



**Planning Proposal to amend Lane Cove Local Environmental Plan (LEP) 2009 to implement the recommendations of the St Leonards South Masterplan for the St Leonards South Precinct (the site).**

Proposal Title :	Planning Proposal to amend Lane Cove Local Environmental Plan (LEP) 2009 to implement the recommendations of the St Leonards South Masterplan for the St Leonards South Precinct (the site).		
Proposal Summary :	The planning proposal seeks to amend zoning, floor space ratio, lot size and height of buildings controls under Lane Cove Local Environmental Plan 2009 for the St Leonards South Precinct.		
PP Number :	PP_2016_LANEC_001_00	Dop File No :	16/03987

<b>Proposal Details</b>			
Date Planning Proposal Received :	07-Jun-2016	LGA covered :	Lane Cove
Region :	Metro(CBD)	RPA :	Lane Cove Municipal Council
State Electorate :	NORTH SHORE	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		
<b>Location Details</b>			
Street :	various		
Suburb :	St Leonards	City :	Postcode :
Land Parcel :	various		
<b>DoP Planning Officer Contact Details</b>			
Contact Name :	Lauren Templeman		
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Contact Name :	Sandy Chappel		
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<b>Land Release Data</b>			
Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	

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MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	2,000
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**  
 If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with Sydney Region East has not met any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.**

**Supporting notes**

Internal Supporting Notes : **THE SITE:**  
**The St Leonards South Precinct is approximately 6.5 hectares and is bounded by Park Road, Pacific Highway, Marshall Ave, River Road and Canberra Ave. It is within walking distance of St Leonards and Wollstonecraft train stations and close to the proposed Metro station at Crows Nest.**

**The precinct is currently zoned R2 Low Density Residential. It is surrounded by Zone B3 Commercial Core and Zone B4 Mixed Use to the north (along the Pacific Highway and Marshall Avenue), Zone R2 Low Density Residential to the south (across River Road), Zone RE1 Public Recreation and Zone R4 High Density Residential to the east and Zone R2 Low Density Residential to the west (across Park Road).**

**The current proposal seeks to establish a planning framework for the redevelopment of the St Leonards South precinct to include residential flat buildings, public parks, community facilities and pedestrian/cycle connections to St Leonards Station.**

**Key features of the planning proposal include:**

**1. A Public Benefits bonus scheme**

**This scheme offers various height and floor space ratio bonuses for specific developments within the scheme if adequate provision is made for community infrastructure, open space, key worker housing and connectivity within the St Leonards South Precinct.**

**At present a base floor space ratio of 2:1 is proposed across the precinct. All properties are able to achieve a floor space ratio of at least 2.75:1, if they comply with the proposed lot amalgamations and the St Leonards South Landscape Master Plan (to achieve the desired network of green spines). Further height (between 31 metres and 58 metres) and floor space bonuses (between 2.75:1 and 4:1) can be achieved by providing additional public benefits as outlined in draft clause 6.8.**

**2. Heights and floor space ratios**

**The precinct area is characterised by relatively steep south facing slopes. The bonus scheme aims to transition building heights and floor space ratios from towers in the St**

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Leonards urban centre to the north of the precinct down to a two - four storey interface with low density areas to the south and west of the precinct.

**3. Open space network, community infrastructure and key worker housing**

The proposed open space network for the precinct includes two pocket parks and a new 3,500 square metre park between Park Road and Berry Road, plus an open space link to an existing park to the east of the precinct. It also includes green spines of common open space running north to south between all apartment buildings.

The proposal also aims to provide two community facilities and two childcare centres within the precinct plus approximately 65 affordable housing units.

**ST LEONARDS SOUTH MASTER PLAN:**

The St Leonards South Precinct forms part of the St Leonards South Master Plan study area which is bounded by the Pacific Highway, Greenwich Road, River Road and the railway line south of St Leonards Station. The objective of the master plan is to recommend a staged development strategy for this area in anticipation of future growth pressures given its proximity to existing and future public transport infrastructure.

**ST LEONARDS AND CROWS NEST STATION PRECINCT REVIEW:**

The master plan study area is within the broader investigation area for St Leonards and Crows Nest Station Precinct Review which is currently being undertaken by the Department in consultation with North Sydney, Lane Cove and Willoughby councils and Transport for NSW. It is expected the strategic study will inform the long term growth of St Leonards and guide future decisions in managing the impacts associated with planned growth for this Strategic Centre.

