

Extraordinary Meeting of Council Meeting 11 May 2020
ST LEONARDS SOUTH UPDATE – DESIGN CHARRETTE RESPONSE

Subject: St Leonards South Update – Design Charrette Response
Record No: SU5943 – 20967/20
Division: Environmental Services Division
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Executive Summary

The purpose of this report is to respond to community and State government submissions, advice and reviews in relation to the draft St Leonards South Planning Proposal No 25 (Council's Proposal) over the period October 2017 to February 2020, and place Council in an informed position to determine Planning Proposal 25 in line with the requirements of the NSW Government's Gateway process.

Since 2012, the planning of St Leonards South has been based on detailed and extensive research, consultancy reports, workshops, government & public consultation. It is an expression of Lane Cove Council's planning vision for residential growth which is now part of Council's endorsed Local Strategic Planning Statement (**AT-1**).

Council's vision has been to create a Master Plan for a high-amenity urban residential precinct near the existing St Leonards Rail and future Crows Nest Sydney Metro Stations, supporting the principles of transit-oriented development (TOD) and liveability. The Planning Proposal provides for community infrastructure, public open space, pedestrian networks and efficient traffic routes commensurate with the planned urban residential precinct.

It also responds to State, regional and district directives. It contributes significantly to Council delivering its new 6-10 year housing target (from 2021 – 2026) of 3,000-3,500 dwellings. This is confirmed in the GSC's Letter of Support (see **AT-2**) endorsing Council's Local Strategic Planning Statement. Council's Proposal is informed by State directions for additional housing, particularly transit orientated development near a mass transit rail/bus/metro hub.

This report reviews the issues raised by community consultation, advice from the Independent Planning Commission (IPC), the Design Charrette conducted by the Department of Planning, Infrastructure and Environment (Planning NSW) (**AT-3**), as well as updated economic and urban design analyses. The report also acknowledges the draft St Leonards/Crows Nest 2036 Plan and an increasing prominence of the St Leonards CBD as a regional hub.

This report considers Council's Planning Proposal 25 and, in the light of the aforementioned feedback, presents Council with options that deliver Council's vision for a pedestrian friendly residential precinct that is well connected, sustainable and of high physical and social amenity.

The broad issues of concern raised included the quantity of public open space, local character, heritage, housing mix, transition to the south and west, pedestrian accessibility, active transport connections, overshadowing of open space, cumulative traffic impacts, school provision, canopy cover, and sustainability measures.

Planning NSW's Charrette brought together the NSW Government Architect officers and State Design Review Panel members. Lane Cove Council staff and its consultant urban designer attended to provide information only. Its objective was to provide "*outcomes that respond to IPC considerations, and state and local planning policy objectives*". For this reason, focus has been on the Outcomes and Recommendations Report of the Charrette (**AT-3**), which identifies "*the Department's recommended approach to the planning for St Leonards South*" (p.2).

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The Charrette design solution is not dissimilar to Council's proposal (see Figure 1). However, matters raised by the Charrette include a proposal to:-

- relocate and expand the precinct park,
- consolidate proposed public open space,
- increase built form and density along Park Road, and
- relocate the East-West links and convert them to shared zones to facilitate vehicle movements.

A number of the Charrette findings and recommendations are not supported for adoption as they are inconsistent with Council's vision, lack economic viability and/or are inconsistent with the IPC advice. Each issue is examined in the body of this report. For example:-

- The expanded and relocated park is not funded and is therefore not achievable;
- The consolidation of open space would result in **less public open space**;
- The suggested **Park Road** built form would increase built form bulk and scale in this transition zone.
- The proposed relocation of the east-west links provides **no additional benefit** to accessibility; and
- commercial/retail uses located around the new park would **not be sustainable** in this location.

However, a number of Charrette recommendations are supported, or partially supported, such as:-

- Solar access planes to public open space in the Development Control Plan (existing);
- Variety of dwelling typologies e.g. more studios and 3+ bedrooms (new);
- Investigations for land west of Park Road in the longer term (2026 -2036) be included in Council's Local Strategic Planning Statement (new);
- Creation of a 'pedestrian avenue' along Marshall Avenue (existing);
- Focus on sustainable performance (existing);
- Increased Affordable/Key Worker housing (existing but expanded);
- Widening of River Road footpath to integrate a shared path, subject to further investigation (new);
- Lower buildings along Canberra Avenue fronting Newlands Park (new);
- DCP provisions for townhouse-style development, as part of an integrated apartment complex (existing, but new to Council's Proposal); and
- DCP provisions to reduce maximum car parking rates in the precinct (new).
- Close part of Canberra Avenue and expand Newlands Park.

Note: For a summary table of the major issues raised by the IPC and community consultation, the Charrette response to these issues, and Council's response in turn, see **AT-4** (*Table of Issues and Responses*).

The Charrette review retained the proposed scale for the precinct, albeit reconfigured, despite the recommendations of the IPC and a large number of the public submissions.

To address this issue, Council's urban design analysis (**AT-5**) and feasibility analysis (**AT-6**), considered built form options that draw on the principles of the Charrette and PP25 to reduce scale. These are:-

- **Option 1** – Remove all public benefits from Council's proposal.
- **Option 2** – Reduce overall densities by between 5% and 20% of the base 2.75:1, while retaining all public benefits.

- **Option 3** – Revise the dwelling mix and redistribute floor space to reduce building heights adjacent to Newlands Park (along with other value adding amendments).
- **Option 4** – Combine a 5% overall density reduction, revision of the dwelling mix and redistribution of floor space to reduce building heights adjacent to public open space (along with other value adding amendments).

Option 4 (FSR reduction, revised dwelling mix and redistribution of floor space to reduce heights) is the recommended option as it reduces the number of apartments by approximately 20%. It also provides for a 6 storey edge to both Park Road and Canberra Avenue, adjacent to Newlands Park and over 30% additional open space.

Under the Environmental Planning and Assessment Act (EP&A Act) it is not Council's role to determine if re-exhibition is required once the exhibition prescribed by the Gateway determination has been completed. Council's role is to conduct the exhibition, consider feedback and submit amendments (if any) to the Planning Proposal to the Minister for Planning and Public Spaces. It is the Minister's responsibility to determine if changes made to the scheme require re-exhibition. Given the nature of the changes, this is not anticipated.

It is recommended that Council submit amended Planning Proposal 25 to the Minister for Planning and Public Places.

Background

The planning of the St Leonards South residential precinct has been comprehensive and based on detailed and extensive research, consultancy reports, workshops and public consultation since 2012.

A summarised timeline is provided below (see **AT-8** for more detail):

- **July 2012 – March 2014** – A Stage One Precinct report by Council's planning staff and external consultants for a Master Planned approach for the area.
 - Community consultation was also undertaken as part of this process which included the establishment of a website and a Community Consultation report.
- **March 2014 – December 2014** – Initiation of Stage Two (Growth Scenarios Report – Master Plan) by a multi-discipline consultant team – Planner, Urban Designer, Architect.

The draft Master Plan discussed potential changes to the zoning and scale of areas in the precinct as well as the provision of community facilities, open space and other matters. It also developed ten principles adopted by the community:-

- Liveability;
- Housing for all stages of life (including Affordability);
- Maximising walkability/cycling/access;
- Amenity (built form and streetscape);
- Public Domain, open space and streetscape;
- Efficient traffic flow;
- Community facilities;
- Appropriate lot sizes for amalgamation;
- Appropriate infrastructure and controlled stormwater; and
- Financial viability and options for increased growth.

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These plans were publicly exhibited from December 2014 to May 2015 and Council held a series of information days, workshops, drop-in sessions and website exhibitions.

- **July 2015** – Master Plan was adopted with area extended to Park Road (from Berry Road) on 13 July 2015.
- **August 2015 – September 2017**– During this time Council prepared and lodged Planning Proposal 25 and its supporting documents. This was approved by the Department.
- **October 2017 to January 2018** - The Planning Proposal was publicly exhibited, the submissions received are attached to this report (AT-7). A detailed timeline highlighting all public consultations including submissions and responses is included in AT-8. A summary of key concerns include:-
 - Scale (built form and amount of development),
 - Character and heritage,
 - Transitional built form,
 - Topography,
 - Commercial development,
 - Use of setbacks,
 - Amenity,
 - Traffic,
 - Transport (i.e. links with new Metro Station and existing St Leonards Station),
 - Council's bus/rail interchange,
 - Parking & Access,
 - Open Space (overshadowing and amount of),
 - Density,
 - Tree Canopy Cover,
 - Housing Diversity/Affordable Housing,
 - Overshadowing & Privacy,
 - Lack of information,
 - Impacts on infrastructure – capacity, schools, sewer, water, and delivery,
 - Zone boundaries and transition, and
 - Economic analysis.
- **March 2018** – Council sought (and was granted) an extension of time to complete the Planning Proposal to allow for the public release and consideration of the St Leonards / Crows Nest Planned Precinct Draft Land Use Infrastructure and Implementation Plan.
- **July 2018**, a Design Review Workshop was undertaken to examine technical issues related to urban design, architecture and landscape design. In attendance were consultants expert in the field and the author of any submission which gave ideas of a technical nature related to the Proposal's draft DCP and LEP were invited to participate one at a time. A key outcome was the proposal to close Canberra Avenue to expand Newlands Park. A summary of the matters raised is included in **AT-9**.
- In **2018 & 2019**, the Greater Sydney Commission provided advice to Council (AT-10) and the Department exhibited their plans for the broader St Leonards/Crows Nest area. Following an independent workshop, a separate fact sheet (**AT-11**) responding to concerns was created and Council submitted its response to the Department's plans.

