** of any specific measures that will be taken to ensure adequate broad community consultation whatsoever. The Gateway Determination process mandates meaningful community involvement. This has evidently not occurred in the formulation of this proposal.
- Council advice following the resolution of July 2015 has been to await the Public Exhibition stage of the Gateway process for an opportunity for consultation on the proposal. Since that date "consultation" on this matter has amounted to:
 - Council has rejected calls from the community and local member for broader consultation.
 - Council has cited notification of Council's resolution and implementation steps as "consultation".
 - Council has arranged Information Sessions to restricted attendees, with no intent to gather feedback and referred to this as "consultation". Further, Council has referred to a "formal report" on such "consultation" - this comprises a three sentence summary of the time, purpose and content of the sessions, with no information whatsoever on any feedback from the sessions.

7.3 Gateway Mandated Community Consultation:

- Council has seen fit to schedule the Public Exhibition period in direct conflict with the busy year-end period when many residents may be absent or have family commitments.
- Council exhibitions (two) comprised simplified poster boards with no substantial details available, no draft LEP available, and no ability to respond to basic queries on the details, restrictions, and impacts of the proposal. The apparent expectation being that such queries or concerns will be dealt with following the exhibition period.
- These exhibition sessions did not allow for any community workshopping, consideration of options, evaluation of benefits and detrimental outcomes, or any other activity of substance that would support actual community consultation.
- Subsequent written questions to Council of importance in aiding the community assessment of the impact of this proposal have gone unanswered.
- The DPE Local Environment Plans guide advocates effective community consultation by ensuring that "the community has clear and evidence based information available to assist the community to make informed comment on the proposal." Such information is not available at the public consultation stage for this proposal, as is evident from the associated objections below.

The approach taken by Council in regard to community engagement is so far removed from the stated policy objectives (POLICY-CS-02 Community Engagement, attached) that there is no recognisable connection.

This is NOT consultation by any reasonable definition of the term.

8. Traffic Impact Assessment:

8.1 TEF Consulting Report Dated 21 September 2017:

The stated purpose of this study was "to provide a review and independent assessment of cumulative traffic impacts current proposal and other approved proposals within Lane Cove Council's portion of St Leonards." This includes the St Leonards South Master Plan Precinct, yet there is nowhere in the report that provides any information that directly addresses the traffic impacts of the St Leonards South Proposal by comparison of intersection operation performance parameters and travel time estimates of current (or recent) traffic conditions to those anticipated at the point when the St Leonards South Proposal has been realised - accounting for the many in-area and out-of-area constructions and proposals that will add substantially to the total traffic flow on the two key transit arterial roads: River Rd and the Pacific Highway.

Council officers have been contacted in person, by phone, and in writing on this matter, but have been unable to provide any further information to clarify or explain this omission.

8.2 Traffic Impact Findings - Errors of Fact in Council's "Planning Proposal 25" :

The Council proposal document which is put forward as the justification for the sought LEP amendments ("Planning Proposal 25") states in relation to traffic impact:

"The findings of the study were that the traffic increases are moderate for each of the sites. It also concluded that only relatively minor improvements were required in order to maintain satisfactory operation of the road network." This statement, in the context of support for the St Leonards South Proposal, is very misleading - at best. The TEF Consulting Report clearly identifies sites that are NOT within the proposal precinct and refers to these as the sites that will allegedly lead to only "very moderate" traffic increases. In the definition of the modelling trip generation elements, the St Leonards South Precinct is explicitly not referred to as a "site", but rather as "St Leonards South Master Plan". There are no such specific traffic impact findings in the report that refer to the "St Leonards South Master Plan" trip generation element.

NO TRAFFIC IMPACT STUDY RESULTS TO SUPPORT THE STATEMENT IN THE PLANNING PROPOSAL IN RELATION TO THE ST LEONARDS SOUTH PRECINCT HAVE BEEN DISCLOSED.

8.3 TEF Consulting Report Dated 21 September 2017 - Intersection Operation:

I draw your attention to Table 3.1a and Figure 7. These refer to the so-called "Base Model 2021" that, according to the report, is inclusive of the traffic to be generated by the St Leonards South Proposal, but excludes traffic generated by the 1800+ units approved and in progress in the vicinity of the Pacific Highway and within the St Leonards East region (referred to as sites A, B, C & L).

