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PROPERTIES

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Director, Sydney Central Urban Renewal
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

6 February 2019

Re: St Leonards and Crows Nest 2036 – Draft Plan

Platino Properties Pty Ltd acts on behalf of the owners of the property at 52-54 Chandos Street, Crows Nest. As a landowner within the St Leonards and Crows Nest area, we are keenly interested in the strategic planning changes that are being proposed and we thank you for the opportunity to provide you with our feedback regarding the draft Plan. Our principal feedback to the proposal is as follows:

- 1. Non-residential land uses should generally be located close to the station;**
- 2. Minimum non-residential FSRs for sites on the northern side of Chandos Street should not be increased from current requirements as this area is too far from the station for commercial uses; and**
- 3. Heights on the northern side of Chandos should not be reduced from those that currently apply.**



The overall targets for non-residential uses can be met by:

- Increasing non-residential / commercial uses and reducing residential uses close to the station; and
- Reducing the requirement for non-residential uses far from the station (towards the eastern end of Chandos Street).

Our site is located within the central part of the study area, on the northern edge of the area identified as the “central precinct”. The site is located on the Willoughby side of the boundary between the North Sydney and Willoughby Local Government areas.

The blocks bounded by Chandos Street to the south and Henry Lane to the north mark a very clear distinction in built form and land use between the low density residential heritage conservation area to the north of Chandos Street and the higher density mixed use area that exists to the south.

Current Willoughby LEP controls applying to the site are as follows:

Zone	B3 Commercial Core *shop top housing is permitted on the subject site as a Schedule 1 additional permitted use
FSR	2.5:1. *It is noteworthy that there is currently no minimum non-residential FSR requirement applying to the site
Maximum Height	20 metres

We have considered the draft *St Leonards and Crows Nest 2036 Plan* and the associated documents and make the following comments for your consideration.

1. Land use

There appears to be an inconsistency in the existing zonings (which are not proposed to change) within the central precinct of the study area, which likely exists due to the different Council areas which sit on either side of the Chandos Street boundary.

As noted in the table above, the current zoning of the site is B3. However shop top housing is an additional permitted use for the land identified as land at 14–102 Chandos Street, St Leonards, being land bounded by Henry Lane, Chandos Street, Christie Street and Ryan Lane, under Schedule 1 of the Willoughby LEP 2012. This being the case, the current land use controls for the subject site are, in effect, substantially the same as for a mixed use zone.

As shown on the Land Use Zone Changes diagram on page 56 of the draft Plan, the strip of land along the northern side of Chandos Street is zoned B3 Commercial Core (under the Willoughby LEP 2012), and this is the only B3 zoned land to the east of Mitchell Street (apart from an area of land adjacent to the Falcon Street intersection with the Pacific Highway). It is evident that there are areas to the west and south (which are closer to the heavy rail station and to the new Metro station)

that are currently zoned B4 Mixed Use (under the North Sydney LEP 2013) but would be more appropriate as the focus for commercial uses within the precinct.

The B3 zone along the northern side of Chandos Street seems inconsistent with the adjacent areas within the precinct. It also appears illogical to retain a commercial zoning for this land – especially to the east of Mitchell Street - given that there are more appropriate locations for concentrated commercial uses due to closer proximity to the stations and greater distances from the low density residential located within the heritage conservation area.

The objectives of the B4 zone provide a focus on the integration of a wide range of suitable land uses, including business/commercial uses, residential and retail in locations that maximise accessibility to public transport and employment opportunities. We believe that this is a more appropriate focus for the area than the objectives of the B3 zone, which prioritise retail, commercial and entertainment uses, given the vision outlined in the draft Plan.

Given the above, it would be appropriate for the land bounded by Mitchell Street, Chandos Street, Ryan Lane and Henry Lane to be rezoned B4 Mixed Use as part of the strategic review being undertaken. Attached is a diagram that we have prepared to demonstrate the continuity of the land uses in the configuration suggested.