- **May 2019 – July 2019** – Council’s Proposal was referred to the IPC for advice. While the IPC heard detailed comments relating to the economics of Council’s Proposal, it stated that this matter was not within the scope of the advice sought by the Minister – and was not considered. The findings are included in **AT-3**.
- In **October 2019** to help Council formulate its response to the IPC report and progress the Planning Proposal, the DPIE, the State Design Review Panel and the NSW Government Architect conducted a design charrette. The Charrette’s Outcomes and Recommendations Report (**AT-3**) provided 13 recommendations for Council to consider.

While it recommends an amended design, the Department clearly states that:

“When considering the IPC advice alongside the discussion and recommendations made during the St Leonards South design charrette, the Department agrees development should continue in the Precinct”....

“Planning for additional development has merit as Council requires additional housing to meet housing targets beyond 5 years”....

“The Department recommends that Lane Cove Council consider the key recommendations outlined within this Outcomes and Recommendations Report in responding to the IPC advice for the St Leonards South planning proposal”....

“Lane Cove Council is responsible for undertaking any amendments to the planning proposal before submitting the proposal to the Department for finalisation. ...”

Discussion

Consideration of the Charrette Recommendations

The Charrette reviewed the IPC findings. The Charrette’s recommendations included design and policy amendments to Council’s Proposal which would fundamentally change the guiding urban design principles adopted by Council and the community and impact existing economic analysis. Given that the Charrette’s recommendations acknowledged that “**further testing and validation studies are required**” (page 23 of **AT-3**), Council has undertaken additional urban design (**AT-5**) and feasibility analysis (see **AT-6**) to aid further consideration.

This section of the report describes the 13 key recommendations contained in the Charrette report, examines how these would impact Council’s Proposal and provides a response to each key recommendation. This is followed by options for Council’s consideration.

Figure 1 below shows a comparison of urban design, open space treatment and building heights (in storeys) between Council’s Proposal and the Charrette’s height recommendations.

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Figure 1: Council's Proposal (left image) and Design Charrette's height estimates (right image)

Charrette Recommendation 1: Plan for a neighbourhood 'heart' for the precinct with centralised facilities

Create a neighbourhood heart with strategically-placed and centralised commercial and flexible non-residential facilities (ideally closely connected to open space), activate ground floor with employment generating uses (near open space) and explore additional controls to promote delivery of community facilities.

Response

This recommendation is in two parts: centralised open space (considered under Recommendation 2) and centralised commercial uses. The recommendation fails to consider the viability of relocating non-residential uses within the precinct, nor the precinct's strategic and contextual proximity to several existing and proposed commercial and community uses, so is not supported. In any case, under Council's Proposal, the existing R4 zoning controls already permit neighbourhood shops, restaurants and cafes, which could be accommodated along the proposed East-West Link adjacent to community facilities.

The Charrette's proposed location is within 200m of the commercial properties along Pacific Hwy and 400 metres from a developing commercial/ community centre (at 88 Christie Street) containing library, supermarket, restaurants and other non-residential uses. No evidence is given to support the need or viability for further larger scale employment generating uses within this residential precinct, and they are considered redundant and unviable.

The community infrastructure within Council's Proposal (two child care centres and two community centres) are to be delivered via additional height and FSR bonuses. There are no other alternatives available to offset the cost of such community facilities given that s7.11 contributions are fully allocated under the Master Plan.

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Charrette Recommendation 2: Relocate the park to the area around Holdsworth Avenue and Berry Road

Consolidating public open spaces into one larger area with streets on all sides will bring greater amenity to residents, align with key landscape objectives of the Draft 2036 Plan, address IPC concerns about overall uniformity of scale, and improve views from within the proposal area. It was also felt that this relocation would improve pedestrian connectivity through the precinct to the proposed St Leonards Plaza.

Response

This recommendation is not supported as the centralisation of Open Space, whilst having the benefit of being one larger consolidated space, ultimately delivers less open space, is located across a sloping site, is more expensive, reduces access to open space for the adjoining R2 zone, suggests removal of Propsting Playground and creates a canyon effect along Marshall Avenue.

Quantum of Open Space

The quantum of Open Space should be considered in the context of how difficult it is to deliver in “Brown Field” infield developments. In the St Leonards Crows Nest 2036 Plan (SLCN 2036), Council’s Proposal contributes 73% of all new open space (1.66ha out of 2.3ha), and only 35% of dwellings. Recognising the difficulty in delivering open space in brownfield areas, the Planning NSW default standard for open space seeks 9% of site area, with up to 360 dwellings p/ha. Council’s Proposal delivers 14% of site area as open space, with 258 dwellings p/ha.

One of the outcomes from Council’s Design Review was the suggestion to close Canberra Avenue between River Road and the intersection with Duntroon Avenue and convert it to parkland as an extension to Newlands Park. This would add a further 3500 sqm to Newlands Park as shown in the following table and increase open space to 17% of the site area. The precinct also has proximity to existing open space, including Propsting Park and Newlands Park and Council’s proposed Over Rail Park/Plaza.

Location	Status	NSW Planning Category	Area (m2) of Open Space	Precinct Area ha.	%	Ha/1,000 population
Local - Central Park	New	Park	3,804	SLS		
Pocket Park - Marshall Ave west	New	Park	424	SLS		
Pocket Park - Marshall Ave east	New	Park	1,260	SLS		
Pocket Park - Holdsworth south	New	Urban	1,279	SLS		
Pocket Park - Berry south end	New	Urban	1,040	SLS		
East-west pathway link	New	Linkage	2,358	SLS		
Subtotal			10,165	7.48	14%	0.21
Newlands Park Extension	New	Park	3,500	SLS		
Subtotal New Public Open Space			13,665	7.83	17%	0.28
Newlands Park	Existing	Park	10,120	Duntroon		
Propsting Park	Existing	Park	900	Marshall		

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Total Open Space			24,685	10.16	24%	0.42
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The table doesn't include the contribution of the Green Spines, which contribute significant additional open space compared to a typical R4 high density zone. This space would not normally be available/useable as open space, as each development would typically fence their site, resulting in small, disjointed, unusable setback areas. The Green Spine concept requires all this space (24m wide and up to 120m long) to be combined for communal uses, effectively creating large shared backyards, where residents will have shared use via reciprocal rights-of-way between developments. The Landscape Masterplan outlines how these 'backyards' will be landscaped to incorporate play equipment, bbqs and other amenities. In total, the Green Spines deliver an additional 15,500 sqm of outdoor space, increasing overall open space to approximately 40%. Council was commended by Sydney Northern Area Health for this innovation in their submission.



Figure 2: Artist Impression of Green Spine, Area 23 looking north.

The table below provides a comparison of the total quantum of public open space between Council's Proposal (incorporating the extension of Newlands Park) and the Charrette recommendation. This shows Council's scheme overall will deliver **6,676 m²** more usable open space, with 17% of the precinct being public open space.

Type of Space	Quantum of Open Space	
	Council proposal	Charrette proposal
Central Park	3,804 m ²	6,676 m ²
Other Open Spaces	4,003 m ²	0
Subtotal	7,807 m ²	6,676 m ²
Extension to Newlands Park	3500 m ²	3500 m ²
East-West connections	2,358 m ² (excluding new road/share zone between Berry and Park Roads)	5,706 m ² (As they are roads/shared zones with vehicles, they cannot be counted as 'Places for People')

Total public open space	13,665 m²	10,176 m²
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A substantial amount of land in addition to the central park is required under the Charrette proposal to deliver the new grid of roads/shared zones. The utilisation of these spaces for recreation would be limited compared to Council's main East West Link, which is a 15 metre wide landscaped pedestrian/bicycle only zone.

Cost of Open Space

While a larger, consolidated park would allow more residents direct visual park frontage, and possibly greater flexibility in use, **the cost to purchase and embellish these lots is \$60,438,393 at the rate identified by Council's s7.11 Contributions Plan. This is far in excess of what any adjusted s7.11 Plan could provide unless housing density was substantially increased and/or funding allocated for community facilities was reduced.**

While a Special Infrastructure Contribution (SIC) could partially fund this new open space, there is currently no commitment to this by the Department, as the Charrette Report states (emphasis added):

"The Department will investigate opportunities to assist Council in delivery of open space via additional allocation of funds within the scope of the SIC. These investigations will be undertaken as part of the finalisation of the 2036 Plan. "

It is high risk for Council to be finalising an LEP on the basis that the Department will at a future date consider whether it will fund a piece of infrastructure that is expensive but essential to the overall Charrette design. Even if such a commitment was provided in the future, there is still a timing risk for Council in finalising its Proposal.

Also, as Council's economic analysis and that undertaken by the Department as part of SLCN2036 have indicated, there is no capacity for the sites within the precinct to pay the SIC. This is because the proposed s7.11 charges are already higher than normal. Therefore, it is not clear how the SIC could contribute funding if the SIC is not imposed. This, combined with the fact that a SIC is designed to deliver regional infrastructure (the central park is not of a scale, and it would not be desirable for it to play that role) makes funding from the SIC unlikely and thus remains a high risk.

