10th May 2019

NSW Independent Planning Commission

Level 3, 201 Elizabeth Street

Sydney NSW 2000

Dear Panel

**Subject: Planning proposal for the St Leonards South Residential Precinct**

I am writing to express my disapproval of the St Leonards South Planning Proposal or the Council rezoning plans. I request the NSW IPC find that the St Leonards South Planning Proposal to be inconsistent with the overall plans for Crows Nest and St Leonards area and unfit for the area under consideration.

I wish to state clearly that the 6 Terms Of References (TOR) handed to the IPC by the Minister are myopic in outlook and restricted in assessing the implications of this council rezoning plans. Furthermore the deficiencies and negative have not been assessed robustly. The implications far outweigh the benefits of the St Leonards South Planning Proposal and unfortunately this has not been covered appropriately so that the IPC Panel can arrive at the correct decision.

**TOR - Accessibility to St Leonards and Crows Nest station**

The areas of St Leonards and Crows Nest are crowded and very busy - at capacity at the best of times. Accessibility to the stations is hampered due to the terrain and topography for residents of St Leonards and Greenwich. There is constraints on movement due to the environment and built forms as the topography is steep, not easy to walk (with shopping bags) especially to the elderly and the very young (kids and prams.

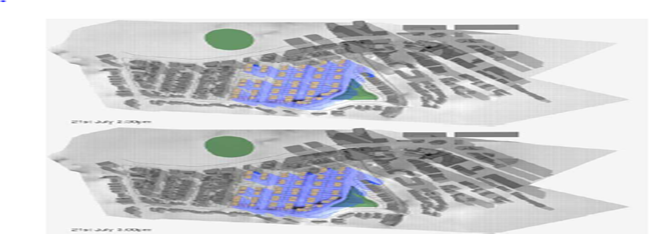
There is pedestrian and traffic flow conflict. The waiting time to cross the roads keeps increasing and the journey to the station is ever increasing. The residents are feeling the effect of this on daily basis.

Public transport capacity is over the limit and is overloaded with upstream and downstream impacts from other train stations. Hence Crows Nest Metro will not complement the existing heavy rail service at St Leonards or contribute to an integrated and highly accessible centre as it is incapable of absorbing additional loads due to overcapacity current levels.

The additional number of new residents from the developments even the ones that have been absorbed in the last couple of years as well as will be absorbed now due to recent approvals of high density developments, mean that St Leonards and Crows Nest station will be more than at capacity at 600%, over exhausted and will not handle the ever increasing population. If the rezoning plans developments is added then this will bring up to 4,000 new residents not catered for thus curtailing accessibility to St Leonards and Crows Nest station. St Leonards then will become a Hell Hole to live in.

Topography, Landscape and Boundary are not the ideal elements in this area as the terrain that affects the new precinct is not amenable to building of high density of FSR 2:75. It is even more unsupportable for higher FSR in any street in the area due to overshadowing and limited solar access. To this extent there will be large sections of the precinct with no sunlight and extensive overshadowing of residences in the lower lying sections and the domain for many hours in a day.

The pictures below depict the shadowing effects from the clustered development of high density residential buildings.



**PERSPECTIVE VIEW 1 SHADOW INTERVALS**

The Council rezoning plans fail to capture the shape of the landform in 3D and use a projection that assumes the ground almost flat. This is not the true nature of the area. With building clusters of units (akin to commodity houses) in a row and a “boxing” of a large part of the area. The planned clusters of lots, combined with the terrain means that some developments occur on steeper slopes shadowing other housing for a considerable amount of time.

The transition as suggested is not adequate to offset the loss of privacy and the shadowing. Transition and setbacks should be more generous to compensate for the loss of sunlight and privacy.

As such the St Leonards South planning proposal needs to ensure generous transitions and set backs of the surroundings.

There is no rationale for such higher clustered density developments in St Leonards South as the precinct has no natural boundary. This is a deficiency and can create adverse impacts on the rest of the streets in the area.