2. Minimum non-residential FSR

Associated with the issue of appropriate land use for the site is that of the proposed minimum FSR for non-residential floor space. The draft Plan proposes a minimum non-residential FSR of 2:1 for the subject site, which is a considerable change from the existing control. Currently the minimum non-residential component of any development is dictated by the definition of shop top housing which requires that the ground floor of a building must not be residential. This proposed change to the requirement for non-residential uses has reduced the potential for redevelopment of the sites along the northern side of Chandos Street.

The diagram on page 24 of the draft Plan indicates a lowering of density as distance from the rail and light rail stations increases, which is logical. Minimum non-residential densities should also follow this strategy and decrease as distance from transport nodes increases, and this is not the case in the draft Plan.

The minimum non-residential FSR proposed (2:1) is inconsistent with the surrounding area and with the overarching spatial plan for the precinct. The draft Plan proposes a minimum non-residential FSR of 1:1 for the sites on the opposite side of Chandos Street, and for many sites along Willoughby Road (in very close proximity to the new Metro station) the minimum non-residential FSR is 0.5:1. Given the location of our site in the immediate vicinity of low density residential to the north, we would argue that 0.5:1 minimum non-residential FSR would be appropriate for this site.

Over the past 10 years, two blocks in the immediate vicinity of the site have been redeveloped – being 45 and 51-53 Chandos Street. Both of these sites have been redeveloped as mixed-use buildings, and it is noteworthy that neither of these buildings have included any non-residential floor space above the ground level. This indicates strongly that there is limited demand for smaller scale commercial office space in this location. These uses are better located closer to the hubs that are rapidly developing and increasing in density around the heavy rail and future metro stations.

Similarly, providing non-residential uses on one or two floors above the ground level is not viable on the subject site.

The Urban design Study states on page 57 that *“the focus of employment is located between St Leonards and the Crows Nest Sydney Metro sites, along the Pacific Highway”*, and further, that *“the*

focus of employment becomes less intense as land becomes further away from The Pacific Highway..."

We support the notion that non-residential uses are appropriate on the site (as per the existing land use control that applies to the site – shop-top housing being a permissible use) to create active and vibrant streets, but we believe that above ground uses should be residential. This would be consistent with the proposed controls for the other side of Chandos Street and it would also provide a better transition to the low density residential area to the north of the site.

3. Height

It is noted that heights on the southern side of Chandos street have been increased considerably under the draft Plan, while the heights on the northern side have be reduced. The height proposed for our site has in effect been reduced from existing 20m (6 storeys) to 5 storeys (15-18m).

We support the urban design concept of stepping the built form away from the residential to the north at the upper/higher levels of buildings along Chandos Street to respect both the residential uses and privacy of residents and the heritage status of the Naremburn conservation area. We also support the stepping down of the overall heights from the core areas around the transport nodes to the lower density residential areas to the north. However we believe that this outcome can be achieved by providing for a height of 6 storeys along the northern side of Chandos Street (which is still considerably lower than the 12-18 storeys proposed on the southern side of Chandos Street). A height limit of 6 storeys, combined with the stepped built form requirements proposed, would achieve an appropriate transition in heights while also fulfilling the objectives to maximize opportunities for diverse housing forms and sizes in close proximity to transport and jobs.

We note that there are a number of Planning Proposals for sites in the vicinity of Chandos Street that are currently being considered by Councils. All of these proposals are for heights that significantly exceed those proposed in the draft Plan. The proposal for 55-89 Chandos Street includes towers of up to 28 storeys. While we understand that these Planning Proposals may not proceed to being incorporated into the new planning controls, they clearly need to be considered as part of the overall urban design study for the precinct, and appropriate transitions should be determined for the sites such as those along the northern side of Chandos Street.

We have undertaken a thorough site analysis for the subject site, and this analysis indicates that the proposed changes to the existing controls for the site will not result in better urban design outcomes. Given the orientation of the site (the low density residential dwellings are located to the north) there would be no overshadowing of the residential dwellings or the heritage conservation area to the north regardless of the height of buildings on Chandos Street.

