

4 February 2019

Department of Planning and Environment,
GPO Box 39
SYDNEY, NSW, 2001
Attention: Department of Planning and Environment
Attention: Director - Key Sites Assessments
Attention: Director - Sydney Central Urban Renewal

Re: Objection to the Draft Green Plan, St Leonards and Crows Nest Draft 2036 Plans, Draft Local Character statement and Draft Special Infrastructure Contribution Scheme.

I strongly object to several areas of the Plans and some of the content that present more high density for St Leonards and Crows Nest with little regard for open space, facilities, infrastructure and services. I especially object to the St Leonards South plans included in the DPE 2036 draft Plan (draft Plan).

The draft Plan for St Leonards and Crows Nest provide context and a frame work for the development of the area and attempt to provide an optimistic picture of the conditions. The draft plan Built Form limits are not properly considered and the draft plan seems to contradict the recommended guidelines with an unfair burden placed on St Leonards leaving the rest of the LGAs.

The failings are extensive and cannot be presented as a win for the community especially as the Lane Cove Council plan for St Leonards South is integrated in this plan when it should have been excluded. The proposed rezoning of St Leonards South is NOT favourable for the area or the residents.

It is not visionary to demolish an entire neighbourhood for the mere purpose of increasing density that is not warranted particularly in an area not suitable for high rise development due to its topography (e.g. south facing steep topography). The most recent reports investigating utilities such as water, sewerage, electricity and communications expressed a negative opinion regarding the condition of these utilities if the area was developed in which pipes, upgraders and land acquisition would amount to the value of Billions that will have to be spent.

Maybe it is time for the DPE to be cautious and protect residents from the unknown outcome of more density and less amenity.

It would suffice to say that the draft Plan does not truly adhere to any of the context and framework set for St Leonards (a commercial zone with a medical focus).

Additionally, Lane Cove Council ignores the strategic plan and insists on the St. Leonards South rezoning that is not in the best interest of the area with no genuine plans to increase infrastructure and amenities to cater for the increased demand (such as schools) while the DPE follows in the same footsteps. The St Leonards residents seem to be caught up in a conundrum of the two Protagonists that are in denial of the true facts that dominate the terrain.

There are several factors that need to be taken into account when considering the proposed draft Plan and the St Leonards South rezoning. These include:

No Lost Opportunity. No opportunity is lost if the St Leonards South high density is delayed until more comprehensive assessments are undertaken and more importantly when the infrastructure and services are built to accommodate this exponential increase in population.

Also there are already a large number of residential developments approved or in the pipe line in St Leonards and the Lane Cove LGA which can more than cater for any required future demand for population growth. In fact, there is a risk of over development and excess supply of apartments in the area (the boom is over).

The draft Plan should not push further over development until at least the infrastructure is in place prior to having any high density approved so get the infrastructure first for the area. Buildings 20 meters or more are excessive in areas that adjoin existing residential areas. I would like to see buffers placed around the residential boundaries to protect the existing amenity of residents - a stepped approach may be a good solution, whereby building heights are graduated in steps to reduce their impact. These heights must also be mandatory (not discretionary as developers will take advantage of this and impede on the resident's amenity).

For St Leonards South the currently proposed high density does not meet minimum standards for any developments (SEPP 65). Lane Cove Council is happy to breach a number of SEPP 65 conditions to get greater height.

Resident's apprehension in relation to the St Leonards South rezoning could possibly be justified: Current residents have not been convinced by the rezoning plans or the process undertaken by Council. There are a number of serious errors and shortcomings in the proposed rezoning and precinct plans (in short the rezoning has many significant problems which cannot be fixed by a community centre – i.e. you cannot sell a bad outcome by offering a community centre and a nice park that gets no sun).

Residents are concerned with inappropriate rezoning (high density) at their door step and would leave the area because they know that the rezoning will produce an unfavourable outcome. The common view of all residents is to oppose the rezoning but if it was forced on them, with such high density, then they would opt to exit.

As well, the process run so far by Council has been very poor, to say the least. Not all relevant information has been released and in many cases the reports provided are either out of date or do not assess the current plans as they stand.

Rezoning is not suited for the area. The area of St Leonards South is not suited for rezoning, this has been demonstrated beyond a doubt and even confirmed by Council reports, it is only Council Staff that underestimate the issues by saying that “this is the best that can be done” or reference is made to inaccurate reports to support their view. Simplistically, if a bad outcome is the best that can be achieved then the rezoning should not proceed.