Reduction of open space access to the R2 zone

The Charrette suggests that Council swap Propsting Park (960 m²) for two lots in the enlarged park (1110 m²) but this reduces access to open space for the adjoining R2 zoned properties, particularly if the main park is moved further to the east as the Charrette recommends.

Further, the relocation would negatively affect views associated with the Park Road heritage items. The IPC advice found that the current park location *"would not unreasonably interfere with any existing key views or vistas for these properties"* which would not be the case if the Charrette's plan were adopted.



Figure 3: Artist Impression of the central park viewed from Park Road.

Canyon effect along Marshall Avenue

The Charrette proposal introduces east-west infill buildings along Marshall Ave. However, this proposal is not supported because it results in:-

- an undesirable wall of buildings along Marshall Ave and on all sides of the central park (albeit with road separation);
- would not meet Apartment Design Guide compliance for solar access/cross-ventilation based on initial testing;
- removes open space from Marshall Ave which is needed to avoid a ‘canyon effect’ of tall buildings; and
- closes off two Green Spines which denies solar access to these proposed built forms and private open space (see Figure 7).

Charrette Recommendation 3: Prepare solar access planes to existing and proposed public spaces will assist in protecting these spaces from overshadowing

To address the IPC concerns regarding overshadowing to Newlands Park from 2-3pm, the Charrette recommends the adoption of solar access planes, a tool to measure solar access from surrounding properties to existing and proposed public spaces, to minimise any detrimental impacts of overshadowing to these public spaces.

Response

The use of solar planes is supported, however the proposed building heights in Council’s proposal would effectively be a ‘defacto’ solar access plane, as they have been modelled and optimised in the development of the height control to minimise shadow and achieve ADG compliance for surrounding buildings,

In terms of overshadowing, the IPC noted the biggest overshadowing impact was on both the proposed new park and Newlands Park and occurred between 2pm to 3pm.

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Figure 4: Shadow Modelling of Council's Proposal and Design Charrette Proposal

Solar modelling of the Charrette's central park option shows that the clustering of buildings of 10 storeys on all four sides of the park would actually increase the extent of overshadowing compared to Council's proposal, particularly between 2pm and 3pm (see Figure 4).

As seen in Figure 4, Council's proposed location provides better solar access to the proposed park from 2pm – 3pm because of the lower scale R2 built form to the west.

Further, the Charrette's option introduces east-west infill buildings across the proposed 'Green Spines' in four additional locations. This dramatically reduces solar access (and cross ventilation) in these areas and would be inconsistent with the State Government's Apartment Design Guidelines (ADG) as shown in Figure 7. See Appendix 2 in Council's urban design analysis (**AT-5**) for full solar planes from 9am-3pm for Council's Proposal vs. the Charrette's recommendation.

Finally, the IPC found that Council's proposal caused no overshadowing impact on properties south of River Road and west of Park Road unlike the Charrette proposal which includes a 10 storey element on the corner of River Road and Canberra Avenue, which cast a shadow on properties south of River Road.

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Charrette Recommendation 4: Improve connectivity for vehicular and pedestrian movements in, through, and from the site

Conduct analysis of vehicular movement to understand choices and options, consider a greater number of east-west pedestrian links, plan for traffic lights that assist pedestrians and cyclists on River Road, and create a pedestrian avenue along Marshall Avenue (north).

Response

In relation to the overall issue of traffic, Council's Cumulative Traffic Study (**AT-12**) analysed vehicular movements and concluded, *"In general terms, the modelling results indicate that a number of relatively minor improvements would be required as a result of general growth of network traffic, LEP 2009 developments and the proposed St Leonards South Master Plan development. These improvements will be required regardless of the other approved and proposed developments subject of this report."*

Council's Cumulative Transport and Accessibility Study supports widening verges, traffic lights for River Road and dual-use paths. Widening the footpaths along River Road is supported, however this is heavily constrained by a steep, rocky cliff edging existing on site. Council's current recommendation is to also support the closure of the intersection of River Road and Canberra Avenue.

The IPC in their findings were provided with updated comments from NSW Roads and Maritime Services dated 30 April 2019 (**AT-13**) which stated ***"Roads and Maritime would raise no further objection to the planning proposal proceeding prior to the St Leonards and Crows Nest Planned Precinct being finalised"***.

The draft St Leonards/Crows Nest 2036 Plan includes relevant network upgrades outside of the precinct. The cumulative traffic impacts of Council's Planning Proposal have been modelled, considered and deemed acceptable by the relevant authorities.

Council's Proposal currently shows 1700 m² of pocket parks on Marshall Avenue to moderate the 'canyon' effect of tall buildings on both sides. However, the Charrette recommendation (seen in Figure 1) deletes these parks away from Marshall Avenue, and replaces them with continuous buildings. A "pedestrian avenue" would therefore not be created using the Charrette's approach. Additionally, Council's *Cumulative Transport and Accessibility Study* recommends shared paths and pedestrian refuges along Marshall Avenue to increase pedestrian amenity and functionality. **Council's Proposal already improves pedestrian amenity along Marshall Ave.**

Charrette Recommendation 5: Improve permeability and safe movement within and through the site

Main recommendations include review existing road reservations in order to widen verge (eg along River Road), reconfigure and close intersection at Canberra Avenue and River Road, and review block sizes to consider permeability and safe movement.

Response

The Charrette recommendation is generally supported as it highlights significant areas of commonality with Council’s proposal such as in verge design and the concept of east-west links.

Both proposals (see Figure 1) show the same number of street-to-street east-west links for pedestrians. **However, the Charrette recommendation for additional, costly east-west links that permit vehicular traffic is not supported by Council’s financial and traffic modelling and are not recommended due to concern for pedestrian safety and amenity.**

The grid pattern proposed by the Charrette (Figure 1) would generally result in smaller block/footprint sizes in a north-south direction but some blocks running east-west, such as along Marshal Avenue, are actually longer than 50m. The overall effect is to reduce both building and communal open space, solar access, viability, and opportunities for public benefits (as explained further in later points). Council’s draft Development Control Plan already requires building widths to a maximum of 35m to ensure ADG compliance.

While smaller block sizes make for more manageable level changes, advice contained within the Draft Development Control Plan and Draft Landscape Master Plan demonstrates that the current level changes can be accommodated at the Development Application stage.

The current building footprints enable additional solar access and landscaping for residential amenity and should remain.

In response to the IPC seeking “...notably improved connections to existing surrounding open spaces” (para 127), and the Charrette’s recommendation to “improve permeability and safe movement within and through the site”, **redesign to parts of the north-south street parking, as shown below in Figures 5a and b, are recommended which create wider, green verges to provide for safer pedestrian and cycling movement, undergrounding of services and increase canopy cover.**

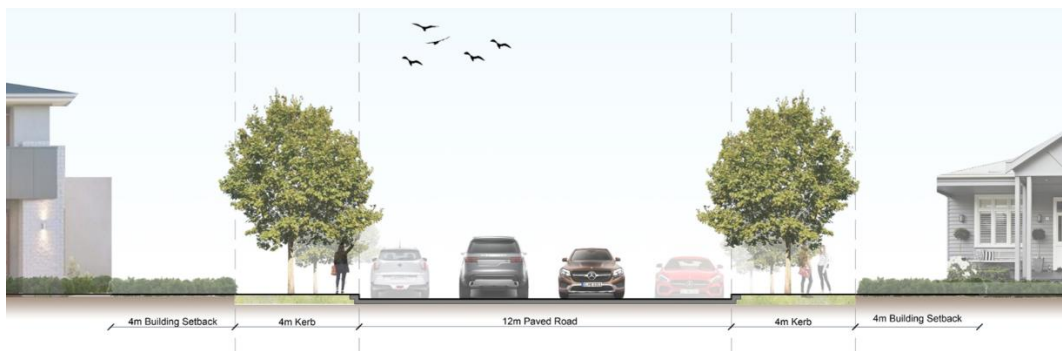


Figure 5a: Cross section of existing streetscape scale

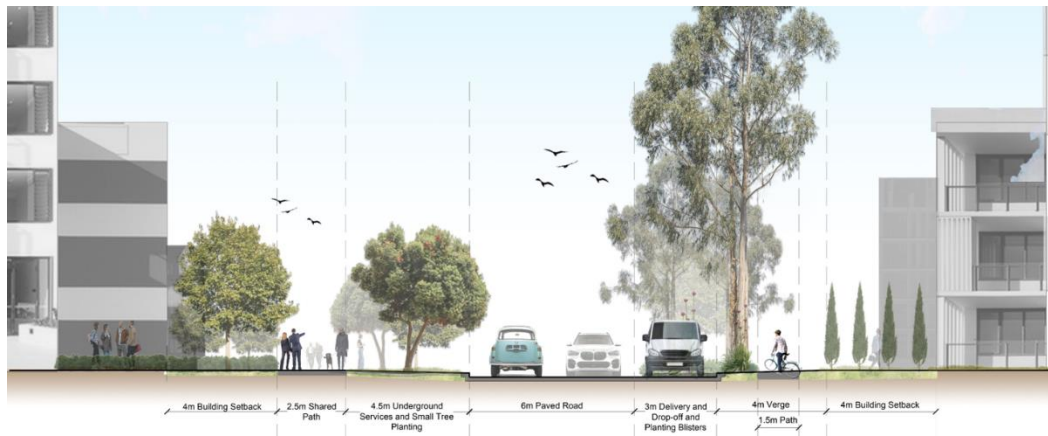


Figure 5b: Cross section of proposed streetscape scale

Figures 5a and b above shows Before and After sections of a typical north-south street. The right-hand side of parking is partly replaced by blisters containing trees and delivery/drop-off areas. The left side of the road expands the verge by an extra 3 metres to be planted, incorporate shared pedestrian/bicycle pathways and contains undergrounded services (including power lines).

