

**Extraordinary Council 11 May 2020  
MINUTES**

**ST LEONARDS SOUTH UPDATE – DESIGN CHARRETTE RESPONSE**

**MOTION**

A Motion was moved by Councillors Palmer and Brooks-Horn that Council:-

- A. Receive the Addendum Report and deal with it in conjunction with the substantive report.
- B. Note that Attachment 4 outlines the issues raised in submissions received and how each was considered by the IPC, Design Charrette and Council, which are the basis for the report to Council.
- C. Note that the IPC held a public hearing in 2019.
- D. In response to the submissions received post exhibition of the Planning Proposal, advice from the Independent Planning Commission and Design Charrette conducted by the Department of Planning, Industry and Environment, make the following changes to the scheme:-
  1. Adopt a 5% reduction of the base FSR down to 2.6:1 across the entire precinct, resulting in the following changes to the FSR schedule noting that this combined with other changes will reduce the expected number of dwellings to approximately 1,974, representing a 17% reduction in dwellings across the precinct.

<b>Existing</b>	<b>Amended</b>
2.75	2.6
3.0	2.85
3.1	2.95
3.5	3.35
3.7	3.55
3.8	3.65
4.0	3.85
Refer to Clause 6.8	Refer to Clause 6.8

2. Adopt the changes to the height controls in the precinct as shown in the revised Figure 13 included in the Addendum Report, noting the following details:-
  - a. Area 5 in Canberra Avenue, no adjustment to height and FSR and require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue in addition to providing the multi-purpose facility.
  - b. Area 6 in Holdsworth Avenue, increase the height from 10 to 12 storeys, and increase the bonus FSR by an additional 0.3:1 to provide a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue and continue to provide affordable/key worker housing.
  - c. Area 7 in Canberra Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.

- d. Area 8 in Holdsworth Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.
  - e. Area 12 in Berry Road, increase the 8 storey height component to 10 storeys, and increase the bonus FSR by an additional 0.5:1 to provide additional affordable/key worker housing.
  - f. Area 17 in Berry Rd, no adjustment to height and FSR but require an increased contribution to infrastructure in addition to providing the multi-purpose facility (to ensure an equitable contribution by all areas in accordance with the HillPDA Analysis).
  - g. Areas 21 and 22 the frontage of buildings to the central park have a DCP control requiring the western buildings to have a 3m setback at and above Level 3 (a 2 storey element) and the eastern buildings to have a 3m setback at and above Level 5 (a 4 storey element), to improve the park interface.
  - h. Area 22 and 23 in Park/Berry Road, increase in the FSR by the inclusion of a bonus FSR of an additional 0.15:1 with no resultant increase in height to provide a new road linking Berry Road to Park Road.
3. A clause be included which requires a minimum of 20% studio/one-bedroom apartments, 20% two-bedroom apartments, and 20% 3 and 3+ bedroom apartments for residential development across the precinct.
  4. A clause be included to ensure buildings are optimised to minimise shadowing to public and private open spaces and ensure ADG compliance including to surrounding buildings.
  5. A clause be included to encourage ground-floor, direct street-access, townhouse-like apartments, particularly in Park Rd.
  6. A clause be included which requires the development to demonstrate design excellence and best practice sustainability performance to be eligible for the incentives outlined in Clause 6.8.
  7. Consider a set of guidelines for the design of buildings in order to achieve an aesthetically standardised, package approach for the precinct; including but not limited to building design, articulation, materials and finishes, front fencing and colour palette.
- E. Amend Planning Proposal 25, DCP and associated documents to reflect A,B,C and D above and submit the revised Planning Proposal 25 to the Minister for Planning and Public Spaces together with updated respective supporting reports and letters in relation to infrastructure support (e.g. Department of Education), being consistent with Council's current position.
  - F. Delegate Authority to the General Manager to update the draft s7.11 Plan having regard to the amended Planning Proposal and seek approval from IPART for the Plan.
  - G. Subject to Ministerial approval of Planning Proposal 25:-
    - a. commence the process to close Canberra Avenue, between River Road at its intersection with Duntroon Avenue to integrate the land into Newlands Park once the section 7.11 Plan funding has been confirmed.