**DELEGATION OF PLAN MAKING FUNCTIONS**

Lane Cove Council is seeking delegation to carry out functions of the Greater Sydney Commission under section 59 of the Environmental Planning and Assessment Act 1979 to progress this planning proposal. Council has addressed the Department's Evaluation criteria for the delegation of plan making functions. Delegation is not considered appropriate in this instance.

External Supporting  
Notes :

**Adequacy Assessment**

**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to largely implement the findings of the St Leonards South Master Plan for the St Leonards South Precinct.**

**Explanation of provisions provided - s55(2)(b)**

Is an explanation of provisions provided? **Yes**

Comment : **The planning proposal seeks to amend the planning controls for the St Leonards South Precinct under Lane Cove Local Environmental Plan 2009 as follows:**

**INSTRUMENT:**

**1. Amend the Lane Use Table for Zone R4 High Density Residential to include 'Recreation areas' as development permitted with consent to support the provision of public open space throughout the precinct, in particular a large park between Berry Road and Park Road and two smaller parks at the southern ends of Berry Road and Holdsworth Ave.**

**2. Amend Clause 4.6 Exceptions to development standards, subclause(8) to insert the**

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following:

'(ca) in relation to land shown as 'St Leonards South" on the Special Provisions Area Map:

- (i) Clause 4.3 and 4.4, other than to apply Clause 6.8
- (ii) Clause 6.8 (See Attachment G)'.

The intent of this amendment is to remove the ability to vary proposed development controls for the St Leonards South precinct.

3. Amend Clause 5.1 Land acquisition within certain zones, subclause(2) to insert the following:

- under 'Type of Land Shown on Map' insert the words 'Zone R4 High Density Residential and marked Local road' and insert under 'Authority of the state' the word 'Council' (see Attachment G).

4. Insert Clause 6.8 St Leonards South Area (see Attachment G), which identifies:

- the size and nature and location of required public benefits;
- bonus heights and floor space ratios that can be achieved in return for delivery of public benefits; and
- future amalgamated lot areas.

5. Insert in Dictionary under definition of spa pool the words 'Special Provisions Area Map means the Lane Cove Local Environmental Plan 2009 Special Provisions Area Map'.

**MAPPING:**

6. Amend Land Zoning Map (LZN\_004) to change the zoning of the site from R2 Low Density Residential to R4 High Density Residential and RE1 Public Recreation (as per Attachment C - Proposed Zoning Map).

7. Amend Floor Space Ratio Map (FSR\_004) to change the floor space ratio for the site from 0.5:1 and 0.6:1 to 2:1 for all lots except those making up the large park between Berry Road and Park Road where no floor space ratio is proposed (as per Attachment E - Proposed Floor Space Ratio Map).

8. Amend Minimum Lot Size Map (LSZ\_004) to remove the 550 square metre minimum lot size control covering most of site leaving no minimum lot size control for the site (as per Attachment H - Proposed Minimum Lot Size Map).

9. Amend Height of Buildings Map (HOB\_004) to increase the maximum permissible building height across the site from 9.5 metres to 25 metres and 2.5 metres in line with the proposed new building envelopes for the site (as per Attachment D - Proposed Height of Buildings Map).

10. Insert Special Provisions Area Map (SPA\_004) linked to new clause 6.8 St Leonards South Area (see Attachment I).

11. Amend Land Reservation Acquisition Map (LRA\_004) to show new land within the site to be reserved for acquisition by Council ie. lots making up the large park and new local road between Berry Road and Park Road (as per Attachment J - Proposed Land Reservation Acquisition Map).

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

**2.3 Heritage Conservation**

**3.1 Residential Zones**

**3.4 Integrating Land Use and Transport**

**3.5 Development Near Licensed Aerodromes**

**6.2 Reserving Land for Public Purposes**

**6.3 Site Specific Provisions**

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**7.1 Implementation of A Plan for Growing Sydney**

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)  
SEPP No 65—Design Quality of Residential Flat Development  
SEPP No 70—Affordable Housing (Revised Schemes)  
SEPP (Affordable Rental Housing) 2009**

e) List any other matters that need to be considered :

**Section 117 Directions:**

**2.3 Heritage Conservation**

The planning proposal is inconsistent with this direction as it potentially locates a residential flat building opposite three local heritage items (houses at 3, 5 and 7 Park Road) without addressing the potential impact on existing heritage values.