Anyone who has travelled from Greenwich Rd along River Rd to the Pacific Highway during the AM peak can attest to the current intersection delays and travel times. The report suggests that the projected 2021 overall travel time from Greenwich Rd to the Pacific Highway will be around four minutes (inclusive of about two and a half minutes of intersection delay). Many motorists experience travel times during the morning peak far longer than this now. What data is being used and what verification has taken place? A cursory monitoring of a live traffic flow application during regular work and school days demonstrates that this "future" base journey time estimate is already being routinely exceeded.

Comparison of Table 3.1a to Table 3.2 "+ABC" that has all aforementioned sites included shows a remarkable improvement in level of service for the most heavily loaded intersection - River Rd / Greenwich Rd during AM peak. This improvement follows the addition of 1800+ dwellings to the model. The report provides no explanation beyond assertions around land use changes.

8.4 TEF Consulting Report Dated 21 September 2017 - Independent Review:

The concerns around the adequacy and credibility of the Traffic Impact report and its interpretation were sufficient to warrant subjecting it to review by an independent consultant. A summary of the findings from a preliminary review has been prepared and is attached as "St Leonards traffic study". This review highlights many aspects of the TEF report that are problematic and provides NO confidence in the data nor the modelling applied.

Such questionable and anomalous estimates put the credibility of this traffic modelling in jeopardy and Council is obliged to seek further details and explanations to pass on to the community to ensure that there is a shared confidence in such an important impact assessment.

9. Schools, Transport, Sewerage & Other Infrastructure

A significant concern identified by the community in regard to this proposal, following its disclosure to those outside the precinct, has been the assurance of appropriate infrastructure. This point was raised in the initial meeting with Council in May 2015: "The residents raised the issue of lack of financial commitment by the state government to fund services and facilities for what is effectively an entire suburb (Water, Sewer, Electricity, Gas, Telecommunications, Schools, Public transport, Health facilities, Major roads and road upgrades). MM stated that

these factors would only be considered at a level to enable costs to be estimated at the Gateway stage." Following this statement, and entry to Gateway, Council still have not made available any such details that could allow government agencies to "enable costs to be estimated" and made public, along with confirmation of committed funds. Indeed, even the source of funding for such infrastructure is entirely unclear, as per the Council's "Plain English" paper: "it is unclear what form this contribution will take". Council is sailing into uncharted territory by becoming reliant on an infrastructure funding scheme through developer contributions that has no current sound regulatory basis or commitment. Yet the Council's "Planning Proposal 25" document states that "satisfactory arrangements have been included and described" for contributions to designated State public infrastructure, and references the contradicting "Plain English" paper.

This does not constitute "planning" by any reasonable definition, and evidently does NOT comply with Gateway Determination condition 1. g).

10. Unclear and Unenforceable Clauses Associated with the LEP and DCP

Review of the draft LEP (NOT available to the community at the Public Exhibitions, nor was it in the Council chambers public document folder) has revealed a significant lack of clarity around the control of Incentive Heights. Council has acknowledged this shortcoming, but has yet to provide any further information to allow community assessment of this critical aspect of the proposal.

In particular, the draft LEP refers to a Special Provisions Area Map, as submitted to the DPE by Council, that indicates identified building envelopes and then refers back to the LEP document.