Normally higher and taller forms are at the top and bottom of the precinct, showing no regard to the usual conventions around topography. Normally the tall buildings would follow the ridge line (Pacific Highway) but this has been missed and is a major drawback.

The proposed new precinct will be a clustered overdevelopment in a small area of St Leonards. There is already underway significant residential high density in St Leonards which makes adding more residential units unsupportable and unjustified as a plan for the future.

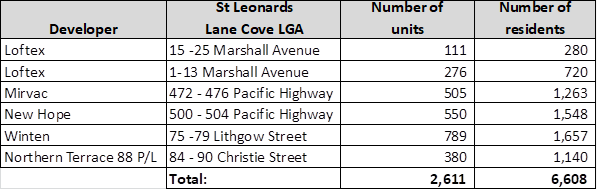
Council Plans focus on the physical dimensions of buildings, plots of land and do not concentrate on more services, better facilities or addressing the lack of public places as a result of squeezing as many people in clusters of tall buildings.

Council Plans fail to consider the developments in the rest of St Leonards such as in North Sydney Council and Willoughby Council. Each council is vying to increase their density at the expense of the residents and their amenities in St Leonards. Across the 3 LGAs in St Leonards there are well over 5,000 new apartments already planned and underway. The State Government target is for 2,000-5,000 new units per the 2036 draft plan and the Northern District plans.

The cumulative effect on services and infrastructure from other developments in St Leonards has not been taken into consideration in Council’s assessment reports. As such these assessment reports should be carried out based on the existing and current environment that has changed significantly in the last several months.

There is no justification to add more density in the St Leonards area with the residential units in 1-25 Marshall Avenue (Loftex), 472-476 Pacific Highway (Mirvac), 504-520 Pacific Highway (New Hope), 75 Lithgow Street (JQZ tower at 144 meters height) as well as the Northern Terrace 88 P/L. These numbers EXCLUDE any VPA’s which will even increase the number of units (please refer table below which was sourced from Lane Cove Council’s own website).

If all these units are built within a short time does this imply that Council will not approve any building developments for the next 10 years as the targets have been exceeded?



*Table shows unit numbers excluding the new Hotel, on the corner of Lithgow Street and the Pacific Highway, the RNS Hospital developments and the other developments in the Lane Cove Council area of almost 5,000 units*.

Attached is also a map of the developments in St Leonards sourced from Councils website (updated only up to 2015 and there has been more approved developments from 2016 to 2019).

**TOR - Consider cumulative traffic impacts**

Accessibility is hindered due to Circulation, Flow, Traffic, Roads and Cumulative Impact as:

* Council Plan fails on a number of fronts and especially as it does not take a comprehensive view of the suburb of St Leonards and assumes that the St Leonards South precinct exists on its own in isolation.
* St Leonards streets which are targeted for high density residential rezoning are some of the highly-travelled streets throughout the area. Moving higher volumes of traffic through the streets will exacerbate the situation. These streets within the area are important for circulation of locals and visitors. There are several areas of dangerous conflicts, due to circulation and flows of cars and pedestrians and between vehicles and pedestrians. The area of circulation roadways will reach critical situation in a very short time especially the already gridlocked River Road around Greenwich Road.
* It is already very difficult to exit Berry Road to join Pacific Highway. There will also be more traffic generated in every street and most streets are narrow in the precinct.
* It is very difficult to leave Duntroon Avenue to join River Road. It is always congested and busy.
* The numbers quoted in the Council rezoning plans with traffic assessment are lower than should be from the increase in residential units. Many rental units in this area often have more than one vehicle, and often bring many other vehicles to the area. Most residents have 2 cars per household. So the claim by Council that the increase in residents will not increase the number of cars is a fallacy.
* The Rezoning plans traffic assessment did not include all the high residential developments around St Leonards and in turn did not include the additional cars, foot traffic, traffic flows from the new developments and ignored the developer incentives impact of additional units that will be added.
* Council traffic modelling for the proposed development of St Leonards South was conducted without reference to North Sydney Council, Willoughby Council or the NSW Road and Maritime Services and without taking into account, extensive residential development underway, and traffic effects flowing from North Sydney and Lane Cove Councils as well as visitor’s traffic.
* There are no cumulative studies on the effect of traffic from the new developments in St Leonards. This has not been appropriately considered by the consultants. This is disappointing as the correct levels of traffic need to be considered.
* The suggestion that traffic from a further 2,400 units could be accommodated without the need for massive renewed infrastructure is unrealistic. The State government does not have plans to improve the traffic issues in our area and does not have the funds to correct the problem either. Canberra Avenue and Duntroon Avenue are heavily accessed streets and connects Pacific Highway and River Road. The traffic will become even more congested in these streets with traffic with no easy solution.
* Residents of the area will quickly recognise the likely impacts of a further 1,000 (or more) cars, upstream and downstream from other nearby suburbs that are experiencing residential high density units, as well as the emerging cars from St Leonards South either onto River Road or the Pacific Highway.