The heights of buildings along the northern side of Chandos Street should remain as per the existing control (ie: 20 metres / 6 storeys).

We thank you for the opportunity to provide feedback on the draft Plan and we would be happy to discuss our submission with you further if this would be useful for you. Please contact me on 0421 613 206 if you wish to do so.

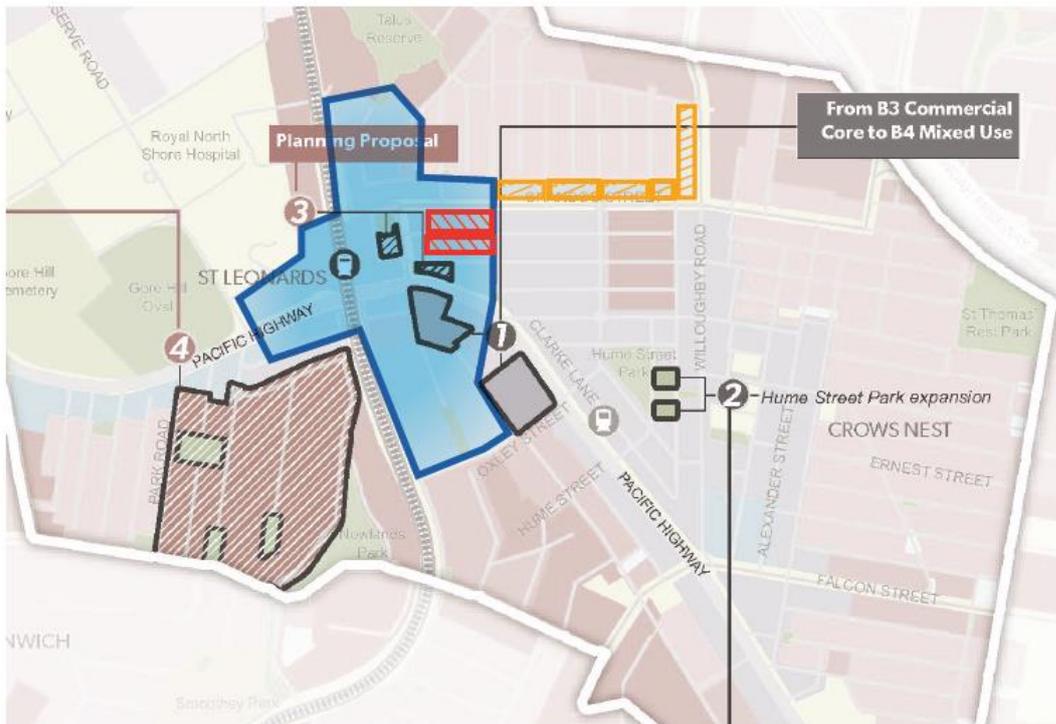
Yours sincerely,

Jonathan Leib

Platino Properties

DIAGRAM SHOWING HOW THE PLAN COULD BE REARRANGED

- **COMMERCIAL USES ARE CONCENTRATED NEAR THE STATION**
- **BLUE AREA IS SQUARED UP**
- **THERE IS LESS COMMERCIAL FLOOR SPACE REQUIRED IN AREAS ADJACENT TO RESIDENTIAL AREAS**



 COMMERCIAL CORE AREA

 CHANGE FROM B3 TO B4
MIXED USE ALLOWS MORE RESIDENTS CLOSER TO EXISTING RESIDENTIAL AREAS

 CHANGE FROM B4 TO B3
CONSOLIDATE COMMERCIAL CORE AND ALLOW MORE EMPLOYMENT CLOSER TO TRAIN STATION

THE OVERALL TARGETS FOR NON-RESIDENTIAL USES CAN BE MET BY:

- **INCREASING NON-RESIDENTIAL / COMMERCIAL USES AND REDUCING RESIDENTIAL USES CLOSE TO THE STATION; AND**
- **REDUCING THE REQUIREMENT FOR NON-RESIDENTIAL USES FAR FROM THE STATION (TOWARDS THE EASTERN END OF CHANDOS STREET)**