- The building envelopes are not sufficiently defined and positioned on the Special Provisions Area Map to allow any reasonable assessment.
- The draft LEP table that regulates maximum building height (in metres) within the building envelope does not specify the datum for this height in relation to complete storeys or heavily graded land.
- Where the LEP table does not specify a maximum building height in metres, it refers to the Height of Buildings Map for regulation. This Map provides a uniform 25m building height regulation over the subject area and makes no reference to multiple height regulations within a building envelope, notwithstanding the apparent attempt by the draft DCP document to address this.
- Sec. 6.4.6 of the draft DCP refers to Schedule 8.1 as a provision for approval, and attempts to qualify the "LEP Incentive Height of Buildings" - a term undefined within the draft LEP.
- Further, Sec. 6.4.6 contains a note that refers to the definition of building height (storeys) that is not consistent with the Draft Height of Buildings Map (metres), or the Draft Incentive Height of Buildings Map (metres).
- Schedule 8.1 provides for multiple building levels (storeys) within a given building envelope for many sites, but the details of the steps in height are not provided and there is no linkage to these provisions from the draft LEP.
- The purpose of the Incentive Height of Buildings Map exhibited by the Council is unclear, as this is not referred to from the draft LEP. Notwithstanding this, if the intent of this Map is that it be referenced from the LEP then the resolution is totally inadequate to allow assessment of any attempt at providing for zone transition.
- On 4 January 2018, during a visit to Council Offices a planning officer advised that Council was instructed by a State Government authority not to exhibit the draft LEP, despite this already being provided in its original form as a Gateway document, and despite clauses being directly referenced to it out of the current (amended) planning proposal.
- By any interpretation of the planning and control documents provided, the proposed building heights and FSRs are far in excess of what is reasonable to ensure sympathetic development and preservation of the character of the area, and the lack of any serious consideration of transition zones between high density and low density regions must clearly be driven by something other than sound urban planning principles.

Such a confusing and incomplete presentation of one of the most critical aspects of the proposal provides the community with no means of meaningful assessment and is not in accordance with the Gateway Determination condition 2 as it does not clarify intended built form outcomes.

11. Proposal to Re-zone Public Land

The planning proposal precinct includes land that is classified as public, or used routinely as a public thoroughfare. The DPE Local Environment Plans guide states that "Where the planning proposal is to reclassify community land, the RPA is obliged by the Local Government Act 1993 to hold a public hearing."

The scale and impact of such a proposal warrants such a Public Hearing in any case, and Council should be more than happy to facilitate this in order to ensure full community participation in accordance with their stated policy. Such a hearing, encompassing all issues raised herein, is formally requested.

12. Stalin-era Planning

Council's proposal lists primary objectives for the plan as including land for community benefits, pocket parks, community facilities and child care facilities. But it appears that these objectives are not fundamental to the plan at all - they are unfunded and contingent on the community suffering further escalation in tower heights and increased congestion. If this is a plan for a community then the facilities mentioned are mandatory, and insufficient as they are currently depicted. If this is a plan for an urban dormitory then Council's intent should be made clear to the community.

Conversion of 10 hectares of established residences into a Stalin-era maximum-dwelling-density precinct does not support in any way the need for truly diversified housing stock and the fostering of a real community atmosphere. The Department of Planning and Environment's objectives for the area include a mix of residential style, a mix of use, and adequate infrastructure to create self-sustaining precincts.

This proposal fails to meet these objectives on all counts.

In light of the many issues listed above, and by others, that highlight the failure to provide the community with relevant, accurate, evidence-based, and complete data, as required by the Gateway process, I reserve the right to further submissions if and when the proper and complete information becomes available from Council to support genuine community engagement.

Without the sharing of credible reports, up-to-date data, infrastructure cost estimates, and sufficiently accurate strategies and plans, the community cannot be expected to formulate any alternatives or options for the precinct.

Once again, please bear in mind that the **primary obligation** of the Council is to serve the residents within the community by making plans and commitments in accordance with their participation and views (Council's Guiding Principles #1, Ref. > Your Council > How Council Works > Council's Guiding Principles and Values). This obligation is enshrined in the Council's policy document on Community Engagement (attached, POLICY-CS-02 Community Engagement, Sec. 4.2). So far, there has clearly been NO demonstrated commitment by Council to Community Engagement. **We request that you unconditionally withdraw and cancel the St Leonards South Master Plan Proposal now**, and regroup to **fully engage the community** in determining the right balance that will deliver an agreed outcome for all stakeholders, including the broader community.

Yours sincerely,



[REDACTED]
[REDACTED]

Good morning, I am representing those in Eastview St - directly adjacent to the proposed development zone.

We are not asking for special treatment. We are not anti-development. We are simply asking to be treated fairly, with respect, and be allowed the same opportunity to shape the plan as others.