Should this matter proceed to the Gateway, it is recommended that the planning proposal be updated to justify this inconsistency.

**3.1 Residential Zones**

The consistency of the planning proposal with this direction is partially addressed under "Consistency with Strategic Planning Framework" later in this report.

However, several public agencies consulted during the St Leonards South Masterplan process questioned the adequacy of existing transport and education infrastructure to accommodate the proposed development.

Should this matter proceed to the Gateway, it is recommended that the planning proposal be updated to justify this inconsistency.

**3.4 Integrating Land Use and Transport**

The proposal is partially consistent with this direction given it aims to increase existing residential densities in an area within walking distance of the St Leonards Railway Station and close to the proposed Metro station at Crows Nest.

However, as outlined under "Adequacy of Public Infrastructure" Roads and Maritime Services and Transport for NSW have raised concerns about the cumulative impact of the current proposal and other approved proposals in the immediate area on existing public transport infrastructure.

Should this matter proceed to the Gateway, it is recommended that the planning proposal be updated to justify this inconsistency.

**3.5 Development Near Licensed Aerodromes**

Given the relative proximity of the site to Sydney Airport, Council recommend further consultation with relevant Commonwealth Agencies responsible for Aviation if the proposal proceeds to the Gateway.

Notwithstanding further consultation, the objective of Clause 6.7 Airspace Operations, within Lane Cove Local Environmental Plan 2009 is to protect airspace around airports. Activities (including the construction of buildings) that may intrude into prescribe airspace cannot be carried out without approval under the Airports Act 1996.

Council also recommends further consultation with the Northern Sydney Local Health District as the site is located within the Royal North Shore Hospital 'Preferred Helicopter Approach Path'.

**7.1 Implementation of A Plan for Growing Sydney**

The planning proposal is consistent with this direction, as addressed under "Consistency with Strategic Planning Framework".

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**State Environmental Planning Policies (SEPPs):  
SEPP 70 - Affordable Housing (Revised Schemes)**

It is noted that affordable housing may be included in an LEP under Part 4 Division 6A (Conditions requiring land or contributions for affordable housing) of the EP&A Act. One of these conditions is that development must be on land identified in a SEPP as being an area where there is a need for affordable housing. SEPP 70 identifies areas with this need but does not include the land covered by the current planning proposal. Therefore the proposal is inconsistent with SEPP 70.

**SEPP Affordable Rental Housing 2009**

Under SEPP Affordable Rental Housing, bonus floor space may be granted by a consent authority where development is proposed for the purposes of dual occupancies, multi-dwelling housing or residential flat buildings and the requirements of the SEPP have been satisfied. The floor space bonus applies if at least 20% of the gross floor area of a development is to be used for the purpose of affordable housing.

Council suggests that the planning proposal is not inconsistent with SEPP Affordable Rental Housing but provides no further discussion to justify this position. Should this matter proceed to the Gateway, it is recommended that the planning proposal be updated to demonstrate that there is no inconsistency with SEPP Affordable Rental Housing.

**SEPP 65 – Design Quality of Residential Flat Development**

The proposal is inconsistent with this policy given that some buildings are only able to achieve 1.5 hours of solar access in mid-winter due to the south facing slope of the precinct. The Apartment Design Guide which is aligned with SEPP 65, recommends at least 2 hours solar access for apartments in mid-winter.

However, the design guide recognises it may not be possible to meet this criteria on some sites for reasons including development on south facing slopes. In this event, design drawings need to demonstrate how site constraints and orientation preclude meeting the design criteria.

Council indicates that a site specific Development Control Plan for the precinct area, addressing this requirement, will be exhibited with the planning proposal.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

**Mapping Provided - s55(2)(d)**

Is mapping provided? **Yes**

Comment :

**The planning proposal contains indicative mapping which reflects the intent of the planning proposal.**

**The proposal needs to be updated to include an Incentive Height of Buildings Map and an Incentive Floor Space Ratio Map prior to public consultation.**

**Council will be required to ensure all maps are consistent with the Department's Standard Technical Requirements for Spatial Datasets and Maps.**

**The proposed Special Provisions Area Map is inconsistent with LEP mapping standards as it provides for elements usually identified in Council's development control plan ie. location of central park, pedestrian linkages, new roads, road closures, community facilities and pocket parks.**

**A supporting, non-LEP map should be prepared to demonstrate the location of these elements for the purpose of public consultation.**

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**Community consultation - s55(2)(e)**

