

## St Leonards South – IPC Public Meeting – 20<sup>th</sup> May 2019

### Summary

- Speaking on behalf of Greateon Development which owns 22% of the St Leonards South Residential Precinct
- Our client owns two significant sites – known as East and West Quarters
- Greateon has ‘road tested’ Council’s Plan and found it to be viable and that it will deliver a high quality outcome for both future residents and the existing community
- Accordingly Greateon supports Council’s Planning Proposal and considers that the Precinct should be rezoned ASAP to:
  - end the current uncertainty and delays
  - meet government dwelling targets in a location well suited to higher density development with excellent access to transport and employment, and
  - support Government spending on mass transit infrastructure.
- We also concur with Council’s view that the SIC Levy proposed under the Draft 2036 Plan should not apply to St Leonards South

### History

- St Leonards South has been earmarked for higher density development since 2012, some 7 years
- Sites have been purchased and amalgamated in good faith
- Repeated delays in rezoning have caused uncertainty in the community and significant holdings costs to developers.
- Most recently exhibition of Draft 2036 Plan was intended to resolve the matter however the Plan was silent on Council’s PP25 and rather referred the matter to the IPC for review resulting in further delays
- To inform the debate, and to ‘road test’ Council’s PP25, Greateon prepared Concept DAs for its two sites together with a developer led PP. These applications have been submitted to the Commission for its information, and to the Department as a submission on the Draft 2036 Plan. They provide additional information on how the area will develop.
- We submitted our own PP as a ‘fall back’ in case Council does not progress its PP and also to allow us to prepare and submit the Concept DAs to ‘start the conversation’.
- The Concept DAs illustrate that the Plan will deliver a high quality outcome in a highly accessible precinct
- Greateon has 5 minor issues with the detail of the Council’s PP25 including:
  1. the rigid site amalgamation pattern
  2. the proposed exclusion of clause 4.6
  3. the maximum height on Greateon’s East Quarter site which given the landform needs a minor increase from 31 to 32m (height of 31.5m in Concept DA
  4. the lack of flexibility in relation to the location of through site links, and
  5. the deep soil requirements and consequent impact on basement parking.

These matters can however be resolved with Council and do not affect the suitability of the area for rezoning.

### IPC Terms of Reference

We acknowledge IPC has been requested to provide advice to the Minister on the consistency of Council's PP25 with the St Leonards Crows Nest Draft 2036 Plan specifically in terms of the:

1. **Overall vision**
2. **Guiding Design Principles**, and
3. **Specific Design Principles** for the PP outlined in the Draft 2036 Plan
4. the **scale** of residential contained in the PP and
5. whether the **whole site** needs to be rezoned to meet housing targets identified by the GSC or whether **staging** of the proposal is appropriate.

### 2036 Plan Vision

***"The St Leonards and Crows Nest area will be a major centre for workers, residents, students and visitors, offering a variety of homes, jobs and activities for the diverse local population. The area will continue to be a place that people are proud to work in, visit and call home."***

- The vision calls for the area to be:

In terms of *'Place'* - *A vibrant community and a place that protects its past*

In terms of *'Movement'* - *An accessible place*

In relation to *'Built form'* - *A well designed place*

In respect of *'Land use'* – *an employment hub and a home for people of all ages*

And in regards to *'Landscape'* – *a greener place*

- As demonstrated by Greaton's Concept DAs Council's PP25 is entirely consistent with this Vision
- Specifically the Concept DAs demonstrate that the Plan 'works' and will provide:
  - a high quality architectural form that responds to the site characteristics and scales down towards the edges
  - a range of apartment options to build a community and to cater for the needs of people of all ages including local residents wishing to down size in the local area
  - a highly accessible development that is permeable and that promotes active and public transport, and
  - a new development that maintains and improves the landscape quality of the area whilst increase dwelling supply and choice.