The proposed developments arising from the rezoning have a number of issues and fail to meet the minimum standards set by SEPP 65. Again Council Officers keep compromising and striving for developments which will provide a bad outcome for the area. For instance, the developments will not meet the solar access requirements and Council has compromised to contend with only 1.5 hours of sunlight. The question is why residents should be forced to accept this. What is the impetus for Council to approve such bad Plan?

Other concerns regarding the draft Plan and St Leonards South rezoning proposal are:

Topography. The topography (sloping nature) of the area is not suitable for high rise development. In this regards, please refer to the ‘St Leonards Strategy Precinct Report’, dated November 2013 which noted that the topography of the land does not support high rise units and that steep, south facing slopes will create significant overshadowing issues.

Traffic. The area highlighted in the draft Plan is already bottlenecked with traffic. Increasing the population of both residents and workers in the area is going to create serious traffic flow and parking problems. This does not only impact the immediate local residents, but most of the residents in all LGAs as well as the broader population travelling from into the city. Traffic is a major concern and needs to be addressed in conjunction with this draft plan.

Also given that the precinct is limited to only few exits and entry points (e.g. Berry Road the only right hand turn and Duntroon Avenue is the only exit to the right to River Road) then the area will not be able to cope with the additional traffic generated from the proposed rezoning and developments already approved in adjoining areas such as Pacific Highway and Greenwich Road.

The traffic report provided by Council has a number of issues including:

- a. Utilises data which is out of date and is not current.
- b. Relies on an already discredited old report for validation.
- c. Fails to consider all developments in the area, the report only included a handful of new developments.
- d. Not accurately look at all the streets in the area, for example the intersection of Park Road and River Road or Park Road and the Pacific Highway.

- e. Not take into account the traffic generated from the proposed Community centre or the Metro Station.
- f. Not consider impact on traffic to RNS Hospital which is accessed by the same traffic light as Berry Road.
- g. Proposed artificial changes to the network to fix major constraints. This is not possible given the constraints already experienced on the Pacific Highway from other developments.

It is easy to make suggestions which cannot be implemented. As such need to ascertain if the proposed changes to the Pacific Highway are in keeping with the changes requested by other developments in the area including those on the Pacific Highway and Christie Street or if these will be accepted by the RMS.

There are other issues which I will avoid explaining here due to time constraints but are evident to any competent reader of the report.

Parking. The issue of parking which is very significant for the residents has not been adequately addressed. It is not true that living next to a train station reduces the need for a car. All residents require cars to complete tasks away from transport (e.g. shopping). Also residents get visitors. The Duntroon Residences provide an example of insufficient parking. It is for Lane Cove Council to consider the consequences from the vehicles that already park in the area and the new Metro station.

Landscape and Green Open Space Guidelines. I completely disagree with the Open Space plan. Pocket parks do not work next to high rise developments. Look at the pocket parks already in the area that are not frequented by most residents due to their site location. Also the proposed park on Park Road will not be of much benefit due to the amount of shadowing it will receive.

The amount of parks and green open space is not sufficient as suggested in the draft Plan when taking into account all the developments already approved by Lane Cove Council (especially those on the Pacific Highway which have no dedicated green open space or Parks). We wonder where residents from the Mirvac building on the Pacific Highway will go for open space and green parks. Hence there are insufficient parks for the entire area – we cannot just look at one precinct without looking at the entire area. Also, the Willoughby oval across the road cannot be counted towards open space and as a park since it is a sports field and already accounted for by Willoughby council for its developments (i.e. cannot be counted twice).

The draft Green Plan has not adequately assessed open space requirements given the high-density apartment environment that is St Leonards Crows Nest. More open space is essential to compensate for the lack of private open space, to support active living, to provide a more

liveable neighbourhood, and to give children living in high density housing green spaces for play, and social and physical development.

New open space must be proportional to population growth and should occur as the population increases, not afterwards.

The Green Plan denies residents even the basic requirements for public open space and is well below any reasonable guideline. In NSW, the DoPE has used a guide of 2.83 hectares/1000 population, which the Green Plan does not come close to achieving.

The figure of 21 hectares of open space and parklands said to be available to residents and workers of the draft Plan area is misleading. The correct figure of currently available open space is 12.7 hectares of open space – the remaining 8.3 hectares are outside the boundary of the draft Plan area.

The creation of new open space should be a priority. To say that the recommendation for increased open space is “aspirational”, “to be used as a guide”, and that it is “not binding”, as set out on page 46 of the Green Plan, is not satisfactory.