Charrette Recommendation 6: Reconsider the nature and role of an east-west link and establish additional pedestrianised east-west links

Realign the east-west connections in conjunction with relocated open space, minimise laneways (prioritising shared zones wherever possible), deliver shared (vehicular, cycle, pedestrian) movement, and prepare cross section for Marshall Avenue to show pedestrian environment.

Response

The Charrette’s six east-west links are only moved three or four lots north and widened in some cases. In effect, the walking journey to major destinations is the same, and is not improved. The Council plan focuses on pedestrian friendly and accessible links with no vehicular connections in the mid-block connection. The addition of the integrated multi-purpose facilities in buildings on Canberra Avenue and Berry Road along these connections is to further promote community interaction and connectivity. The Charrette proposal would remove Council’s coherent and accessible central east-west pedestrian and cycle only link between the two major parks.

In terms of accessibility, both the Charrette’s recommendation and Council’s design, require ramps and lifts from Canberra Avenue and Berry Road to achieve compliance with the Disability Discrimination Act. This is because the fall between Berry Road and Canberra Avenue is 18 metres, (6 storeys), which is illustrated in Figure 6.

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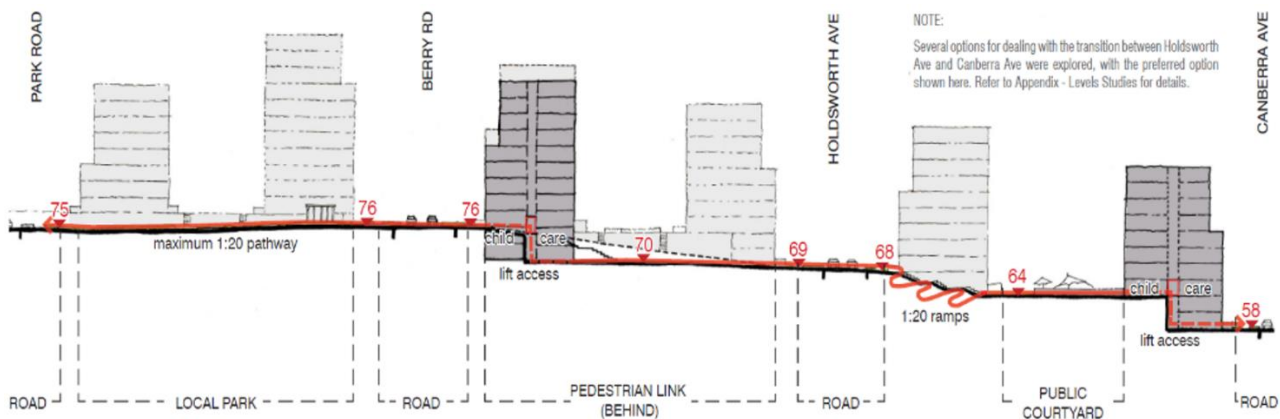


Figure 6 – Proposed East – West Pedestrian Connection

As shown in Council’s *Cumulative Transport and Accessibility study* (see **AT-14**), no new laneways are proposed, which delivers a demonstrably better outcome by separating pedestrian and cyclists from vehicles. Council also considers the cross section for Marshall Avenue unnecessary as it would only show Council’s proposal of shared paths and pedestrian refuges.

The conversion of pedestrian and cycle friendly east-west links to shared (vehicle) zones is not supported.

Charrette Recommendation 7: Minimise car parking available on the site

Introduce maximum car parking rates for the precinct similar to other areas (i.e. North Sydney).

Response

The issue of parking is a DCP issue and any change will not result in changes to the built form in the LEP for the Planning Proposal. It is recommended that Council consider and adopt a maximum parking rate which reduces on-site parking rate for this precinct, in light of increasing public transport options (i.e. Metro station).

Council’s proposal was prepared having regard to best practice and extensive research of traffic management and off-street parking requirements (Council’s current Development Control Plan – Part R) which does not consider the significant transport changes in recent years in the St Leonards/Crows Nest precinct.

The Crows Nest Metro and the Draft 2036 Plan will significantly change transport options for all people living and working in this area. These transport options will encourage and result in less private ownership of vehicles. Whether people choose to carshare, rideshare or use the increased public transport options (rail/bus/Metro) it is clear less off-street parking is being proposed around rail hubs by the NSW Government.

Bearing this in mind it is proposed Council review its current rates of parking, in light of additional transport options such as the Metro, under its existing Development Control Plan (Part R – Traffic and Transport) for St Leonards.

Reduced parking rates would ultimately improve the outcomes from the Traffic Modelling which are based on Council’s existing parking rates and could improve financial viability by reducing construction costs based on the HillPDA updated analysis (**AT-6**). However, this would be balanced by market pressures with respect to the perceived value of access to a parking space.

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The recommended measures to improve the streetscape (Figure 5b) would reduce the availability of on-street parking and it is therefore recommended that DCP Parking Rates be informed by future investigations. However, this would not delay the finalisation of the LEP.

Charrette Recommendation 8: Ensure public benefit and open space is delivered through planning controls

Incentives and/or mandating options will assist in clearly delineating public and private space, making envelopes certain, helping enforce solar planes and realizing other sustainability benefits. Further, set an overarching FSR uplift, but allow design excellence to guide bonuses where it does not contravene the principles outlined elsewhere.

Response

Additional height and FSR incentives (above the 2.75:1 base) have been carefully calculated and locations nominated that provide public benefits in return for bonuses e.g. provision of land (east-west links) and/or Community Centre, Child Care facility, Affordable/Key Worker Housing etc. Any opportunity to relax the Clause 4.6 exclusion contained in Council's Proposal that would permit further incentives (bulk and scale) as a result of Design Excellence is not supported.

Some councils (e.g. Parramatta, Hornsby, The Hills, Warringah and Manly) have adopted design excellence clauses in their Local Environmental Plans but do not provide any floor space bonuses, while others (i.e. City of Sydney) do provide bonus floor space if developments undertake design excellence.

Council's Proposal requires all buildings to incorporate Design Excellence as part of the rezoning incentive. This will be overseen at the DA stage by a Design Review Panel to be established by Council in line with Council's resolution of 13 July 2015. A further report will be submitted to Council outlining the Terms of Reference recently developed for the NSROC Design Review Panel.

Charrette Recommendation 9: Diversify typologies through analysis of the location of non-residential facilities and employing other available mechanisms

Deliver alternative dwelling types, typologies (e.g. more studios, and larger 3+ bedroom dwellings) and activated ground floors (i.e. non-residential uses). Review DCP provisions for townhouse-style development as an interface to the wider area. Create finer grain built form through the reduction of block size running north-south and reduce bulk and scale of development adjoining Newlands Park to improve transitions and reduce overshadowing. Social infrastructure (i.e. child care) is also to be consolidated.

Response

The post Charrette review by Council's Urban Designer does not support the reduced and relocated building footprints (and open space) as they fail to acknowledge fundamental design and amenity principles of Council's vision and would result in significantly diminished solar access and amenity to communal and public open space for future residents and visitors (see AT-5, pages 65-72).

Previous Council studies confirm that separate medium density townhouse dwellings (R3 zone) are not considered unviable in St Leonards South. This was again confirmed in the State Government's St Leonards and Crows Nest Draft 2036 Plan economic analysis (by SGS Economics).

Recent analysis from HillPDA in March 2020 has confirmed (see page 19 in **AT-6**) that an FSR of below 2:1 is demonstrably unviable. Council's existing R3 medium density zoning (i.e. separate townhouses) has and even lower FSR of 0.7:1, making this dwelling type unsuitable. **Given that all previous (and current) studies have confirmed that medium density development is unviable in this area, townhouse-only dwelling types cannot be supported.**

Direct street access townhouse like apartments incorporated on the ground floor within higher density developments have occurred in the precinct at 1-25 13 Marshall Avenue, St Leonards. This form is particularly relevant for developments along Park Rd for example, as they incorporate a 2-storey street front element, but it is equally suitable throughout the whole precinct. Such development normally incorporates gardens/courtyards between the building and property boundary, 'activating' the street frontage.

Non-residential uses at the ground floor are more relevant in the character provided by a mixed-use precinct and have been addressed previously in Charrette Recommendation 1. As noted, **existing R4 zoning controls already permit some commercial uses** (neighbourhood shops, restaurants and cafes). Nor was this an issue of concern to the IPC.