**TOR - Ensure appropriate transitions to lower scale buildings**

Increasing the amount of built space with clustered high density tall buildings and FSR with no cap on building heights is not a good plan. Council should maintain the low rise, low density character of the area with medium density confined to the perimeter along the Pacific Highway. Growth should not automatically mean substantial increased height and density. Up-zoning (through Developer Incentives) and VPAs is further proof of poor planning practice.

There are no appropriate transitions to lower scale buildings and no transitions between high rise and low rise houses that will face any development. The Rezoning plan does not provide for generous transitions and setbacks to neighbouring properties and properties across the road that would be facing this height and mass of the developments.

The aim for the Rezoning plan should be to provide appropriately sized buildings to lower intensity. To ensure the built form responds to the lower scale of heritage sites and residential interfaces. In turn strive to protect light and privacy for adjacent residents.

Building massing, scale and transitions in terms of bulk and height are the main problem. The Rezoning plans should also include as options lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments.

Rezoning for residential high density developments in this area of St Leonards South is unwarranted, excessive and will have detrimental effects on the fabric of our community essentially turning our community into - The Compressed Bedroom Community.

**TOR - Locate new open spaces so that they improve connections to other open spaces**

There is an acute deficiency in the level and quality of open space in St Leonards and this situation is exacerbated due to the intensity and concentration of the developments in St Leonards that have been approved to date.

St Leonards is not a highly liveable precinct.The new St Leonards South precinct under the Rezoning plan will make the area even less highly liveable precinct as the precinct will be congested and overcrowded from over population. The new precinct will not be the walkable, connected and safe precinct, as Council has encouraged more cramming and massing of built form with endless stretches of high density making St Leonards South a non-liveable precinct.

Council has not allowed for appropriate allotments of expansive green open space or increased amenity to ensure best practice approach for the area. There is insufficient regard to good levels of amenity, effective urban design for the specific requirements of the area, open space, suitable pedestrian flow and traffic as more residential units are crammed into the available space.

Pocket parks, part closed streets and landscaped pedestrian links should not be counted as open space as these do not provide the needed generous open space for the residents. The Council Rezoning plans only allow for 0.42ha of open space per 1,000 people, which is very low in comparison with other precincts. This low level is inappropriate for an area such as St Leonards which will soon be exceedingly congested. St Leonards will become among the 'most deficient suburb in open space' in Sydney.

In comparison, North Sydney has a 0.91ha per 1,000 people requirement while the norm as per the Department of Planning for open space is equal to or greater than 1.5ha per capita. The current default in many parts of NSW is a rate of 2.8ha and more often than not, planners opt to apply the existing standard of 1.7ha per 1,000 people. Therefore the 0.42ha proposed for St Leonards is an outrage and laughable in comparison to other suburbs. As such it is difficult to accept the premise that the new precinct will be highly liveable and attractive to new residents.

