

8 February 2019

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

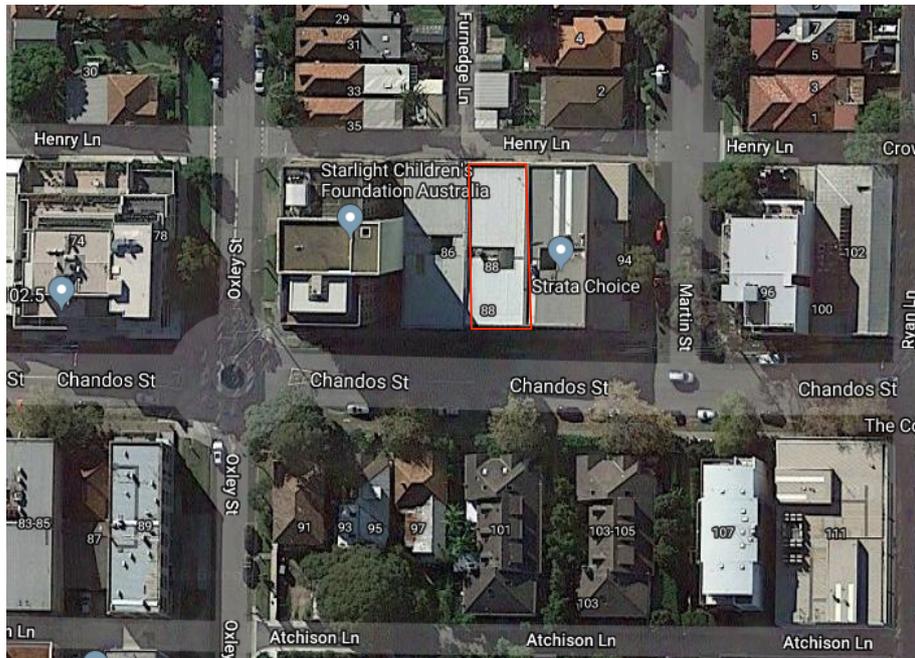
## SUBMISSION TO ST LEONARDS AND CROWS NEST DRAFT PLANNING PACKAGE

This submission is prepared on behalf of BMV 88 Chandos Pty Ltd (**landowner**), owners of 88 Chandos Street, Naremburn (**subject site**).

The subject site, outlined red in [Figure 1](#), has frontage to both Chandos Street and Henry Lane and is in the St Leonards and Crows Nest Priority Precinct (**precinct**). A draft planning package for the precinct is currently on public exhibition.

This submission is supported by shadow diagrams prepared by *Studio Make Made Architects*.

**Figure 1:** Aerial view of site



## 1. BACKGROUND

The site is a rectangular shaped parcel of land that has primary frontage to Chandos Street and secondary frontage to Henry Lane. The site has an area of 378m<sup>2</sup>.

Improvements to the subject site include a 3-storey commercial building comprising 638m<sup>2</sup> of net leasable floor space and 13 car parking spaces. The building has just been refurbished with new carpet, paint throughout, enhanced bathrooms, new air-conditioning and lighting.

The subject site is strategically located

- 400m from Crows Nest Metro Station
- 550m from the St Leonards Train Station; and
- 350m from eateries along Willoughby Road.

Immediately to the rear (north) of the subject site across from Henry Lane is the Naremburn Conservation Area.

Table 1 provides a summary of the key existing development control standards for the subject site (refer *Willoughby LEP 2012*) compared to the corresponding standards proposed in the *St Leonards & Crows Nest 2036 Draft Plan (Draft 2036 Plan)*.

Table 1

Development Controls	Existing	Proposed
Zoning	B3 Commercial Core	B3 Commercial Core
Height	20 metres (6 storeys)	5 storeys
FSR	2.5:1	3:1
Non-residential FSR	-	2:1

## 2. ST LEONARDS & CROWS NEST DRAFT PLANNING PACKAGE

Due consideration has been given to the following documents in the preparation of this submission:

- Draft Local Character Statement
- Draft 2036 Plan
- Draft Green Plan

The draft planning package identifies the subject site as being in an area that is informed as follows;

- New development in St Leonards should incorporate street level improvements such as wide footpaths, street trees and active uses for a more energetic atmosphere.
- New development along Chandos should provide wider setbacks to enable the creation of greener streets.
- Protecting heritage areas and ensuring gradual height transitions are provided between heritage areas and new development.
- Provide gradual sensitive height transitions from high-rise to low-rise areas and minimise overshadowing of public open space.
- Provide a mix of housing types at different price points to ensure that households at all stages of life are encouraged to live in the area.
- Protect the diverse range of employment opportunities available in the area and allow for a better mix of office spaces for different business sizes and types.
- The draft Plan encourages a stepped setback to transition between development along Chandos Street and the adjoining Naremburn Conservation Area. In relation to transitions and interfaces, the Draft 2036 Plan says:

*Feedback during the preparation of the draft Local Character Statement indicates that the built form of 30–32 Chandos Street (which has this kind of setback) was the preferred response to transition to Naremburn Heritage Conservation Area.*

- New minimum non-residential floor space requirements for B3 Commercial Core sites with shop top housing as an additional permitted use.
- Planning control changes recommended subject to consideration of community feedback to exhibition.

### 3. CONCERNS AND RECOMMENDATIONS

In general, the landowner is very supportive of the overall planning package that has been released detailing how St Leonards and Crows Nest will be rejuvenated “with new jobs, open space, infrastructure and homes, while ensuring the local character of the area is maintained and enhanced”.