Much of the open space identified in the plan is not of the size or quality required to meet and accommodate a range of recreation activities and needs. For example, page 14 of the draft Green Plan identifies that “Parks aligned with drainage corridors (such as Talus Street Reserve and Newlands Park) are difficult to access due to steep landform and arterial roads, limiting recreational opportunities and placing greater pressure on parks with better accessibility”. Talus Street Reserve is nearly 2 hectares and Newlands Park is about 1 hectare – these are two of the largest pieces of open space in the Green Plan area.

Built Form - Quality of design. The area due to its nature including sloping topography will not lend itself to developments that will have adequate sun light and thus yield low quality residential area. This is not a good result for the precinct.

FSR. It is pertinent to keep FSR under 2.5. To avoid overshadowing on a sloping site, developments should be made short and not higher than Duntroon residences. Also this reduction FSR will serve to reduce density to allow the area to cope. Developments of less than FSR of 2.5 will be very attractive to developers.

Movement Guidelines - Detrimental impact on residential amenity including:

- Congested Train system. The new Metro Station is due to operate (in 2024) well after the development of this area hence what will happen in the meantime. Also the new Metro will assist in the current over demand not to deal with additional future demand.

- The area is already congested and busy so how will the area deal with significant increases in population.

Built Form Guidelines: Strategic perspective:

- While it is argued that the State Government strategic planning policy requires higher density development near Railway Stations and public transport corridors, this argument needs to be substantiated and considered on a case by case basis to take into account:
 - o Good transition between high density and existing low density residential development.
 - o The nature of the precinct (e.g. topography) and character (e.g. Traffic, etc.).
 - o Other high density development in the wider area.

Since the policy is not an obligation or an “open right” for any type of development in all areas near a train station hence all developments need to be considered on merit and context. Reference areas include Castle Hill near the train where only one section is proposed for development as the other sections do not work well.

- The strategic planning policy that supports high density development near railway stations and public transport corridors needs to be taken into context, assessed against other alternatives, the characteristics of the particular area and initiatives in the wider/adjoining areas. As well, the outcomes of any development need to be assessed against a good living environment and its benefit to the area and the residents.
- The nature of the St Leonards South precinct does not support high density development. Good urban planning requires a tiered development zones. It is customary to have lower density inside a zone because that will lessen the impact on bottlenecks. For instance, the bottom of Holdsworth Avenue should not have the same density as the top of the Avenue.
- The draft Plan appears not to have adequate transition allowances at the parameters of the rezoning area especially in Park Road and River Road. We note that consideration should also be given to the area facing Newlands Park.
- Lane Cove Council has at times presented the option of building a plaza/bus interchange as additional open space. We cannot see how it can be justified that a commercial zone and of built form (concrete) can be presented as public green open space.
- The Council plaza needs to be assessed in context of the St Leonards area. The area already has one plaza (the Forum Plaza) being on the other side of the Pacific Highway (a state busy highway) and has plans to develop another plaza on the ALTO site (adjacent to the current plaza) that will be integrated to the Forum plaza. That appears a far more superior outcome than having a plaza that is isolated on the other side of the busy Pacific Highway. Studies from Australia and around the world clearly indicate that integrated

developed plazas yield a better outcome and attract more people than a standalone structure.

- Lane Cove Council and its consultants have limited their assessment to the small precinct of St Leonards which is in the Lane Cove Council LGA. This is demonstrated in a number of reports and consultant studies that do not take into account developments taking place outside the precinct (e.g. traffic emanating from the Council approved developments along the Pacific Highway and Willoughby LGA). It will be clear even from a cursory assessment that the area of St Leonards is undergoing rapid residential growth with over 4,000 units under construction or approved from the 3 LGAs that control the suburb of St Leonards.
- Approved or under construction high rise developments in the St Leonards suburb will imply that the residents of the Lane Cove St Leonards precinct and the wider St Leonards suburb will be detrimentally affected by the sharp and extreme rapid increase in demand on (and for) infrastructure and amenities from all the residential developments in progress. St Leonards South has unique capacity constraints that will make the area affected by more constraint compared to other parts of the suburb. It is better to allow time for the area to digest and cope with the influx before more high density development is allowed especially in difficult areas such as the precinct in question.
- The proposed height for the area is not in context for the whole suburb of St Leonards. The area is of residential setting and is downward sloping in topography, hence it is hard to justify under any reasonable assessment the heights proposed. This is particularly true for the edges of the proposed rezoned area which should provide greater transitional allowance than proposed by Council.

Land Use Guidelines - Zoning boundary:

Where should the rezoning boundary stop is a critical issue because given the nature of the area will imply that residents facing high density will be negatively impacted accordingly no rezoning is the only option that would ensure that no residents is disadvantaged.