Council's current Development Control Plan (Part C – Residential Development) delivers a minimum of 10% of 1, 2, 3+ bedrooms, and can include "*some larger apartments and some ground floor/podium townhouses*" similar to 1-13 Marshall Avenue development as an option. **A revised bedroom mix is supported and recommended in the Options section later in this report.**

The Department's evaluation notes that the Charrette was not able to test potential changes to dwelling yield resulting from the changed building layout. Buildings, on smaller block sizes, are proposed where the park between Berry/Park Roads has been infilled with buildings. As stated above, smaller apartment footprints reduce viability and opportunities for public and private open space and community facilities – which, as a result, is not supported.

The proposed layout by the Charrette locates buildings across the proposed 'Green Spines' in five places. This would dramatically reduce solar access (and cross ventilation) in these areas and would be inconsistent with the State Government's Apartment Design Guidelines (ADG) to deliver a minimum of 2 hours solar access. This is demonstrated in Figure 7 below. Buildings in the precinct at medium - higher levels have views southward towards the harbour, which delivers enhanced amenity. The inclusion of East – West buildings blocks these views, which is undesirable.

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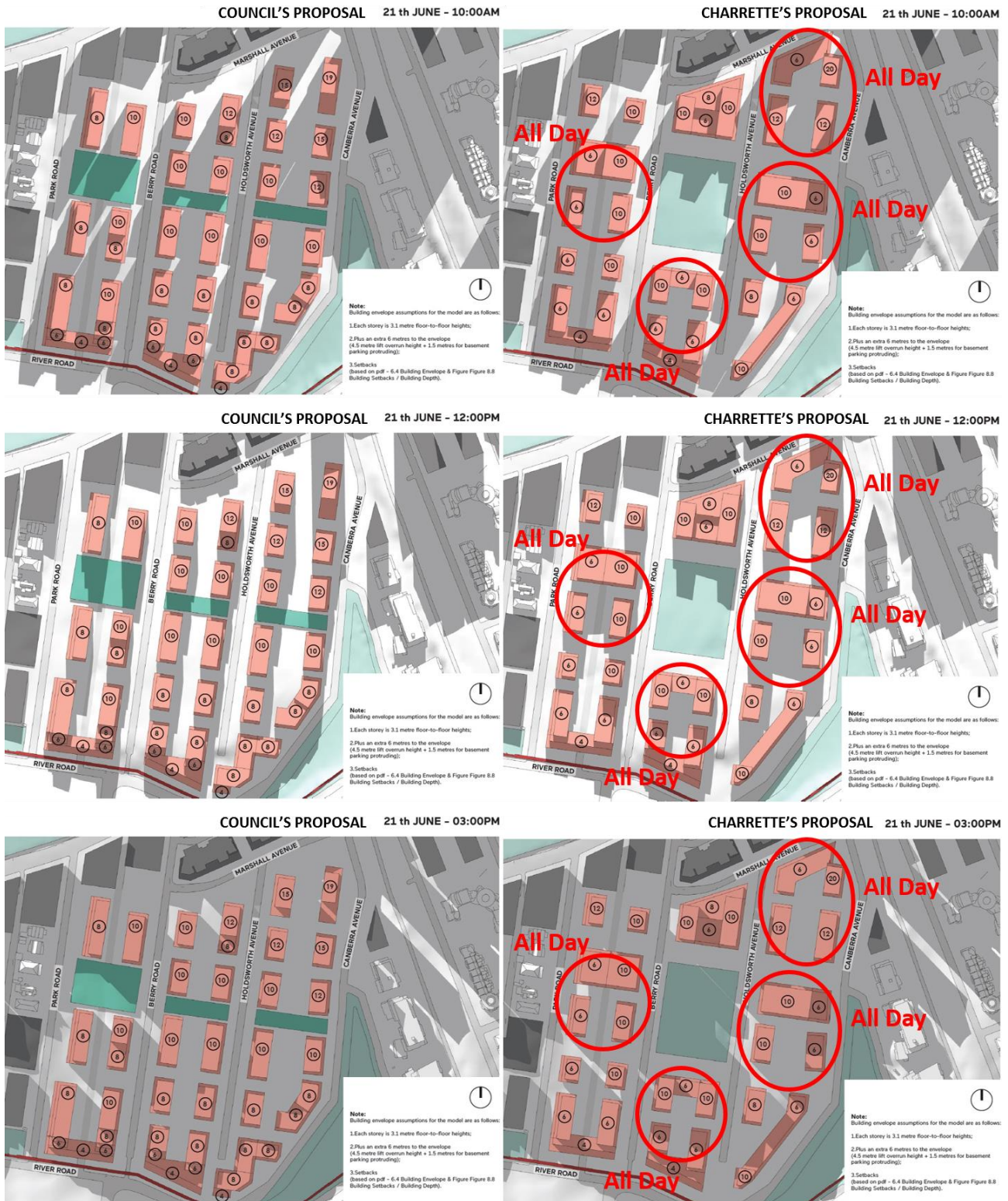


Figure 7: Shadow Modelling of Council's Proposal and Design Charrette Proposal

Consolidating social infrastructure around the Charette's proposed open space is unlikely to be viable if these buildings also have to provide the east-west links (north and south sides of park), while buildings to the west and east of the park have 10 storeys presumably to compensate for amalgamation with 6 storey buildings.

The built form, incorporating North/South solar corridors that integrate with pedestrian friendly East/West links, are a unique feature to Council’s proposal that would, if removed, reduce resident amenity, connectivity and infrastructure opportunities.

Charrette Recommendation 10: Confirm future intentions for land west of the site

The Charrette called for future plans for the land west of St Leonards South to be identified (i.e. in Council’s Local Strategic Planning Statement (LSPS) and/or Local Housing Strategy (LHS)).

Response

Council’s proposal does not refer to land west of Park Road as Council has previously evaluated extending the precinct to Greenwich Road and resolved not to proceed. The settlement pattern further west of Park Road is such that it would require more density, height and scale than the St Leonards South Precinct to be viable. This is despite the area being outside the normal walkability measures associated with Transit Oriented Development. It is recommended that Council not consider future development of the area in the short - medium term.

Council’s LSPS has been endorsed and foreshadows new housing principles to guide the Local Housing Strategy (LHS). No development in this area is required to meet Council’s 6-10 year housing target of 3000-3500 dwellings.

Charrette Recommendation 11: Leverage the opportunity for best practice sustainable performance

Include precinct-wide best-practice sustainability measures (e.g. stormwater management) and be reflected in a site-specific Development Control Plan. Sustainable performance should also be incorporated into Council’s existing incentive clauses and extend to social sustainability targets (e.g. GSC affordable housing targets).

Opportunities to co-locate open space and facilities to minimise Council’s ongoing maintenance of the precinct should also be considered.

Response

In September 2019, Council declared a Climate Emergency. It adopted an objective to achieve net-zero emissions by 2050 and to develop measurable policies to implement locally. In March 2020, Council set aspirational targets to reduce emissions by 80% and have no net increase in water use by 2036 based on 16/17 levels. As St Leonards is part of a Planned Precinct, the North District Plan recommends it be a Low Carbon precinct.

Sustainability measures are already reflected in Council’s proposed site-specific Draft Development Control Plan (Part B, pages 61 – 63) and Draft Landscape Master Plan (page 69). Other Stormwater Management requirements are also detailed in Council’s existing Development Control Plan (Part O – Stormwater Management) and this is referenced in Council’s Draft Development Control Plan for the site. This meets the requested outcome from the Charrette.

Current incentive clauses are carefully designed to maximise public benefits of open space, east-west connections, community facilities, childcare, and key worker housing.

Extra height/FSR to incentivise sustainability performance is not supported as they have been incorporated in base uplift. Sustainability is mandated in the precinct through the Draft Development Control Plan and Landscape Master Plan. Council's existing DCP requires buildings to "incorporate passive solar design techniques to optimise heat storage within the building in winter and heat transfer in summer". In addition, "all developments are to capture and reuse rainwater for irrigation of landscape areas and for apartments, townhouses, villas and mixed use or commercial development, [including] for toilet flushing and washing machines." Targets and actions for reduced water and energy consumption (through revised BASIX) have also been included in Council's Local Strategic Planning Statement. To further emphasise sustainability, a requirement for best practice sustainability will be incorporated into the Design Excellence process.

The current proposal allows a maximum of 34 key worker housing apartments (2 bedroom apartments), however, **new analysis from HillPDA in March 2020 (AT-6) has suggested that a revised bedroom mix (1 and 2 bedroom apartments) could potentially provide 40 key worker housing apartments if the current floor space ratio and height bonuses are maintained.**

Opportunities to co-locate open space and facilities is currently in Council's proposal through incentive mechanisms, however the Charrette's proposed method on incentivising these is not considered feasible or realistic. Each of the new 10-storey buildings to the north and south of the relocated park would need to also provide for:-

- A portion of the relocated park;
- A portion of the relocated east-west connections;
- Commercial/retail floor spaces at ground level (in each building); and
- Multi-purpose facilities (i.e. child care and community hall) in two of the new buildings.

Council's post Charrette analysis (AT-6) demonstrates that while a building can provide one of these items (i.e. purchase a portion of the east-west connection) within the heights proposed, they cannot provide more than that without increasing the heights and floor space ratio proportionally. Further, the Charrette's proposal of 10-storey buildings to the west and east appear to be given extra height in order to amalgamate with the small (6-storey) adjacent buildings, without which the 6-storey buildings would be unviable and cannot be supported.