Has community consultation been proposed? **Yes**

Comment : **Community consultation will be undertaken in accordance with the conditions of the Gateway determination and Council's Consultation Policy.**

**Council undertook extensive community consultation prior to the adoption of the St Leonards South Master Plan. Further discussion regarding public agency feedback is provided under "adequacy of public infrastructure for the planning proposal".**

**Additional Director General's requirements**

Are there any additional Director General's requirements? **No**

If Yes, reasons :

**Overall adequacy of the proposal**

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

**Proposal Assessment**

**Principal LEP:**

Due Date : **February 2010**

Comments in relation to Principal LEP : **Lane Cove LEP 2009 (LCLEP 2009) was notified on 19 February 2010.**

**Assessment Criteria**

Need for planning proposal : **An initial strategy for St Leonards was undertaken by Council in response to priorities for the area outlined in A Plan for Growing Sydney, in particular the need to locate growth within walking distance of St Leonards station and the future Metro station at Crows Nest.**

**St Leonards Station is located on the T1 North Shore, Northern and Western Line which services Hornsby, Emu Plains and Richmond.**

**The Sydney rapid transit network is planned to extend from the North West Rail Link at Chatswood, under Sydney Harbour to the City and out to Bankstown. The rapid transit station at Crows Nest was confirmed in November 2015 and is to be located within 400 metres of St Leonards station.**

**The outcomes of the St Leonards Strategy were incorporated into the St Leonards South Masterplan which identified five separate development options for the study area. The masterplan was adopted by Council on 13 July 2015.**

**The current proposal essentially implements the "High Development (Concentrated)" Development Option from the St Leonards South Master Plan. This option proposes high density development of the residential area extending 400 metres to the west of St Leonards station. In adopting the masterplan, Council also resolved to extend the western boundary of the area covered by the "High Development (Concentrated) Option" in the master plan one block to the west, from Berry Road to Park Road, to accommodate a large central park area. The current proposal reflects this change.**

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Consistency with strategic planning framework :

**A Plan for Growing Sydney:**

A Plan for Growing Sydney (the plan) recognises St Leonards as a 'strategic centre'. One of the key priorities for St Leonards in the plan is to investigate potential future employment and housing opportunities associated with a Metro station at Crows Nest.

In keeping with this priority, the planning proposal concentrates high density development in the residential precinct nearest the existing train station and proposed rapid transit station. The residential areas adjoining this precinct will continue to provide for low density housing. The intent is to encourage and maintain a variety and choice of housing types in this area to meet current and future housing needs.

The planning proposal is therefore generally consistent with key priorities and directions contained in 'A Plan for Growing Sydney,' including:

- Action 1.7.1: Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity.
- Action 2.1.1: Accelerate housing supply and local housing choices
- Action 2.2.2: Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres, including the existing Hornsby to North Sydney via Gordon rail corridor.

The planning proposal is also consistent with relevant goals within Council's Community Strategic Plan relating to sustainable development, provision of assets and infrastructure to cater for population growth, and meaningful community involvement in planning and decision making.

**Environmental Planning Assessment Act 1979 (EP&A Act):**

Draft clause 6.8 aims to provide additional floor space and height to proposed buildings the subject of a development application in the precinct provided the consent authority is satisfied that certain outcomes will be provided (as listed in the clause). These outcomes vary for different lot amalgamation areas, identified on the Special Provisions Area Map, and include specified areas of open space, provision of a multi-purpose facility, and contribution of a levy for affordable housing.

**Development contributions:**

The above clause is not supported in its current form as it requires contributions either by way of a dedication of land or payment of money. Contributions can only be required under Part 4 Division 6 (Development contributions) of the EP&A Act and need to be authorised by a contributions plan, and not an LEP.

Instead the bonus clause should require certain planning objectives to be met as part of a development application for the bonus provisions to apply. In this case, the objectives relate to the provision of community infrastructure, community facilities, public open space, local access networks and key worker housing. The terms 'community infrastructure' and 'community facilities' should also be defined.

**St Leonards South Landscape Master Plan:**

An expected outcome for all lot amalgamation areas within the precinct, under draft clause 6.8, is consistency with the St Leonards South Landscape Master Plan.

Direct reference to a Development Control Plan (or a master plan) in an LEP is not generally supported by the Department as it elevates the policy to the status of an LEP. Any critical elements of such a policy should be drafted into the LEP.