Having particular reference to the subject site, the landowner supports

- shop top housing being an additional permitted use in the B3 Commercial Core;
- a stepped setback to transition between development along Chandos Street and the adjoining Naremburn Conservation Area; and

### 3.1 CONCERNS

The landowner considers the development controls being proposed for the subject site will not facilitate redevelopment of the site that is in accordance with the guiding principles of the St Leonards and Crows Nest Draft Planning Package.

A review of the changes being proposed for the subject site should be undertaken because:

- The current maximum building height standard in Willoughby LEP 2012 is considered to be an adequate transition in height to adjoining Naremburn Conservation Area. Proposed changes in the Draft 2036 Plan provide for a decrease in building height for the subject site without justification.
- As detailed in Table 1, it is proposed to increase the FSR for the subject site. When this is considered in the context of:
  - Decreased height limit;
  - stepped setback to the rear to provide transition to adjoining Naremburn Conservation Area; and
  - wider front setback to enable the creation of a greener Chandos Street,

there is a greater constraint on the eventual building envelope that detrimentally impacts on the ability to achieve a FSR anywhere near 3:1 as being proposed in the Draft 2036 Plan. It is most likely and practical that any new development on the subject site will achieve a FSR similar to what currently exists (around 2.5:1).

- With a non-residential floor space of 2:1 and a likely total FSR of around 2.5:1, there is only 0.5:1 FSR, or 2 dwelling units, remaining for residential purposes. This will not be feasible and will dis-incentivize redevelopment of the subject site and other sites along the northern boundary of Chandos Street. The outcomes envisaged for St Leonards in the Draft 2036 Plan will not be achieved and The Greater Sydney Commission's goal of promoting better building design and quality will not be realised.
- The site is identified in the Draft 2036 Plan to be in an area where planning control changes are recommended. In practical terms, the only real planning control changes is an introduction of a non-residential FSR.
- There are a number of examples of development greater than 5 storeys along the northern boundary of Chandos Street. This includes a mix of an older style commercial building and more recently developed shop top housing ranging from 6 to 7 storeys. There appears to be no justification in the planning package that is on public exhibition for lowering the maximum height of buildings along the northern side of Chandos Street when this area is recommended for planning control

changes that will rejuvenate St Leonards

- The provision of stepped setback to the rear of the site provides genuine flexibility to redistribute floor area towards the front of the site where heights can be increased well above 5 storeys while still providing adequate transition to the Naremburn heritage conservation area.
- Overshadowing diagrams that accompany this submission demonstrate that development of the site at 8 storeys will not produce any additional overshadowing of nominated public places and only some very minor additional overshadowing of existing commercial development at 111 Chandos Street, Crows Nest.
- When consideration is given to fit, transition and off-site amenity impacts such as overshadowing, wind and view loss, the site can be redeveloped to 8 storeys.
- The site is strategically located between the St Leonards train station and Crows Nest Metro station and the eateries along Willoughby Road making it a very desirable place to concentrate jobs and apartments.
- Chandos Street, east of Oxley Street, should have a non-residential FSR that is lower than Chandos Street west of Oxley Street. There is a defined transition of commercial uses towards Willoughby Road and the Draft 2036 Plan indicates that Christie Street will remain as the commercial hub while Atchison St will be the precinct's active retail strip, featuring day and night-time activity around and between stations. There should be less emphasis on Chandos to have increased non-residential uses
- Development of the subject site with Increased height than what is being proposed in the Draft 2036 Plan will be in accordance with the guiding principles of the St Leonards and Crows Nest Draft Planning Package because:
  - it will protect the village atmosphere and low scale built environment around Willoughby Road in Crows Nest and will not impose upon these areas;
  - it will provide greater flexibility in design to facilitate street level improvements such as wide footpaths, street trees and active uses for a more energetic atmosphere;
  - it will model best practice design, picking up the best elements of surrounding building types;
  - it will facilitate a stepped setback to transition between development along Chandos Street and the adjoining Naremburn Conservation Area; and
  - It will provide a diverse range of employment opportunities available in the area and allow for a better mix of office spaces for different business sizes and types.

### 3.2 RECOMMENDATIONS

1. Amend the 5-storey height limit proposed in the Draft 2036 Plan for the northern side of Chandos Street to 8 storeys.
2. No change to the existing non-residential FSR requirements for the northern side of Chandos Street.

## 4. Conclusion

Having due regard to the observations made in this submission, consideration should be given to amending the development control standards for the site at 88 Chandos Street, Naremburn to permit development at a greater height and decreased non-residential FSR than currently proposed. The site is strategically located between St Leonards train station and Crows Nest Metro station, and is in an area that is noted in the Draft 2036 Plan as follows:

*This is a logical place for increased density from a transit-oriented development perspective and the accessibility of this location is attractive to businesses.*

Development of the subject site at increased height and decreased non-residential FSR to what is being proposed in the Draft 2036 Plan will:

- provide flexibility in design to redistribute floor space and be able to achieve
  - a stepped setback to transition between development along Chandos Street and the adjoining Naremburn Conservation Area;
  - street level improvements such as wide footpaths, street trees and active uses for a more energetic atmosphere
- provide additional housing that is extremely well located in relation to public transport, jobs and eateries along Willoughby Road;
- not have any off-site amenity impacts; and
- is generally in accordance with the guiding principles of the St Leonards and Crows Nest Draft Planning Package.

We look forward to your consideration of this submission and if you wish to discuss any matter in this submission please do not hesitate to contact me directly on 0403 242 926 or [tony@polvere.com.au](mailto:tony@polvere.com.au).

Yours sincerely



**Tony Polvere**  
Director