### Guiding Design Principles

- Council's PP25 is entirely consistent with the area wide guiding design principles in so far as they are relevant - refer Table 1

### Specific Design Principles

- Council's PP25 is also entirely consistent with the site specific design principles specified in Draft 2036 Plan for St Leonards South - refer Table 2

### Scale

- Council's PP25 provides for the development of, in the order of, 2400 new dwellings within the Precinct.
- We note that the Greater Sydney Commission confirmed by letter dated 16 May 2018 that Council was on track to meet its 5 year dwelling target (1,900 dwellings) to 2021.
- Beyond this demand will continue to grow and while no specific 10 year dwelling targets have been set by the GSC for Lane Cove LGA, the North District Plan identifies an additional housing target of 25,950 dwellings (0-5 years) and 92,000 dwellings (in 20 years) to meet housing demand in the area.
- The St Leonards South Precinct has a significant role to play in meeting both local and district targets for housing particularly in light of its location and accessibility.

### Staging

- SLS is therefore required to meet existing dwelling targets in the LGA and broader district and we do not believe that a staged approach is required or would result in an oversupply of developable land.
- Staged release of the site is not necessary or appropriate as it would:
  - undermine the integrity of Council's Master Plan which has been 7 years in the making
  - disadvantage landowners / developers left out of any early release
  - impact future project viability due to land holding costs, and
  - is not required for any good planning purpose (e.g. to prevent multiple development fronts or to ensure appropriate infrastructure provision prior to development etc.)

### SIC Levy

- In addition to the above, Greaton would ask the Panel to recommend to the Minister that the proposed SIC levy be waived for development in the SLS area
- The Draft 2036 Plan proposes a State Infrastructure Contribution of \$15,100 per dwelling and seeks to apply it to SLS
- The Department had consultants AEC Group prepare a report feasibility testing the SIC Levy in April 2018
- In relation to SLS AEC concluded :

*“Market evidence indicates that majority of sites in St Leonards South character area were purchased at prices reflective of proposed planning controls (St Leonards planning proposal) prior to announcement of a proposed SIC. Accordingly, any result Value Uplift is subsumed, resulting in little capacity to pay a SIC “(page v of the Executive Summary)*

- In short the Department’s own consultants recommended again applying the SIC levy to SLS
- Further technical studies prepared for Council confirm that the proposed development levels do not warrant additional regional or district infrastructure as supporting infrastructure is to be provided as part Council’s plan for the Precinct. Section 7.11 funding would be applied to fund local infrastructure.
- As a matter of clarification a previous speaker indicated that the developers had said they could not afford to pay section 7.11 contributions. This is not the case, rather we have always anticipated paying section 7.12 contributions however noted that this payment may be offset by any works-in-kind as it the usual case.
- Contrary to AEC’s findings the Draft 2036 Plan seeks to apply a SIC levy to SLS.
- This would make development of the land commercially unfeasible and therefore jeopardise the ability of Council to deliver on its housing targets as set out by the GSC

#### Recommendation

- In conclusion it is recommended that the IPC support Council’s PP25 and accordingly advise the Minister that:
  - Council PP25 is consistent with the vision and design principles of the Draft 2036 Plan, has strategic and site specific merit and accordingly should proceed to gazettal ASAP
  - The scale of the proposed rezoning is appropriate and will provide approximately 2,400 additional dwellings in a strategic location with excellent access to employment and public transport to meet dwelling targets and support government investment in infrastructure
  - Staging of the proposed rezoning is not necessary and:
    - would undermine the integrity of Council’s Master Plan which has been 7 years in the making
    - would disadvantage landowners / developers left out of any early release
    - would impact future project viability due to land holding costs, and
    - is not required for any good planning purpose (e.g. to prevent multiple development fronts or to ensure appropriate infrastructure provision prior to development etc.)