- b. extend the community consultation to the area bound by Pacific Highway, North Shore Railway Line, River Road and Greenwich Road or broader if determined to do so.
- H. Commit to not considering future rezonings west of Park Road to Greenwich Road in the short - medium term (2021-2026).
- I. Investigate widening of the River Road footpath to integrate a shared path.
- J. Note the advice received today that the Terms Sheet for the St Leonards Over-Rail Plaza has been executed by the relevant State Government authorities.
- K. Prioritise the purchase of properties to create the central park between Park Rd and Berry Rd as s7.11 contributions are received, and Council receive a report annually as part of the budget process on progress of acquiring the properties.
- L. Ask the Minister to consider re-exhibition of the amended proposal.
- M. Formally acknowledge the hard work of the General Manager, his executive and non-executive staff and in particular Michael Mason and his staff in delivering a plan for St Leonard's South precinct that will deliver a significant portion of our 2021-2036 housing targets and provide the people of the area with more open space, community infrastructure and other amenities.

**AMENDMENT 1**

An Amendment was moved by Councillors Zbik and Morris that Council defer a decision on points A-K below until August 2020:-

A Motion was moved by Councillors Palmer and Brooks-Horn that Council:-

- A. Receive the Addendum Report and deal with it in conjunction with the substantive report.
- B. Note that Attachment 4 outlines the issues raised in submissions received and how each was considered by the IPC, Design Charrette and Council, which are the basis for the report to Council.
- C. Note that the IPC held a public hearing in 2019.
- D. In response to the submissions received post exhibition of the Planning Proposal, advice from the Independent Planning Commission and Design Charrette conducted by the Department of Planning, Industry and Environment, make the following changes to the scheme:-
  - 1. Adopt a 5% reduction of the base FSR down to 2.6:1 across the entire precinct, resulting in the following changes to the FSR schedule noting that this combined with other changes will reduce the expected number of dwellings to approximately 1,974, representing a 17% reduction in dwellings across the precinct.

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Refer to Clause 6.8	Refer to Clause 6.8

2. Adopt the changes to the height controls in the precinct as shown in the revised Figure 13 included in the Addendum Report, noting the following details:-
  - a. Area 5 in Canberra Avenue, no adjustment to height and FSR and require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue in addition to providing the multi-purpose facility.
  - b. Area 6 in Holdsworth Avenue, increase the height from 10 to 12 storeys, and increase the bonus FSR by an additional 0.3:1 to provide a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue and continue to provide affordable/key worker housing.
  - c. Area 7 in Canberra Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.
  - d. Area 8 in Holdsworth Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.
  - e. Area 12 in Berry Road, increase the 8 storey height component to 10 storeys, and increase the bonus FSR by an additional 0.5:1 to provide additional affordable/key worker housing.
  - f. Area 17 in Berry Rd, no adjustment to height and FSR but require an increased contribution to infrastructure in addition to providing the multi-purpose facility (to ensure an equitable contribution by all areas in accordance with the HillPDA Analysis).
  - g. Areas 21 and 22 the frontage of buildings to the central park have a DCP control requiring the western buildings to have a 3m setback at and above Level 3 (a 2 storey element) and the eastern buildings to have a 3m setback at and above Level 5 (a 4 storey element), to improve the park interface.
  - h. Area 22 and 23 in Park/Berry Road, increase in the FSR by the inclusion of a bonus FSR of an additional 0.15:1 with no resultant increase in height to provide a new road linking Berry Road to Park Road.
3. A clause be included which requires a minimum of 20% studio/one-bedroom apartments, 20% two-bedroom apartments, and 20% 3 and 3+ bedroom apartments for residential development across the precinct.
4. A clause be included to ensure buildings are optimised to minimise shadowing to public and private open spaces and ensure ADG compliance including to surrounding buildings.
5. A clause be included to encourage ground-floor, direct street-access, townhouse-like apartments, particularly in Park Rd.
6. A clause be included which requires the development to demonstrate design excellence and best practice sustainability performance to be eligible for the incentives outlined in Clause 6.8.