The existing park near Canberra Avenue, Newlands Park, is already earmarked for use by the other new developments in St Leonards on the Pacific Highway. Therefore this park should not be considered as open space for St Leonards South. Its allotment as green area has been exhausted. Consent to build these high density residential developments and towers had already been provided based on Newlands Park availability, as a park for the new residents.

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| **Name & Address** | **Council** | **Type of Development** | **Stage** | **Storeys**  **(approx.)** | **No. of Apartments** |
| **Embassy**  Marshall Avenue | Lane Cove | Residential | Completed | 29 storeys | 219 Tower  52 Low-rise |
| **JQZ**  **88 Christie Street** | Lane Cove | 2 Residential towers  1 Commercial tower | Under Construction | 3 Towers - 18,  28 and 49 storeys | 654 |
| **Landmark**  500-520 Pacific Hwy | Lane Cove | Commercial (4-6 storeys)  Residential | Under Construction | 43 storeys | 495 |
| **Mirvac,**  St Leonards Square  472-494 Pacific Hwy | Lane Cove | Commercial (2-4 storeys)  Residential | Under construction | 2 towers  27 and 35 storeys | 539 |
| **TOTAL** |  |  |  |  | **1,959** |

The near-by developments listed in the above table have also based their approval from Council on Newlands Park availability. Currently Newlands Park is busy on most weekends especially in summer for existing residents. This park cannot handle more residents for the developments listed in the above table.

There is not one single example of an area that has been developed with such high density residential with an FSR of 2:75 or higher FSR that is not still fighting for more services, facilities and amenities as well as fighting to regain the area’s sense of community. As such this new precinct would fail to present viable good choices as it would result in more deficiencies and shortcomings than expected.

* The Council Rezoning Plans are inconsistent with the State Government’s wider plan for St Leonards. The Northern District plans do not support more high density residential units. NSW Planning is encouraging more commercial than residential development in the St Leonards area and does not insist that Lane Cove Council increase residential density. NSW Planning noted that Council is operating outside the strategic plans set for the area.
* The Council Rezoning Plans will lead to the erosion of the commercial core and further loss of jobs in St Leonards, undermining the future employment. The new precinct will have little to do with real long-term commercial (and employment) and medical precinct. There may be some commercial space allocated but without a pool of office space to encourage commercial environment a whole range of businesses will be locked out of the area that could otherwise start up.
* There will be limited budgetary allowance for State infrastructure to be built in St Leonards which is outside the strategic plan and hence residents will suffer a decline in amenities to the detriment of the community.

**TOR - Minimize overshadowing of public open space and streets with a significant public domain function**

Contravention of SEPP 65 Principles is evident in the rezoning plan. This new proposed precinct, with its clustered tall buildings, contravenes the State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development (SEPP 65), as these clusters do not adhere to the requirements or the compliance table in terms of Context, Scale, Built forms, Density, Resources, Energy and Water Efficiency, Amenity, Safety and Security, Building Separation and Setbacks and Open Space.  The outcome with the Draft Plans is that Council does not understand or respect the design quality principles of SEPP 65.