Charrette Recommendation 12: Undergo study on existing trees and develop strategy for any removal and/or replacement

Identify existing street trees and private trees within private areas to be retained.

Response

These actions have already been addressed by Council's Draft Landscape Master Plan in terms of tree removal / retention of public and private trees (see Figure 8) and Street Tree Master Plan (see Figure 9) which was produced through an audit of all existing trees. The majority of large trees are unaffected by development as they will be retained in the Green Spines and the narrow north-south alignment ensures built form is contained within the footprint of existing dwellings.

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MASTERPLAN

TREE REMOVAL & RETENTION

Park Road

- existing Melaleuca spp. to be retained on west side and replaced on east side where affected by pruning to clear powerlines with same species.

Berry Road

- existing street trees to be progressively replaced with new species (*Flindersia australis*) to create strong avenue effect.

Holdsworth Ave

- existing Lophostemon to be retained.

Canberra Ave

- existing Eucalypt spp. on west side of street to be removed and replaced with new species (*Tristaniopsis*).

Marshall Ave

- existing Lophostemon to be retained on north side.
- existing Lophostemon to be progressively removed on south side where affected by pruning to clear powerlines and replaced with *Tristaniopsis*.
- existing *Tristaniopsis* on south side to be retained and supplemented to create continuous row on this side of street.

River Road

- existing Eucalypt spp. to be retained and supplemented where possible with same species.

Public Open Space and Links

- retain existing trees unless prior approval obtained from Council

Private Open Space and Setbacks

- Retain existing trees unless prior approval obtained from Council
- Council requires an arboricultural impact assessment including SULE assessment to be carried out by a qualified arborist
- Agreement with Council on existing trees to be retained is required pre-DA

Tree Removal:


-  Retain existing trees and supplement with same species (subject to Preliminary Tree Assessment Report)
-  Progressively remove existing trees and replace with new species as per stm
-  Retain existing trees (agreement on trees to be retained is required pre-DA)



Figure 8: Tree Removal and Retention (taken from Council’s Draft Landscape Master Plan, Sept 2017: page 57)

MASTERPLAN
STREET TREE MASTERPLAN

The street tree masterplan aims to build upon the existing character of the precinct by retaining existing street trees where well established and of suitable species, and supplementing these to help maintain and enhance the existing leafy character. Priority will be given to those sides of the streets where trees have been adversely affected by pruning to clear overhead powerlines (eg. east side of Park Rd), in conjunction with a program to underground power lines, and to streets where trees are less well established (eg. Berry Road) or are absent / in poor condition (west side of Canberra Ave). It is proposed to continue to plant street trees predominantly within the verges to maintain/create a symmetrical avenue affect.



Figure 9: Street Tree Master Plan (taken from Council’s Draft Landscape Master Plan, Sept 2017: **page 58**)

Council’s Draft Development Control Plan already considers and specifies that tree assessment reports (audits) are to be provided by each site at the Development Application stage.

Charrette Recommendation 13: Achieve design excellence through a design excellence strategy and the establishment of a design review panel

Response

As outlined earlier, Council supports a design review panel (resolved in 2015), but not tied to additional bonuses.

The Department has acknowledged that a design review panel was already included in Council’s original resolution (13 July 2015).

Additional Charrette Comment within Recommendation 13: Reduce setbacks in East – West transition to Park Road

Response

The Charrette recommendation to reduce the setbacks on Park Road contradicts the intention of the IPC comments, in that the 10m setback currently proposed ‘does not adequately transition’ towards Park Road west. The Charrette’s proposal of increasing the number of buildings in Park Road by removing the park and reducing all building setbacks to 4 metres (down from 10 metres

for two thirds of buildings) would result in an increased visual impact compared to Council's proposal and is not supported.

The 10 metre setback is not possible on the site on the corner of Park Rd and River Rd due to the need to widen the building separation between the East and West buildings to achieve solar access compliance for the lower level apartments. For the remainder of Park Road, the separation between the proposed apartments on the eastern side and the houses on the western side is approximately 40 metres, comprising 10 metre setback for the apartments (additional 3 metres before greater than 2 storeys), 20 metre Road Reserve, and an average 10 metre setback to the houses. Park Rd also includes an extensive tree canopy, providing further visual separation.

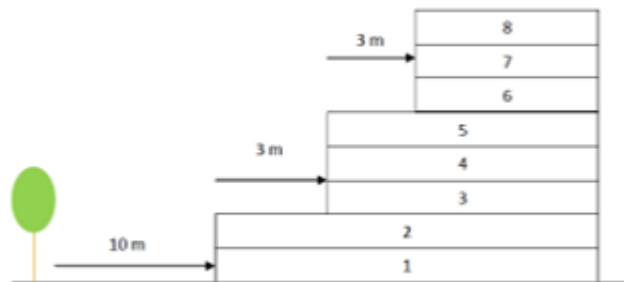


Figure 10 Council proposed setbacks to Park Rd (excl southern most site)

Note: For a summary table of the major issues raised by the IPC and community consultation, the Charrette response to these issues, and Council's response in turn, see **AT-4** (*Table of Issues and Responses*).

Findings in relation to the Charrette Recommendations

By utilising urban design principles and land economic advice Council has been able to summarise and evaluate elements of the Charrette findings, elements of which can be either supported or not supported by Council.

In response to the Charrette's concerns and findings, additional post Charrette reviews have been undertaken by:-

- Council's Urban Design Consultant;
- An updated economic analysis by HillPDA;
- overall co-ordination and facilitation of additional reviews by strategic staff; and
- internal staff responsible for water, landscaping, waste and development control.

From these post Charrette reviews, it is also clear that the Charrette recommendations are, like Council's Plan, based on sound planning principles. However, the Charrette team developed their recommendations in a limited time frame with incomplete background knowledge and context of a complex precinct. It is clear that a number of the Charrette recommendations are not supportable on physical amenity, viability reasons and cannot be implemented within a reasonable timeframe.

In brief:-

- the **relocated and expanded park is estimated to cost Council \$60 million** – the proposed park would not be able to be covered by Council's Section 7.11 Contributions Plan and relying on the State's SIC is high risk;
- the **Charrette's approach to open space is high risk and would result in less and compromised public open space** (on the proposed relocated park) compared to Council's proposal;
- the **proposed relocation of the East-West links and conversion to shared zones with vehicles provides no additional benefit to connectivity, amenity and landscaping** compared to Council's proposal for pedestrian and cycle friendly only connections; and

- the **recommendations relating to Park Road built form removes the proposed transition** to the adjoining R2 zone compared with Council's proposal.

However, the following recommendations **are supported** and can be integrated into the relevant plans:-

- Solar access planes to public open space in Development Control Plan (existing);
- Variety of dwellings typologies e.g. more studios and 3+ bedrooms (new);
- Determine the future of land west of Park Road in the longer term (2026 – 2036) (new);
- Creation of a 'pedestrian avenue' along Marshall Avenue (existing);
- Focus on sustainable performance (existing);
- Increased Affordable/Key Worker housing (existing expanded);
- Widening of River Road footpath to integrate a shared path, subject to further investigation (new);
- Lower some buildings along Canberra Avenue fronting Newlands Park (new); and
- DCP provisions for townhouse-style development, as part of an integrated apartment complex (existing, but new to Council's proposal); and
- DCP provisions to reduce maximum car parking rates in the precinct (new).

Changes to Density and Built Form

It is acknowledged that a large number of public submissions and the IPC took issue with the scale of development proposed for the precinct. The Charrette review retained the proposed scale for the precinct, albeit reconfigured.

To address this issue, Council's urban design analysis (**AT-5**) considered built form options that draw on the principles of the Charrette and Council's Proposal. Four options in particular are examined below.

In addition, HillPDA conducted an updated feasibility analysis (**AT-6**) that reviewed options for reducing the floor space ratio (FSR) and height. It also examined what feasibility would be needed to provide Affordable/Key Worker Housing and community facilities (i.e. multi-purpose facilities). Some measures from the Charrette (i.e. parking rates and revised bedroom mix) were also included, along with Council's increased rates in its draft Section 7.11 contributions plan.

It is important to note that in the updated feasibility analysis the land between Canberra Avenue and Berry Road (east side) is identified as Sub-precinct area A and land from Berry Road (west side) to Park Road is Sub-precinct area B (Figure 11). The design of sub-precincts A and B differ because there are generally smaller lots in sub precinct B and therefore the cost of acquiring land is higher.