7. Consider a set of guidelines for the design of buildings in order to achieve an aesthetically standardised, package approach for the precinct; including but not limited to building design, articulation, materials and finishes, front fencing and colour palette.
- E. Amend Planning Proposal 25, DCP and associated documents to reflect A,B,C and D above and submit the revised Planning Proposal 25 to the Minister for Planning and Public Spaces.
- F. Delegate Authority to the General Manager to update the draft s7.11 Plan having regard to the amended Planning Proposal and seek approval from IPART for the Plan.
- G. Council commence the process to close Canberra Avenue, between River Road at its intersection with Duntroon Avenue to integrate the land into Newlands Park.
- H. Commit to not considering future rezonings west of Park Road to Greenwich Road in the short - medium term (2021-2026).
- I. Investigate widening of the River Road footpath to integrate a shared path.
- J. Note the advice received today that the Terms Sheet for the St Leonards Over-Rail Plaza has been executed by the relevant State Government authorities.
- K. Prioritise the purchase of properties to create the central park between Park Rd and Berry Rd as s7.11 contributions are received, and Council receive a report annually as part of the budget process on progress of acquiring the properties.

Upon being put to the meeting the Amendment was lost.

For the Motion were Councillors Vissel, Zbik and Morris (Total 3).

Against the Motion were Councillors Palmer, Bennison, Brent, Brooks-Horn and Strassberg (Total 5).

## **AMENDMENT 2**

An Amendment was moved by Councillors Zbik and Morris that the Motion be adopted with D.1. in the Motion amended to read:-

1. Adopt a 10% reduction of the base FSR down to 2.5:1 across the entire precinct, resulting in the following changes to the FSR schedule.

Upon being put to the meeting the Amendment was lost.

For the Motion were Councillors Vissel, Zbik and Morris (Total 3).

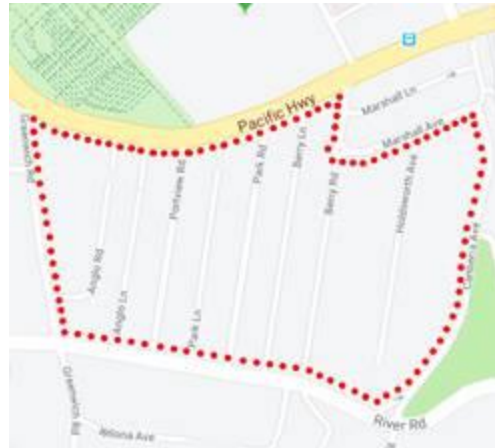
Against the Motion were Councillors Palmer, Bennison, Brent, Brooks-Horn and Strassberg (Total 5).

## **FORESHADOWED MOTION**

A Foreshadowed Motion was moved by Councillors Zbik and Vissel that Council:-

1. Write to the NSW Department of Planning giving notice to withdraw Planning Proposal to implement the St Leonards South Master Plan (Planning Proposal No. 25).

2. Give written notice to the NSW Minister for Planning, NSW Department of Planning and Greater Sydney Commission of:
  - a. Council's intent to commence a new planning proposal based upon the community feedback received from the community consultation undertaken between December 2017 and January 2018 and from the Independent Planning Commission Report for the area outlined in the below map that coincides with the St Leonards and Crows Nest Draft 2036 Plan:



- b. Any new planning proposal is to be consistent with the St Leonards and Crows Nest Draft 2036 Plan.
  - c. As the planning proposal authority for the Lane Cove LGA, resolve not to accept any new planning proposals involving a residential use as per the Minister's initiative within the subject area outlined in Section 2(a) above.
3. Commence a new community consultation process to guide the creation of the new planning proposal outlined in Section 2 above incorporating:
  - a. A new feasibility study based on current market values of land in the subject area outlining what can be built and what Section 7.11 and/or State Infrastructure Contributions can be raised to fund local infrastructure.
  - b. A flyer delivery across the Lane Cove LGA and neighbouring Willoughby and North Sydney residential areas within 1 km of the subject area giving notice of the community consultation for the new planning proposal.
  - c. At least four public workshops seeking input in regard to what development is deemed suitable by the community of which residents have been notified by way of email and advertising on Council's website, social media accounts and local newspapers.
  - d. At least four street stalls in Lane Cove Plaza
  - e. An invitation to all community groups to provide input including but not limited to:
    - i. Lane Cove Planning Alliance
    - ii. Greenwich Community Association
    - iii. Longueville Residents Association
    - iv. Northwood Residents Action Group
    - v. Overdevelopment We're Over It

**68** Upon being put to the meeting the Motion was declared carried.

For the Motion were Councillors Palmer, Bennison, Brent, Brooks-Horn and Strassberg (Total 5).

Against the Motion were Councillors Vissel, Zbik and Morris (Total 3).

The Foreshadowed Motion lapsed