

## Greenwich Community Association

### Additional submission

#### Transcript of Lane Cove Council presentation to the panel members of the Independent Planning Commission 23 May 2019

### 1. Community Consultation

p 4 lines 6-9 Mr Wrightson states that *“we’ve used just about every consultation method there is over that period of time to build up a scheme that certainly the community have been aware of, and also to refine the scheme, having regard to what people are saying”*.

The GCA draws the attention of the panel to the following:-

#### **1.1 Council failure to implement consultation resolution**

Notwithstanding the Council resolution of 15 October 2012 to engage *“key stakeholders and a range of effective consultation methods which will be utilised to inform, involve and engage these stakeholders, neighbouring residents and the wider community”* there was no consultation with the Greenwich Community Association Inc or broader Greenwich community about the SLS Master Plan development until the Annand Master Plan went on exhibition at the commencement of 2015.

#### **1.2 Limited consultation Stage 1 DLA**

The straight Talk Community consultation report relating to the strategic investigation conducted by DLA confirms limited scope of consultation:-

- one on one meetings were held with the Marshall Avenue Action Group (29/5/2013) and St Leonards- North Wollstonecraft Community Association (25/6/2013) ie no inclusion of the GCA (that represents residents from Greenwich Road to Park Lane)
- a separate website (not referenced on Council website) was established for information exchange [www.stleonardssouth.com.au](http://www.stleonardssouth.com.au) (no longer accessible) and feedback opportunities
- the community information session on 25/7/2013 was advised only to those within the precinct and immediately adjacent and in an advertisement in the North Shore Times (this has limited circulation)

Please note General comments on p 19 of the report

### **Need for better community consultation**

- Council should have tried harder to listen to community views – disappointing effort so far. Existing communities sometimes frustrated with Council’s long term strategic responsibilities to future communities
- Need to be informed of any new housing developments well in advance, not keep such news secretive until it is too late for residents to respond
- How are the business owners on the commercial strip being involved? Not in a cohesive group so harder to talk to, but they shouldn't be ignored.

### **1.3 Limited consultation Stage 2 Annand**

The limitations of the consultation in Stage 1 were replicated in Stage 2.

It is noted that this report contains minimal detail about the scope of consultation and details of the stakeholders included in the process. The analysis of the survey responses should have been a clear signal that the consultation process was not reaching those outside the SLS precinct.

It was subsequently confirmed by a Council officer that this was Council's preferred consultation approach – refer **1.4**.

The GCA has been asking for a copy of the Cred Community Planning report since December 2017. On 6 December 2017 Mr Pelcz of Council responded as follows:-

*As stated in the Master Plan and Council Report, an informal information day and workshop was held. Cred Community Planning simply created an informal survey and reported back what was said at the time. This is what AT-2 is a summary of.*

*There were also other concerns raised at these meetings which were not picked up in either the Cred report nor by the survey, but they were specifically responded to in the December 2014 Council report.*

*In short, the December 2014 Council report provided much more extensive commentary on issues raised by the community at the time. This was then endorsed for further public consultation.*

The actual Cred Planning report has only recently been made available.

### **1.4 Council officer confirmation of limited consultation range**

It is noted that on 21 May 2015 a Council officer confirmed to Hon Anthony Roberts MP member for Lane Cove that consultation was intentionally restricted to those in the precinct vicinity. A resident's submission details this correspondence.

### **1.5 The Annand Plan as exhibited Feb to June 2015 did not reflect the boundary to Park Road East**

***The report to Council for the Extraordinary Meeting 13 July 2015 supported the Annand model to Berry Rd East, not the plan to Park Rd East.***

The plan that was exhibited to the community for comment nominated a boundary that went to Berry Road East only.

Community submissions would have been made on the basis of this.

The report to Council for the 13 July 2015 meeting discussed the option of a boundary at Park Rd East but dismissed it.

3. AAUD to Park Road	This option transfers the "zone interface" issue westwards; but the need to transition between high and lower densities will remain, wherever the boundary. Traffic modeling indicates this is at the maximum capacity with delay times classified as "failing" to meet standards. Financial modelling suggests the proposed FSR may lead to slower redevelopment rate.
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The resolution of Council to extend the boundary to Park Rd East came as a surprise to most community members because it had never been flagged as a possibility in the Annand plan or Council's report.