As a member of the Lane Cove community, like every other community member, I expect to be informed and given an opportunity to provide input when there is a significant change to the environment proposed. This simply did not happen in the case of the St Leonards South (SLS) proposal.

From the very inception of this proposal there was evidently an intention to exclude stakeholders who were not within the area subject to benefit by redevelopment. This is on the public record.

Looking at the Timeline slide, you can see just how this proposal has progressed and how little opportunity there has been for genuine broad community input.

Some documentation associated with the SLS suggests that the community is substantially divided on its view of the SLS Proposal, or that there are "*mixed views from the community*". Reports have been published containing phrases such as "*the planning proposal is contentious amongst the community*" and that there is "*Significant community interest both supporting and objecting to the proposal*". In fact there is no substance to support any assertion of such division in the community. A review of the available published submission content for every point during the life of this proposal, since it was effectively disclosed, shows the objections to the proposal have outweighed support many times over.

The only point at which there is any evidence of any significant resident support for this proposal is in the very early days of the conception of this proposal when the details were shared selectively - only with those in the immediate precinct area. Naturally, many of those supporting residents have long since left the area.

Nonetheless a review of the available documents from that early consultation period reveals that there was by no means unanimous support for development from residents within the precinct.

Planning Proposal 25 states that the evaluation of planning options was based on ten principles. The two primary principles cited are zoning density and financial viability.

So it is unsurprising that the outcome was the plan you see before you.

Following this early consultation and development planning period between Council and the residents within the immediate area, a plan was formulated which was then effectively presented as a fait accompli to the community - the Annand plan. The first opportunity for the community outside of this area to comment came in April 2015 when Council held a presentation that was made known to all residents within the proposal area, but very few others. However, this presentation entailed no community consultation whatsoever - it was in fact a presentation of additional distinct unsolicited development proposals. The objective of the presentation appeared to be to present development options that expanded the scope and scale of the Annand proposal.

There was no opportunity or facilitation in this presentation session for any objective discussion on the merits of alternate development pathways in a broad sense. The presentations were very much focused on alternative higher scale development options.

As it became clear to the broader community just what had been pursued by the precinct group, concern levels rose and members of the broader community acted to provide alternate view points to the Council. A petition was prepared and circulated at short notice and quickly attracted over 500 signatures within the weekend just prior to the Council hearing on this proposal in July 2015. This petition was presented to Council prior to the July 2015 hearing. We are still awaiting a response.

Since that time Council has consistently advised that the next opportunity for any community input would be the Gateway Public Exhibition. Unfortunately, this exhibition, scheduled over the 2017/18 Christmas break, comprised a poster show, with very little new information, and critical questions on infrastructure, solar access, transition zones, green space, overshadowing, funding, credible traffic studies and others were not satisfactorily answered. This is clearly evident in the 955 pages of community submissions. Many significant issues remain open. Many gaps remain. Critical questions remain unanswered.

Up to this point I have simply been relaying the facts on the lack of genuine community consultation that has been a characteristic of this proposal since its inception. **You can see further details on the slide.**

In terms of alternatives to the proposal before you, there are many other more visionary, beneficial and intelligent approaches that deserve close consideration. Such alternatives will bring additional benefits to the business community and the community at large, and will provide a style and housing diversity mix that is far better aligned to the demand, location and topology than the Stalin Era buildings that are conceived to maximise population density and developer profits.

No doubt you will have already heard or read about many of these ideas and concepts, or will have the opportunity to review them in the coming weeks.

I say again we are not anti-development - we are pro consensus, pro balance, and pro fair-go.

During more than 20 years in the Greenwich / St Leonards area I have seen many developments take place. Indeed, one particular multi-storey residential development was constructed directly opposite our backyard. We accept that reasonable and appropriately scaled development is beneficial, and necessary for a growing city like Sydney.

What we and many members of the community object to is the complete absence of any meaningful broad community involvement in planning and decision making.

St Leonards South offers a unique opportunity to further the concept of a strategic centre, through the expansion of its health and professional employment hub. The unique location of the St Leonards South precinct also presents an opportunity for considered development of medium density diverse housing to complement the substantial quantity of high rise dwellings **already** in development. Let's not squander this opportunity or waste any more time with a proposal that is not necessary, is not supported, is not fully funded, and will block the execution of far more worthy developments.