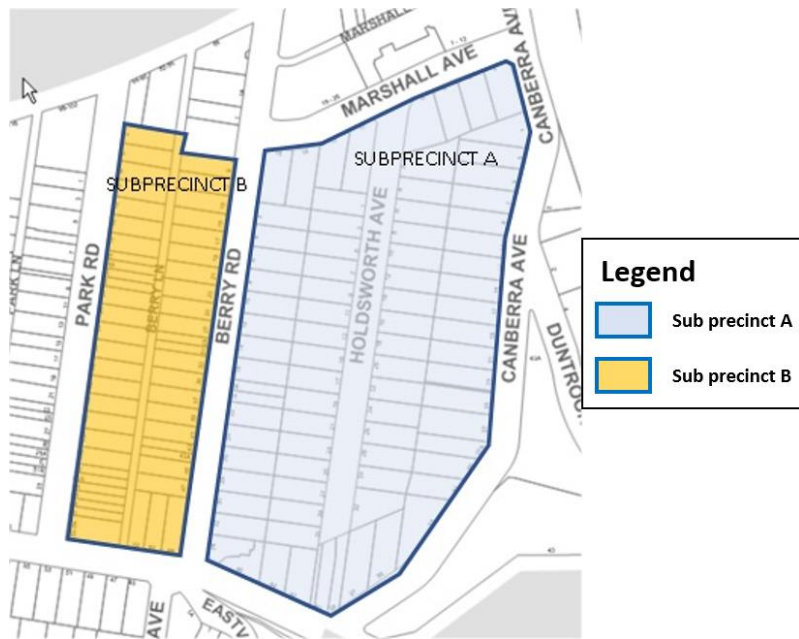


Figure 11: Sub precincts A & B

A summary of the major findings by HillPDA include:-

- The minimum viability for sub precinct A requires a minimum FSR of 2.5:1;
- The minimum viability for sub precinct B requires a minimum FSR of 2.6:1;
- Both multi-purpose facilities (child care and community halls) can be provided under the proposed bonus FSR scheme;
- The minimum viability needed for Key Worker housing is 3:1, and with a revised bedroom mix, more Key Worker dwellings can be achieved.

Options

The four options below are based on the updated findings of the urban design and feasibility analysis. In addition, these options have also considered and incorporate the Greater Sydney Commission and IPC advice, community and Government agency feedback, the Charrette recommendations and the Department’s evaluation.

Each option is described with an indicative dwelling yield and potential implications. It is then evaluated for consistency with the findings of the IPC, Charrette report and the Department’s comments as well as feasibility and appropriateness of each option.

Option 1 – Remove all density bonuses and public benefits

This option would result in reducing the floor space ratio and building heights to 2.75:1 and 8 storeys across the entire precinct. Given the findings of the HillPDA analysis, this would not only result in no Key Worker housing, it would likely result in removing a number of public benefits (i.e. open space, east-west connections and multi-purpose facilities).

While Option 1 would decrease the overall density (to approximately 2,160 dwellings, it would be inconsistent with the IPC advice which found that all the public benefits described above, including Key Worker Housing:-

“would contribute to providing a “vibrant community”, which is one element of the Vision”.
 (IPC Advice para. 36)

It would also be inconsistent with a number of key recommendations in the Charrette which found provision of Council's public benefits was essential. **In particular, the Charrette found that the provision of Affordable Housing should be investigated further.**

HillPDA's analysis confirms that 40 key worker dwellings (increased from 34) could be provided by accepting a combination of 1 and 2 bedroom apartments, but only if the current identified sites retain their floor space ratio (FSR) and height bonuses. Further, a precinct-wide Affordable Housing target is not appropriate or achievable as it would result in a minimum overall FSR of 3:1 (according to HillPDA) and compromise all built form outcomes.

Council's adopted Local Strategic Planning Statement also highlights that further work is needed from the Department and the Greater Sydney Commission before any greater affordable housing target or mechanism is adopted. Council has committed to exploring options, subject to viability.

Comment

Overall, this option is not consistent with either the IPC advice or Charrette recommendations and is not supported as it would prevent Council achieving part of its vision of a high amenity urban residential precinct.

Option 2 – Reduce density precinct-wide by 5, 10, 15 or 20%

Any reduction to density, consistent with Council's previous decisions to have a uniform base density across the precinct, would need to be apply to the base FSR of 2,75:1 only. Accordingly, consistent with the discussion in Option 1, **the uplift providing public benefits would not be reduced to ensure the benefits would still be delivered.**

The following options to reduce the base FSR and heights across the precinct were considered: -

- Reduce the overall FSR and height to 2.6:1 and 7 storeys (a 5% density reduction);
- Reduce the overall FSR and height to 2.5:1 and 7 storeys (a 10% density reduction);
- Reduce the overall FSR and height to 2.3:1 and 6 storeys (a 15% density reduction); and
- Reduce the overall FSR and height to 2.2:1 and below 6 storeys (a 20% density reduction).

The HillPDA analysis (AT-6) found that a precinct wide FSR of below 2.6:1 (a density reduction greater than 5%) is not feasible. Specifically, it found the minimum feasibility for sub precinct A is an FSR of 2.5:1 and 2.6:1 for sub precinct B (Figure 11). In terms of dwelling numbers, a 5% density reduction **would decrease the overall dwellings by 4.6% to approximately 2,290 dwellings.**

Comment

Based on feasibility analysis, an FSR reduction of 5% is recommended for consideration.

Option 3 – Revised dwelling mix and redistribute floor space

Option 3 revises Council's original dwelling mix used, which would reduce the number of dwellings proposed across the entire precinct, combined with a redistribution of floor space and building heights. A redistribution would allow a reduction in building heights and FSR for buildings fronting Newlands Park to improve transition to the park and reduce overshadowing. The FSR and height would be relocated to adjacent buildings in Holdsworth Avenue.

Revised dwelling mix

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The revised dwelling mix numbers provide for a larger proportion of 3+ bedroom dwellings and a reduced proportion of 1 bedroom/studio dwelling types as follows: -

	Original Mix	Dwellings	Revised Mix	Dwellings
1 bedroom/studio apartments	50%	1200	30%	651
2 bedroom apartments	40%	960	50%	1085
3 bedroom (and 3+) apartments	10%	240	20%	434
Total	100%	2400	100%	2170

The revised dwelling mix is based on recently completed Development Applications and market demand in the Lane Cove Local Government Area and provides a degree of flexibility to cater to a changing market. HillPDA's most recent analysis (**AT-6**) confirms that this revised dwelling mix would not detrimentally impact the viability of development across the precinct.

As a result, the dwelling yield across the precinct would be reduced by up to 10% to approximately 2,170 new dwellings.

The revised dwelling mix would also provide a greater variety of dwelling types which is consistent with the Charrette recommendations without incorporating unviable stand-alone medium density development.

Redistribution of Floor Space

Figure 12 shows the buildings that could redistribute floor space based on site consolidation patterns by developers. Where two buildings adjacent to each other in an east-west direction are under the same ownership, it is possible to exchange height and FSR to reduce, for example, the building heights in Canberra Avenue.



Figure 12: Option 3 - Redistribution of floor space on Canberra Avenue opposite Newlands Park. Note: Figure Updated 5 May to correct version, Park Road original heights

A reduction in heights along Canberra Avenue and increasing heights in Holdsworth Avenue is consistent with the Charrette built form recommendations (seen in Figure 1). It would also be consistent with IPC advice and Draft 2036 Plan principles for public open space as it would reduce overshadowing of Newlands Park, particularly from 2pm onwards and present a lower scale edge to Newlands Park.

To achieve the 6 storey edge, a number of the bonus heights and FSR would need to change. These are outlined in Option 4, in the ‘Other minor changes’ commentary.

Comment

This option (shown in Figure 12) is consistent with the recommendations of the Charrette, the Department and the IPC. It provides all required public benefits, reduces the number of dwellings, and reduces bulk and scale resulting in less overshadowing of public open space. **Feasibility analysis confirms it is a viable option and is recommended for consideration.**

Option 4 – Hybrid (Floor Space Redistribution, 5% FSR reduction and change to dwelling mix)

Option 4 combines Options 2 and 3 as it incorporates a 5% FSR reduction with changes to the dwelling mix, as well as a redistribution of floor space to create a 6 storey edge to Canberra Avenue and Park Rd. **This combined or hybrid option (shown in Figure 13) reduces the total number of dwellings to approximately 1,974, a 17% reduction in dwellings across the precinct.** The opportunity for a 6 storey edge to Park Road and Canberra Avenue improves overall transition and reduces impacts on adjacent development and open space. Like all the

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options it includes the expansion of Newlands Park through the closure of a large part of Canberra Ave to River Rd, which delivers **3500 sqm of additional open space, a 34% increase**.



Figure 13: Option 4 - redistribution of floor space, 5% FSR reduction and revised dwelling mix

To increase diversity of dwelling types as identified in the Charrette, it is proposed to encourage the revised dwelling mix proposed in Option 3. A minimum 20/20/20 bedroom mix is proposed. This comprises 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. This would be included as a LEP amendment. Other councils such as Canada Bay have imposed 20/20/20 minimums to also increase dwelling diversity.

As per Option 2, a 5% reduction of the base FSR down to 2.6:1 would be implemented with all bonuses to remain intact. As seen in Figure 13, this would provide the option for apartments fronting Park Road to be reduced to 6 storeys, with floor space redistributed to the Berry Road frontage, which would retain the existing height to accommodate the transferred FSR. The retention of all other heights with reduced FSR would enhance the opportunity for greater building articulation at the Development Application stage.

Other minor changes are proposed to the built form, including:-

- For Area 5 in Canberra Avenue, make no adjustment to height and FSR and be required to provide a portion of the proposed East-West connection in addition to providing the multi-purpose facility.
- For Area 6 in Holdsworth Avenue, an 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.