* Large Recreational Parks and Green Space is insignificant. The availability of large open parks and recreation facilities is an important quality-of-life factor. Measures for preserving open-space environment are missing from this proposal. The rezoning plans do not allow for sufficient large sunny open parks but pocket (dog) parks and linear (useless) parks, yet it encourages a sharp increase in the number of residents with no real increase in large parks.
* There are several streets in the area with no available open space. There are not enough recreational parks, natural environment and green large sunny areas provided, even with the new park which is ionl3,800 and Newlands Park which is always busy on weekends with existing residents. There is some allowance for some landscaping, deep planter boxes, closed roads and small green pocket portions which never work for the residents and are often frequented by graffiti artists and hoodlums at night.
* The plaza cannot be considered as open space as it is mainly for paying customers that use the seats in cafes. It is not recreational and not a place where residents can play with a ball or have a picnic or barbeque.
* The loss of amenities will be more extensive than estimated with less schools, day care, council services, roads, policing, parks, parking and infrastructure, green space, open public areas and public seating, as an example. The St Leonards/Greenwich areas will be fighting for services that should have been planned from the start, for many years in the future.
* The Rezoning Plans do not present clever alternatives to ease traffic congestion, provide more parking spaces, build new schools, provide new public services, increase open green space or have more medical facilities as a genuine offering to the community.
* The Education Department has identified no current means (no funding) for the establishment of a new school in the area due to the difficulty and expense of acquiring suitable property. An added problem is that provisioning for schools in St Leonards continues to be based on outdated (and incorrect) assumption that households in 2 bedroom apartments do not have children. This is not correct and would significantly understate the true level of future demand from the development proposed.
* It is not good enough to “work it out later” after the additional people show up on our door step. This needs to be planned from the beginning with Council working on the facilities rather than density. There is no clear strategy from Council to augment amenities that are quickly disappearing.

**TOR - Minimize overshadowing of public open space and streets with a significant public domain function**

* Sunlight, Airflow, Sustainability, Pollution and Safety are important elements in any planning decision.The interaction of airflow with solar radiation is an important consideration which needs to be addressed as it will affect the precinct.
* Shading for a considerable amount of time with less light and sunshine will affect the whole area due to higher density of many sites. Solar access will be restricted as tall buildings on steep terrain will exploit solar access.
* There are no solar gains provided in the Rezoning Plan or air movement which creates a cooling effect but due to reduced airflow the circulation will be minimised creating very hot areas in summer and very cool in winter. Any rezoning will reduce the airflow by around 30% with no equivalent air flow. The energy usage will be high and houses will not be able to have energy sustainable options.
* The Council Rezoning Plans do not identify or appraise noise problems that will affect the community.
* The Council Rezoning Plans did not consider any noise minimisation. St Leonards and Greenwich by the nature of their location, close to the Pacific Highway and St Leonards train station as well as RNS Hospital, are one of the busiest, polluted and nosiest suburbs.
* Safety concerns from more traffic and cars, turning the streets into a busier location, have not been raised. The Plan does not have enough features to include protecting pedestrians and the community from risks of more traffic and cars.

**TOR - Minimise overshadowing of heritage conversation areas and residential areas outside of the plan boundary Community and heritage**

* The homes at Berry Road in St Leonards are lovely character houses from the 1920s and early Northshore settlement, in a sought after neighbourhood filled mainly with single dwelling houses, with character, history and community feel. We should keep it as single dwelling homes in a mainly single dwelling precinct.
* The rezoning Plan violates the character of the area with clustered high rise developments that are inappropriate. The sense of community identity and belonging will slowly be lost if the rezoning goes ahead.
* There are large portions of residents that would like to stay in the area without overdevelopment that do not believe that their homes should be demolished. These are the long term residents that believe that rezoning to high density will NOT enhance the area, benefit the residents or give us a sense of community.

The St Leonards South rezoning plans as presented by Council are disjointed, uncoordinated and muddled. There is also conflicting information from Council documents and unanswered questions. To date there has been no real and effective consultation with the community from Council, Council staff and the Consultants on the future of the area.

The residents of the area deserve an excellent plan for amenities, open space, infrastructure and services for an area that is so congested as well as excellent plan for roads, traffic and transport. Any decision would be of greater value to the community in the long-term if it is focussed on responsible planning.

As described so far determinates in the Council rezoning plan for St Leonards South far outweighs the benefits.

I appeal to you NOT to endorse the proposal and replace 138 houses and to protect the community and the local residents. Any miss planning will become an issue with a multiplier effect in our area that will take decades to resolve.

Yours Sincerely

Anita Jubian

Berry Road

St Leonards