- We also request that the Commission advise the Minister that the SIC Levy proposed under Draft 2036 Plan should be amended so that it does not apply to St Leonards South

**TABLE 1 DRAFT 2036 PLAN – AREA WIDE DESIGN PRINCIPLES - PP25 COMPLIANCE**

Design Element	Design Principle	PP25 Compliance	Compliance Summary
<b>PLACE</b>	<ul style="list-style-type: none"> <li>Ensure new development retains and enhances important heritage elements by using sympathetic building materials and preserving key views and vistas.</li> </ul>	Complies – local heritage items are protected and increased setbacks required in their vicinity. Assessment of use of sympathetic building materials to be undertaken at DA stage	✓
	<ul style="list-style-type: none"> <li>Retain and enhance the village atmosphere in and around Crows Nest, particularly along Willoughby Road.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>Ensure no additional overshadowing of public open spaces and important places in accordance with solar access controls identified on page 49 of the Plan.</li> </ul>	Complies – PP25 includes controls to ensure no additional overshadowing of Newlands Park	✓
	<ul style="list-style-type: none"> <li>Apply casual surveillance and universal access principles to new development to create a safe, inclusive and comfortable environment.</li> </ul>	Complies – PP25, SLS masterplan and supporting DCP provisions apply principles of casual surveillance and universal access.	✓
	<ul style="list-style-type: none"> <li>New development should have consideration to wind impacts demonstrated through a wind assessment.</li> </ul>	Complies – to be demonstrated at the DA stage in areas where applicable	✓
<b>LANDSCAPE</b>	<ul style="list-style-type: none"> <li>New buildings adjoining Hume Street Park should contribute to the village green atmosphere. They should also provide an active frontage to the park and encourage connections between Willoughby Road, Hume Street Park and Crows Nest Sydney Metro Station.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>New development along Chandos, Oxley and Mitchell Streets should provide wider setbacks to enable the creation of greener streets.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>New development adjoining the new green link should contribute to its landscape character. For example, planter boxes, lighting, green walls, deep planting, landscaped setbacks and forecourts.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>New development in nominated areas along Pacific Highway should be setback 3 metres and incorporate elements such as avenue planting, below ground setbacks for deep soil planting.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>Incorporate new street trees to improve the overall tree coverage in the area.</li> </ul>	Complies – PP25 requires retention of existing trees as far as practicable and the planting of new street trees	✓

Design Element	Design Principle	PP25 Compliance	Compliance Summary
<b>BUILT FORM</b>	<ul style="list-style-type: none"> <li>Consider cumulative impacts of new developments on existing areas, including overshadowing, wind impacts and view loss.</li> </ul>	Complies – PP25 includes consideration of the impact of development on existing areas. Heights (including transitions) have been planned to minimise overshadowing impacts. Wind and view impacts have also been considered and would be addressed in detail at DA stage.	✓
	<ul style="list-style-type: none"> <li>Contain taller buildings between St Leonards Station and Crows Nest Station and on nominated significant sites along the Pacific Highway.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>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.</li> </ul>	Complies – PP25 includes height transitions to surrounding development including on Park Road to the west and River Road to the south.	✓
	<ul style="list-style-type: none"> <li>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.</li> </ul>	Complies – Greaton Concept DAs demonstrate that compliance with PP25 will deliver high on-site amenity and compliance with ADG requirements. Various architectural measures can be used to ensure human scale at street level whilst at the same time significantly contributing to dwelling targets.	✓
<b>LAND USE</b>	<ul style="list-style-type: none"> <li>Ensure new development contributes to a range of dwelling types in the area to cater for all life cycles.</li> </ul>	Complies – PP25 and supporting docs require a range of dwelling sizes to cater for a range of occupants	✓
	<ul style="list-style-type: none"> <li>Protect key industrial land at Artarmon that services much of the North Shore.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>Ensure new employment sites in the area cater to a range of business types and sizes.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>Foster development of high technology and health related uses in the light industrial area to support the surrounding hospitals.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>Investigate locations for a new primary and high school in the area to support the growing community.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>New development in the mixed use zone should contribute to delivery of active streets by providing a range of uses at ground floor.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>Protect large commercial core zoned sites to ensure employment uses are protected into the future.</li> </ul>	Not applicable	N/A