- The nature of the area being of past era design, old style subdivision, narrow roads, narrow blocks, unique topography with heritage listed homes raises the point of where to draw the boundary for the rezoning.
- That is if Lane Cove Council is willing to pursue a sub optimal outcome and approve the rezoning where should the boundary end. Council's rezoning stops at the east side of Park Road and River Road. This is not a good outcome as discussed below and no rezoning should be adopted for the precinct.

- The draft Plan has failed to address what it regards as proper planning in the St Leonards South Planning Proposal area. The St Leonards South Planning Proposal as submitted fails many of the design principles outlined in the plan, including confining high-rise development to the Pacific Highway.
- To ensure public trust in the fairness and administration of the planning function, all Planning Proposals must cease if the 2036 Plan is adopted.
- The draft Plan fails to ensure the necessary infrastructure needed for population increase (especially open space, schools, healthcare, and traffic management) is planned and provided for before further development occurs.
- The draft Plan fails to deliver on a key Land Use objective of the Plan, namely commercial premises to support the development of an employment hub.
- The Plan fails to deliver on a key Land Use objective of the Plan, namely the provision of a mix of housing. There are already more than enough high-rise apartment developments in the area

The reasons for No rezoning St Leonards South are:

There is no natural boundary within the precinct to make any rezoning work well. There are a number of examples of boundaries created where there are no natural boundaries and these lead to incoherent mix of buildings (for instance, older style federation single dwellings facing high rise modern buildings) and sub optimal outcome to owners on either side of the boundary. Even with the planting of few trees and setbacks.

Those in the rezoned boundary must have considerable transitional conditions placed to reduce their building envelope to blend in with the residents across from the rezoning. On the other side, the non-rezoned section will be left facing high rise developments with few trees in the middle. Council's deep planting suggestion does not provide an answer. Moreover, where ever the boundary is forced there will always be issues to the residents facing the rezoned area.

We understand that Lane Cove Council might be pressured by some residents to consider moving the proposed boundary for the rezoning from Park Road to say Portview Road or across the entire precinct. We note that the same grievances raised by Park Road residents will be raised by every street, that is, residents not wishing to face high rise developments.

I further object to the St Leonards and Crows Nest Special Infrastructure Contribution.

- The planning package for St Leonards and Crows Nest is based on a 100% increase in population from 13,250 in 2016 to 26,400 in 2036. This is non-sustainable and well above the increase in the Greater Sydney population of 36%, and substantially above the increase in the North District plans of 22%.
- The number of apartments already approved by the Lane Cove Council or Independent Panels will significantly reduce the number of apartments that will contribute to the SIC over 20 years. This is especially so if the St Leonards South project does not go ahead as planned – which it certainly should not.
- Spending on major infrastructure must be made well in advance of the developments proceeding. It ignores the basic requirement that infrastructure planning needs to be done well in advance and not on ad hoc developments proposed by developers for individual sites. That is why Councils are best suited to dealing with In-Kind agreements (VPAs) for particular community issues.
- The proposal in its present form provides no guarantee that money collected will be quarantined for its intended purpose, and no guarantee that it will actually be spent at all. If past experience is any guide, the funds collected will go into consolidated revenue where it will be lost in the perpetual arguments between state and local government to release funds.
- The current SIC model will not work because the level of development required to meet the \$113.6 mill fund target can only be achieved through unacceptably high levels of residential development.
- Developments will render impossible the delivery of the employment capacity foreshadowed by relevant planning documents.
- The scale of residential development required to meet the \$113.6 mill target will create further massive infrastructure stress that will necessitate a full review of the Special Infrastructure Contribution funding model or major government investment to avoid a planning disaster in the precinct.
- The proposed allocation of funds derived from the Special Infrastructure is not fair and equitable.
- I request that the proposed Special Infrastructure Contribution model be reviewed to address my concerns outlined above.

I am particularly concerned with the draft Plan through inconsistent language and mixed messages would condone even more excessive high density with very limited new infrastructure, services, utilities, better public transport, green parks and open space.

St Leonards has already been over built and over developed so none of the concepts in the draft Plan would apply. So it is a wasted effort.

I hope that you will consider the local community in St Leonards and cease any developments including St Leonards South. I encourage the draft plan to remove St Leonards South from its

offshoots and have the courage to show case the draft plans without St Leonards South. This would be what the community would like to achieve in this area.

Forcing St Leonards South rezoning into our residential neighbourhood does not advance the community; it only enriches a small group of investors at the expense of the local character of our suburb.

Sincerely

REDACTED
CONFIDENTIALITY
REQUESTED