- For Area 12 in Berry Road, an increase in 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.
- For Areas 21 and 22 the frontage of buildings to the central park would 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 interface to the park.
- For Areas 22 and 23 in Park/Berry Road, an 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 contribution of the new East-West Road.

Comment

Option 4 achieves better consistency with the Charrette’s proposal in terms of the heights on the edge of the precinct. It reduces the dwelling numbers to less than 2000 dwellings. Feasibility analysis confirms Option 4 is a viable option and is the recommended option.

Community Consultation

The process for when a Council wishes to make changes to a Planning Proposal is covered by [s3.35 of the EP&A Act](#), which states:-

- (1) *The planning proposal authority may, at any time, vary its proposals as a consequence of its consideration of any submission or report during community consultation or for any other reason.*
- (2) *If it does so, the planning proposal authority is to forward a revised planning proposal to the Minister.*
- (3) *Further community consultation under Schedule 1 is not required unless the Minister so directs in a revised determination under section 3.34.*
- (4) *The planning proposal authority may also, at any time, request the Minister to determine that the matter not proceed.*

It is therefore not a decision for Council whether to undertake a re-exhibition of the amendments outlined in Option 4 or any other option.

Given the nature of the proposed amendments which directly respond to consultation would result in decreased impacts across the precinct, particularly on Newlands Park, it is not anticipated that the Minister will require re-exhibition.

Other Matters – Access to Supporting Infrastructure

Schools

Council began liaising with NSW Education and Communities in 2014 as part of Council’s St Leonards South Master Plan process and any available information regarding growth and development in Lane Cove was provided to NSW Education.

The establishment of the Greater Sydney Commission (in 2015) has also ensured that growth and infrastructure are co-ordinated with NSW Education (and other Government Agencies). In letters received during the exhibition of the St Leonards South Planning Proposal, NSW Education confirmed that the 2017 NSW Budget gave them an “increase for education provision of \$4.2 billion across the coming four years” (this was later increased to \$6 billion), and that:

“schools within Lane Cove and its surrounding areas are considered a priority for coming rounds of planning, and that Council and the community would be consulted within that process”.

In November 2018, a Development Application upgrading both Greenwich Public school campuses were approved by the Sydney North Planning Panel. These improvements would increase the number of students and staff to cater for the existing and proposed growing population caused by St Leonards South and the State Government’s SLCN 2036 Plan. As part of the broader Plan, the NSW Government has acknowledged a further primary and secondary school will be needed.

St Leonards Over Rail Park/Plaza

Council has continued to progress contractual documentation for delivery of the project via Transport for NSW. In parallel Council’s consultants have developed a detailed design for submission to Sydney Trains for approval and lodged a Planning Proposal for the site to amend Schedule 1 of the Lane Cove Local Environmental Plan. This amendment will introduce a site-specific additional permitted use (Recreation Area), without development consent.

The project is fully funded via Voluntary Planning Agreements entered with the four Pilot Project developments east of the rail corridor. Total funds of \$52M are provided by the agreements for this purpose, with approximately \$46M already collected, ensuring the project can proceed once contracts are executed and authority approvals obtained. When complete the Park/Plaza will provide some 5000sqm of open space.

Draft Section 7.11 Contributions Plan

Council also publicly exhibited a draft Section 94 (now 7.11) Contributions Plan as part of Planning Proposal 25 – no comments were received. Given the changes proposed in Option 4, these updates will need to be re-costed and incorporated into an amended Section 7.11 Contributions Plan and be sent to the NSW Independent Pricing and Regulatory Tribunal (IPART) for approval before Council can adopt and implement the amended rates. It is recommended Council delegate authority to the General Manager to amend the plan and submit it to IPART seeking approval.

Conclusion

As confirmed by the Greater Sydney Commission (Letter of Support – **AT-2**), Council must deliver on state, regional and district directions to achieve a dwelling target of 3,000 – 3500 dwellings in the 6-10 year period (2021 – 2026). While St Leonards is not expected to deliver the full target, the Commission notes that St Leonards South has the potential to deliver a large portion of this. Council’s proposal is informed by sound and relevant expert advice on the location of additional housing, including best practice planning and design principles for transit-orientated development near a rail/bus hub, pedestrian focussed and friendly connections, high amenity and services.

Council’s proposal has been reviewed in light of comments and concerns raised by the community in submissions, the IPC, the Charrette and report findings, consultant reports and information. Changes are proposed to address the key issues regarding the scale and density of development, tree retention and local character, quantum and quality of public open space, and overshadowing to existing and proposed public open space.

Council has now been presented with all relevant information to consider and finalise Planning Proposal 25.

The following summarises the overall recommendation incorporating Option 4 – Hybrid (shown in Figure 13) in respect of the Planning Proposal and associated documents, which reduces the total number of dwellings to approximately 1,974, a 17% reduction; provides a 6 storey edge to Park Road and Canberra Avenue, down from 8 storeys; and the expansion of Newlands Park to deliver 3500 sqm of additional open space, a 34% increase:-

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.

Existing	Amended
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 Figure 13.
3. 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.
4. 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.
5. Area 7 in Canberra Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.
6. Area 8 in Holdsworth Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.
7. 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.
8. 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.
9. 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.
10. 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.

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11. A clause be included to ensure buildings are optimised to minimise shadowing to public and private open spaces and facilitate ADG compliance for surrounding buildings.
12. A clause be included to encourage ground-floor, direct street-access, townhouse-like apartments, particularly in Park Rd.
13. 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.
14. Council commence the process to close Canberra Avenue, between River Road at its intersection with Duntroon Avenue to integrate the land into Newlands Park.
15. Council commit to not considering future development west of Park Road to Greenwich Road in the short - medium term (2021-2026).
16. Council investigate widening of River Road footpath to integrate a shared path.
17. A further report be submitted to Council to consider adoption of a maximum parking rate which reduces on-site parking for this precinct, in light of increasing public transport options.



Figure 14: Artists Impression of Option 4 - Hybrid option

Only minor changes would be required to Council's Draft Local Environmental Plan mapping and Draft Development Control Plan to accommodate the recommendation.

In 2012 Council sought to take control of the future development of the St Leonards precinct given problems and inconsistent zones imposed on Council's Mowbray Road Precinct. Council with the assistance of expert advice and community support developed a vision that would consider the physical, social and economic context of this future urban residential precinct and plan for a

pedestrian friendly, well connected, accessible and well serviced community in close proximity to a major transport hub.

There have been challenges and issues to resolve along the way. It is now appropriate for Council to consider the advice, submissions and its intended vision for the St Leonards South Precinct and determine Planning Proposal 25.

RECOMMENDATION

That Council :-

A. 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.

Existing	Amended
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 Figure 13 in the report.
3. 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.
4. 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.
5. Area 7 in Canberra Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.
6. Area 8 in Holdsworth Avenue, no longer require a portion of the 15m wide path linking Canberra Avenue and Holdsworth Avenue.
7. 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.
8. 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

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the eastern buildings to have a 3m setback at and above Level 5 (a 4 storey element), to improve the park interface.

9. 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.
 10. 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.
 11. A clause be included to ensure buildings are optimised to minimise shadowing to public and private open spaces and facilitate ADG compliance for surrounding buildings.
 12. A clause be included to encourage ground-floor, direct street-access, townhouse-like apartments, particularly in Park Rd.
 13. 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.
 14. Council commence the process to close Canberra Avenue, between River Road at its intersection with Duntroon Avenue to integrate the land into Newlands Park.
 15. Council commit to not considering future development west of Park Road to Greenwich Road in the short - medium term (2021-2026).
 16. Council investigate widening of River Road footpath to integrate a shared path.
 17. A further report be submitted to Council to consider adoption of a maximum parking rate which reduces on-site parking for this precinct, in light of increasing public transport options.
- B. Amend Planning Proposal 25, DCP and associated documents to reflect A. above and submit the revised Planning Proposal 25 to the Minister for Planning and Public Spaces.
- C. 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.

Michael Mason
Executive Manager
Environmental Services Division

ATTACHMENTS:

AT-1 View	Council's endorsed Local Strategic Planning Statement - March 2020	83 Pages	Available Electronically
AT-2 View	Letter of Support for LSPS from Greater Sydney Commission - 27 March 2020	9 Pages	
AT-3 View	Design Charrette - Outcomes and Recommendations Report	91 Pages	Available Electronically

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AT-4 View	Table of Issues and Responses	7 Pages	
AT-5 View	Updated Urban Design Analysis - Annand Associates	83 Pages	
AT-6 View	Updated Feasibility Analysis - HillPDA	57 Pages	
AT-7 View	Submissions received during 2017/2018 exhibition period	955 Pages	Available Electronically
AT-8 View	Timeline of Planning Process from 2012 to 2019	3 Pages	Available Electronically
AT-9 View	Further detail on Urban Design Review from 2018	2 Pages	Available Electronically
AT-10 View	Advice from Greater Sydney Commission - May 2018	2 Pages	Available Electronically
AT-11 View	Facilitated Workshop - responses to comments - February 2019	16 Pages	Available Electronically
AT-12 View	Cumulative Traffic Study - September 2017	180 Pages	Available Electronically
AT-13 View	Revised NSW Roads and Maritime Services comments - April 2019	4 Pages	Available Electronically
AT-14 View	Cumulative Transport & Accessibility Study - September 2017	56 Pages	Available Electronically