Therefore, Council needs to clarify the intent of its reference to the St Leonards South Master Plan in draft clause 6.8 as this may need to be drafted directly into the clause.

**Affordable Housing:**

See discussion under "State Environmental Planning Policies".



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**Draft clause 4.6(8)(ca):**

Council is also seeking to exempt the St Leonards South precinct from Lane Cove LEP 2009 clause 4.6 Exemptions to Development Standards, in order to provide certainty and prevent the flexible application of proposed controls for this area, via draft clause 4.6(8) (ca). This clause is not supported in light of concerns with draft clause 6.8.

It is recommended that, for the purpose of public exhibition, Council replace proposed clause 4.6(8)(ca) and proposed clause 6.8 with a 'plain english' version that explains Council's intent/ outcomes for the St Leonards South Precinct while allowing flexibility in the drafting of specific provisions.

Environmental social economic impacts :

**Environmental:**

The proposal will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats as this is a long-standing developed urban area.

Council advises that existing flood issues affecting two lots within precinct area can be dealt with at the development application stage.

**Social:**

The social well-being of the future residential community within the precinct area is addressed in the form of the public benefits identified by Council to support further growth. The capacity of existing infrastructure to accommodate the proposed future development is addressed below under "Adequacy of Public Infrastructure".

The bonus scheme aims to transition building heights and floor space ratios down from towers in the St Leonards centre to the north of the precinct down to a two - four storey interface with low density areas to the south and west of the precinct. Council has undertaken to exhibit a draft Development Control Plan for the St Leonards South Precinct area with the planning proposal in order clarify intended built form outcomes for the precinct and potential impacts on adjacent areas.

**Economic:**

The planning proposal is supported by two financial reviews which have analysed the proposal's feasibility based on variables including sales price and alternative scenarios for lot amalgamation (See Attachment A and Attachment K). Both studies conclude that residential development as currently proposed in the St Leonards South Precinct is viable within a relatively short timeframe based on a floor space ratio of 2.75:1 and a height limit of eight storeys.

At present a base floor space ratio of 2:1 is proposed across the precinct. All properties are able to achieve a floor space ratio of at least 2.75:1, if they comply with the proposed lot amalgamations and the St Leonards South Landscape Master Plan (to achieve the desired network of green spines). Further height (between 31 metres and 58 metres) and floor space bonuses (between 2.75:1 and 4:1) can be achieved by providing additional public benefits as outlined in draft clause 6.8.

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**Assessment Process**

Proposal type : **Precinct** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation :

Public Authority Consultation - 56(2)(d) : **Department of Education and Communities  
Office of Environment and Heritage  
Transport for NSW  
Department of Health  
Transport for NSW - Sydney Trains  
Transport for NSW - Roads and Maritime Services  
Adjoining LGAs  
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

**No internal consultation required**

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **Adequacy of public infrastructure:  
A number of public agencies were consulted during the St Leonards South Master Plan process.**

**Roads and Maritime Services and Transport for NSW both supported the proposal in principle but raised concerns about the cumulative impact of the current proposal and other approved proposals in the immediate area on existing public transport infrastructure. Both agencies requested that further traffic and accessibility studies be undertaken for the planning proposal.**

**The proposal notes that this request was made prior to the announcement of the proposed Metro station at Crows Nest.**

**The NSW Department of Education and Communities supports the proposal in principle but raised concerns about the cumulative impact of residential development in St Leonards South and surrounding areas on existing education infrastructure.**

**Royal North Shore Hospital requested further consideration of the traffic impacts of the proposal on the surrounding road network and the impact of proposed development on the 'Preferred Helicopter Approach Path'.**