We request that the IPC consider recommending re-starting the entire proposal process with a view to incorporating local community input from the outset.

Thank you.

St Leonards South Master Plan - Timeline

19 May 2019



First Time Many Of Those Outside The Master Plan Boundary Become Aware Of The Proposal

49 Signature Petition was Submitted Requesting Deferral for Community Notification and Consultation
 No Council Acknowledgement or Follow Up
 Intentional Restriction on Resident Notification Confirmed
 No Council Follow Up
 Broad Consultation Requested by Local Member – Critical.
 No Council Follow Up

500 Signature Petition Submitted Requesting Deferral for Community Notification and Consultation
 No Council Acknowledgement or Follow Up
 36 Page Community Submissions Document – Predominantly Objections – Not Incorporated In Proposal
 Not Included in Gateway Submission. No Further Consultation Initiated by Council.



955 Pages of Community Submissions – Overwhelmingly Objections.

'Highly Unsatisfied' Response Outweighs ALL Other Responses Combined. SLS Focused.

NO Significant Rethinking of the SLS Proposal Has Been Presented Over This Period.

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O	500 Signature Petition of July 2015	500 Signature Petition of July 2015
D	500 Signature Petition of July 2015	500 Signature Petition of July 2015
A	500 Signature Petition of July 2015	500 Signature Petition of July 2015
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J	500 Signature Petition of July 2015	500 Signature Petition of July 2015
H	500 Signature Petition of July 2015	500 Signature Petition of July 2015
P	500 Signature Petition of July 2015	500 Signature Petition of July 2015
N	500 Signature Petition of July 2015	500 Signature Petition of July 2015

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P	500 Signature Petition of July 2015	500 Signature Petition of July 2015
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K	500 Signature Petition of July 2015	500 Signature Petition of July 2015
K	500 Signature Petition of July 2015	500 Signature Petition of July 2015
N	500 Signature Petition of July 2015	500 Signature Petition of July 2015
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A	500 Signature Petition of July 2015	500 Signature Petition of July 2015
G	500 Signature Petition of July 2015	500 Signature Petition of July 2015
T	500 Signature Petition of July 2015	500 Signature Petition of July 2015
TIM	500 Signature Petition of July 2015	500 Signature Petition of July 2015
Vict	500 Signature Petition of July 2015	500 Signature Petition of July 2015
L	500 Signature Petition of July 2015	500 Signature Petition of July 2015
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A	500 Signature Petition of July 2015	500 Signature Petition of July 2015
A	500 Signature Petition of July 2015	500 Signature Petition of July 2015
C	500 Signature Petition of July 2015	500 Signature Petition of July 2015
R	500 Signature Petition of July 2015	500 Signature Petition of July 2015
A	500 Signature Petition of July 2015	500 Signature Petition of July 2015
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[Handwritten Name]	[Handwritten Address]	[Handwritten Sign/Date]

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Name	Address	Sign/Date
C		
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Name	Address	Sign/Date
C	71 BELMONT ST	12/7/15 <i>[Signature]</i>
D	500 Signature Petition of July 2015	500 Signature Petition of July 2015
C	500 Signature Petition of July 2015	500 Signature Petition of July 2015
S	500 Signature Petition of July 2015	500 Signature Petition of July 2015
M	500 Signature Petition of July 2015	500 Signature Petition of July 2015
Pe	500 Signature Petition of July 2015	500 Signature Petition of July 2015
K	500 Signature Petition of July 2015	500 Signature Petition of July 2015
J	500 Signature Petition of July 2015	500 Signature Petition of July 2015
L	500 Signature Petition of July 2015	500 Signature Petition of July 2015
He	500 Signature Petition of July 2015	500 Signature Petition of July 2015
J	500 Signature Petition of July 2015	500 Signature Petition of July 2015
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Name	Address	Sign/Date
Pa	[Redacted]	12/7/15
A	[Redacted]	[Redacted]
J	[Redacted]	[Redacted]
M	[Redacted]	[Redacted]
D	[Redacted]	[Redacted]
R	[Redacted]	[Redacted]
A	[Redacted]	[Redacted]
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