Design Element	Design Principle	PP25 Compliance	Compliance Summary
<b>MOVEMENT</b>	<ul style="list-style-type: none"> <li>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.</li> </ul>	Complies – PP25 includes extensive through-site / cycle links to promote active transport and to connect the precinct to nearby mass transit systems and employment hubs	✓
	<ul style="list-style-type: none"> <li>Identify opportunities to improve safety along existing pedestrian and cycling routes.</li> </ul>	Not applicable	N/A
	<ul style="list-style-type: none"> <li>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.</li> </ul>	Complies – PP25 includes extensive through-site / cycle links to promote active transport and to connect the precinct to nearby mass transit systems and employment hubs. Reduced car parking provision is also proposed.	✓
	<ul style="list-style-type: none"> <li>New commercial developments should incorporate end of trip facilities to encourage more people to walk and cycle to work.</li> </ul>	Not applicable	N/A



**TABLE 2 DRAFT 2036 PLAN – ST LEONARDS SOUTH DESIGN PRINCIPLES - PP25 COMPLIANCE**

Design Principle	PP25 Compliance	Compliance Summary
Consider accessibility to St Leonards and Crows Nest Stations.	Complies – the precinct is highly accessible to and from St Leonards Railway station being within 400-800m walking distance. It is also within reasonable proximity of the new Crows Nest Station currently under construction as illustrated on the walking catchment plan provided in Draft 2036 Plan. In addition the precinct is also within easy walking distance of the St Leonards employment hub and public transport routes along the Pacific Highway and River Road. It is therefore highly accessible.	✓
Minimise overshadowing of public open space and streets with a significant public domain function within and outside of the Plan boundary.	Complies – PP25 provides for height transitions towards the edge of the precinct to minimise the potential for overshadowing of areas outside of the plan boundary. The Greaton Concept DAs demonstrate that buildings to the height proposed under the plan will not adversely affect areas outside of the precinct on both Park Road and River Road. The orientation of streets north south with buildings similarly to be oriented north south minimise the potential for significant overshadowing impacts.	✓
Minimise overshadowing of Heritage Conservation areas and residential areas outside of the Plan boundary	Complies – The maximum permissible heights provided for under PP25 in conjunction with required setback will minimise the potential for overshadowing impacts to existing residential areas outlined of the Plan boundary. The Greaton Concept DAs demonstrate that proposed developments fronting Park Road and River Road will not result in adverse impacts.	✓
Ensure new open spaces improve connections to existing surrounding open spaces.	Complies – major new park and new pocket parks proposed as part of PP25. The news parks are proposed to be connected to existing open spaces via a series of pedestrian and vehicular access links	✓
Improve active transport connections	Complies – PP25 includes extensive through-site / cycle links to promote active transport and to connect the precinct to nearby mass transit systems and employment hubs.	✓
Consider cumulative traffic impacts.	Complies – PP25 has considered the cumulative impacts of the proposed additional 2,400 dwellings and it has been confirmed that the impact will be acceptable. RMS has confirmed that it does not object to the rezoning (email dated 30 April 2019). The PP includes provision for a new east west link road to provide access from the Precinct to the lights at the Pacific Highway / Berry Road intersection. This will alleviate existing traffic issues within the Precinct.	✓
Transition buildings appropriately to lower scale buildings	Complies – As noted above PP25 requires height transitions and increased setbacks towards the edges of the precinct including on Park and River Roads to ensure an appropriate relationship with existing low scale development adjoining the Precinct. The Greaton Concept DAs demonstrate that the proposed height transitions, setbacks and street separation will ensure an appropriate transition to adjoining areas.	✓