

28 February 2022

Mark Brisby
Executive Manager – Environmental Services
Lane Cove Council
48 Longueville Road
LANE COVE 2066

Attention: Henry Burnett

Dear Henry,

**RE: DA99/2021_Sites 7-11 St Leonards South
Proposed Amendment – Draft Condition C.9 Allocation of Parking**

We are writing in response to the draft development consent conditions for the above Development Application (DA), specifically draft Condition C.9.T, noted below. Specifically, we are seeking to amend the condition to allow parking to be allocated to apartments in accordance with buyer demand.

Condition C.9.T

Car parking spaces shall be allocated to each dwelling type as per the established minimum car parking rates in Table 2 of Part R: Traffic, Transport, and Planning of the LCDCP 2009:

- *0.5 spaces per 1 bedroom unit*
- *0.9 spaces per 2 bedroom unit*
- *1.4 spaces per 3 bedroom unit*
- *1 disabled space for each adaptable housing unit*

The allocation of parking is to comply with the following principles:

- 1. The amount of car parking spaces to be allocated to each unit type (1 bed, 2 bed, 3 bed) is to be not less than the parking rate multiplied by the number of that unit type on a per building basis. For example, Building 7 has 10 x 1 bedroom units, requiring 5 spaces to be made available for allocation to these units.*
- 2. Once the allocation has been determined on a per unit type and building basis the following principles are to then apply:*
 - *A minimum of 1 space is to be provided for each adaptable housing unit; then*
 - *The remainder of the spaces are to be allocated at a rate of no more than the applicable parking rate rounded up to the nearest whole number, and no less than the applicable parking rate rounded down to the nearest whole number.*

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- *The subdivision and sale of excess car parking spaces is prohibited. The schedule of allocation demonstrating compliance with this condition is to be submitted to and approved by Council's Manager Development Assessment prior to the issue of an Occupation or Subdivision Certificate, whichever occurs first.*

The applicant wishes to have condition C.9.T amended such that it reads as follows:

Condition C.9.T

The subdivision and sale of excess car parking spaces is prohibited.

The justification for the proposed amendment is outlined below.

Lane Cove Council Development Control Plan 2009 Part R – Traffic, Transport & Parking

The objectives of this part of the DCP are:

The Objectives are to:

1. Set the standard for rigorous assessment of major development in terms of traffic, transport and parking;
2. Establish clear guidelines on how to conduct such an assessment;
3. Promote integrated transport and land-use planning;
4. Manage demand for travel;
5. Introduce appropriate and relevant controls to reflect the type of land use and the transport options available to users;
6. Promote sustainable and active transport;
7. Promote car share;
8. Reduce new users' reliance on the private car;
9. Ensure developers refer to state and local policy as well as relevant guidelines on transport planning and sustainable parking provision;
10. Ensure development is constructed according to the relevant technical standards.

The proposal by Top Spring Australia complies with the objectives outlined by the DCP Part R, as confirmed in Council's assessment report.

The site is located only 500m from St Leonards train station and only 550m from Wollstonecraft station. In addition, there are a number of bus routes available on Pacific Highway and a single bus route on River Road. The site is therefore highly serviced by public transport.

Furthermore, the proposal by Top Spring Australia makes provision for six (6) car share spaces (subject to commercial negotiations with car share providers). This is consistent with the DCP Part R which is to reduce user reliance of private car ownership and promote sustainable transport such as car share and public transport services.

In view of the above, it is expected that a large number of residents will rely heavily on public transport and car share services. One bedroom occupants especially are more likely to utilise public transport and car share services and do not demand parking, whilst two and three bedroom apartments are usually occupied by small to large families and have a higher demand for parking.

In addition to the above, it is clearly not intended that that each 1 bedroom unit will have half a parking space or that each 2 bedroom unit will have 90% of a parking space. The intent of the parking rates contained in the DCP is to manage the net traffic generation of the overall development. Whilst it is important that the car spaces provided within the development are not sold to non-residents, it is clearly reasonable for purchasers of an approved car parking spaces to match it with the unit that suits their needs and budget. Conversely, it is reasonable for a purchaser of a particular apartment to be able to purchase it without car parking. As drafted, the Condition would mean that people are limited to which apartment they can purchase by whether or not they want or can afford a car space. This would serve no planning purpose, and in particular no traffic demand management purpose.

Total traffic generation is dictated by the total number of car spaces allocated to the overall development. It is in no way influenced by the allocation of those spaces to particular apartments. To the contrary, if the purchaser of one of the larger / more expensive apartments seeks to buy an additional parking space that would otherwise be allocated to a smaller unit, this would tend to reduce traffic generation, not increase it.

In terms of housing affordability, the imposition of minimum parking allocations by Condition C.9.T could potentially have negative impacts to affordability of stock, in particular one bedroom units which are generally targeted by first home owners and investors who would not ordinarily demand parking.

For the reasons outlined above it is considered that the allocation requirements of Condition C.9.T are unwarranted. The proposal complies with Councils DCP parking rates and the objectives of LCC DCP Part R. As such, the applicant wishes to delete the draft allocation requirements and allocate approved parking spaces in line with buyer demand.

Yours sincerely



Ian Cady

Director