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**Documents**

Document File Name	DocumentType Name	Is Public
Council REPORT dated 13 July 2015.pdf	Study	No
Council MINUTE dated 13 July 2015.pdf	Study	No
Attachment C - Current Zoning map.pdf	Map	No
Attachment C - Proposed Zoning map.pdf	Map	No
Attachment D - Current Height of Buildings map.pdf	Map	No
Attachment D - Proposed Height of Buildings map.pdf	Map	No
Attachment E - Current Floor Space Ratio map.pdf	Map	No
Attachment E - Proposed Floor Space Ratio map.pdf	Map	No
Attachment F - Community Infrastructure Map (for exhibition purposes only).pdf	Map	No
Attachment H - Current Minimum Lot Size Map.pdf	Map	No
Attachment H - Proposed Minimum Lot Size Map.pdf	Map	No
Attachment I - Proposed Special Provisions Area Map.pdf	Map	No
Attachment J - Proposed Land Reservation Acquisition map.pdf	Map	No
Attachment K - Independent Review of Viability - February 2015 HillPDA analysis.pdf	Study	No
Attachment L - St Leonards South Master Plan - Appendices A and B shadow modelling.pdf	Study	No
Attachment M - Traffic Modelling Report - 8 June 2015.pdf	Study	No
Attachment N - Consistency with applicable State Environmental Planning Policies.pdf	Proposal	No
Attachment O - Consistency with applicable Section 117 Directions.pdf	Proposal	No
Departmental Attachment 1 - Information Checklist.doc	Proposal	No
Departmental Attachment 2 - Evaluation Criteria for the Delegation of Plan Making Functions.doc	Proposal	No
Letter to Department requesting Gateway Determination - Planning Proposal 25 - St Leonards South - dated 19 May 2016.pdf	Proposal Covering Letter	No
Planning Proposal 25 - St Leonards South.pdf	Proposal	No
Attachment G - Amending LEP Clauses.pdf	Proposal	No
St Leonards South Masterplan for 8th December 2014_945009.pdf	Proposal	No
St Leonards South Supplementary Report 17 May 2016.pdf	Study	No

**Planning Team Recommendation**

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

- S.117 directions:
- 2.3 Heritage Conservation
  - 3.1 Residential Zones
  - 3.4 Integrating Land Use and Transport
  - 3.5 Development Near Licensed Aerodromes
  - 6.2 Reserving Land for Public Purposes
  - 6.3 Site Specific Provisions
  - 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal should proceed, subject to the following requirements:**

1. Given the need to clarify and justify certain elements of the proposal, prior to public

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exhibition, the planning proposal is to be updated to:

- a) justify inconsistency with s.117 Direction 2.3 Heritage Conservation, via an impact assessment to assess the impacts of the proposal on local heritage houses located at 3,5 and 7 Park Road;
- b) justify inconsistency with s.117 Direction 3.1 Residential Zones and s.117 Direction 3.4 Integrating Land Use and Transport, via a traffic and accessibility study focussing on the impacts of the current proposal and other approved proposals in the immediate area;
- c) demonstrate that there is no inconsistency with SEPP Affordable Rental Housing;
- d) replace proposed clauses 4.6(8)(ca), 5.1 and 6.8 with a 'plain english' version, to the satisfaction of the Department, that explains Council's intention/ outcomes for the St Leonards South Precinct while allowing flexibility in the drafting of provisions;
- e) include an Incentive Height of Buildings Map and an Incentive Floor Space Ratio Map; and
- f) replace the existing Special Provisions Area Map with a non-LEP version.

2. The planning proposal be considered routine and exhibited for a period of no less than 28 days.

3. A draft Development Control Plan for the St Leonards South Precinct area is to be exhibited with the planning proposal in order to clarify intended built form outcomes for the precinct and justify non-compliance with SEPP 65 design criteria.

4. Consultation is required with the following agencies under section 56(2)(d) of the EP&A Act:

- Planning and Environment: Urban Renewal
- Transport for NSW: Sydney Trains;
- Transport for NSW: Road and Maritime Services;
- Willoughby Council;
- North Sydney Council;
- Environment and Heritage;
- Education and Communities;
- Northern Sydney Local Health District;
- Royal North Shore Hospital;
- Sydney Airport Corporation Ltd;
- Department of Infrastructure and Regional Development; and
- Civil Aviation Safety Authority.

The agency is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

5. A public hearing is not required.

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

7. All LEP maps are to be consistent with the Department's Standard Technical Requirements for Spatial Datasets and Maps.

8. Prior to undertaking public exhibition the planning proposal is to be updated to include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of a draft or final strategic planning review for the St Leonards and Crows Nest Station Precinct.

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9. Prior to finalisation, the planning proposal is to be amended to demonstrate consistency with any available findings of a draft or final strategic planning review for the St Leonards and Crows Nest Station Precinct.

Supporting Reasons : The Department supports the planning proposal proceeding, to allow for public exhibition and feedback on the proposal.

The Department supports the intent of the proposal to locate residential growth within walking distance of St Leonards station and the Metro station at Crows Nest.

Signature: *Karen Armstrong*

Printed Name: KAREN ARMSTRONG Date: 8/7/16