**1.6 There was no exhibition of/consultation with the Greenwich community about the plan (with the revised boundary) subsequent to the meeting of 13 July 2015 and prior to the exhibition approved 23 October 2017.**

**Council did not share with the community (other than SLS residents) information relevant to the impact of the changed boundary.**

We are now aware of the following:-

- *The Supplementary Report on St Leonards South May 2016 (Attachment M)*

This report was presumably prepared to inform Council's Planning Proposal (19 May 2016), was not uploaded to Council's website until recently and was certainly not available when the plan went on exhibition in late 2017.

This is the document that explores the various height changes possible under Council's proposed incentive schemes and makes it apparent exactly how high buildings may rise above the 8 storey developments that had been discussed until July 2015.

- *Information Sessions for owners and residents in SLS*

A report to Council for its 20 November 2016 meeting includes this item

*"Community Information sessions .... held on Wednesday 2 November and Monday 7 November (2016) from 6:30pm till 8pm at Council Chambers. The purpose of these sessions was to provide an update of the Draft Planning Proposal and Gateway Determination to the **owners and residents in the St Leonards South area.**"*

[file:///C:/Users/south/Documents/GCA%2019%20SLS%20IPC%20Individual%20Submissions/TRIM Council%20REPORT%20-%202021%20November%202016\\_1326659.PDF](file:///C:/Users/south/Documents/GCA%2019%20SLS%20IPC%20Individual%20Submissions/TRIM%20Council%20REPORT%20-%202021%20November%202016_1326659.PDF)

For those who were not part of the selective consultation, the exhibition of SLS post Gateway Determination presented them with a development framework that they had never seen before.

### **1.7 Flawed consultation post exhibition**

The exhibition of the SLS plan in late 2017 to 5 Jan 2018 was not supported by government agency infrastructure reports that related to the new Park Rd East boundary. The only reports available dated from late 2014-early 2015 and related to the Berry Rd East boundary.

For this reason, the community was being asked to comment on a plan without current information about infrastructure capacity/plans.

The GCA wrote to the Council, the Minister for Planning and the Department of Planning on several occasions asking for this to be addressed but with no success.

Updated agency reports have only appeared in the past few months.

At the 23 October 2017 Council meeting when Council resolved to put the SLS plan on exhibition, **it was resolved to send notification letters only to those within the SLS precinct.**

It was only after representations from the GCA that letter box notification of the exhibition was extended to Greenwich residents – this was done 2/3 December 2017.

The submission deadline was 5 January 2018, so the effective consultation period for the Greenwich community was one month, with Council offices closed from Christmas Eve 2017 until 2 January 2018.

### **1.8 Failure to exhibit submissions**

It is standard Council procedure to exhibit submissions made in response to DA notifications. It was anticipated that this would be the case for SLS submissions but this did not happen.

Council advised that it had failed to include a privacy notice in its exhibition advice, so it could not display submissions.

The GCA has subsequently obtained redacted copies of most submissions but it had to undertake a prolonged GIPA process to obtain them.

### **1.9 No feedback on submissions or detail as to the subsequent refinement of plan.**

There has been no report to councillors or to the community on the submissions made in response to the SLS exhibition.

Nor has the community knowledge of the details of the refinements to the plan to which Mr Wrightson refers.

## **2. Clarification of the source of *Fact Sheet for KJA report***

The transcript records discussion about the KJA report and the Cred Community Planning report. pp 48-50. These are separate and very different documents and both should be made available to the panel.

The Cred report relates to the community consultation that occurred during the development of Stage 2 of the master planning exercise that led to the Annand Report. This is the one that has only recently been made available to the community.

The KJA report relates to the facilitated workshop that was conducted in December 2018 to review the 2036 Plan.

We have previously expressed our concern about Council's analysis of the views expressed at the KJA workshop.

The document titled ***Fact Sheet for KJA report*** appears to have been compiled by Council to respond to some of the comments made at the facilitated workshop.

It is noted that we had not seen this document until it was uploaded to the IPC website and statements contained in the document do not accord with our understanding of the relationship between SLS and the 2036 Plan.

### 3. RMS response 30/4/2019 to be confirmed in light of Council's wish to cancel SIC

The traffic impacts of SLS are of significant concern to community members and, it appears, to the RMS.

In a letter of 26/2/2018 (on the IPC website) the RMS Senior Manager Strategic Land Use stated that *"Roads and Maritime considers the traffic modelling / analysis undertaken for the subject Planning Proposal as inadequate and limited in scope, identifying the traffic impacts associated with the proposed development and not the cumulative traffic impacts associated with full development uplift in the Planned Precinct. This approach potentially limits consideration of traffic impacts and attributes potential traffic infrastructure improvements to the subject area only and does not address the cumulative traffic impacts and the regional scale infrastructure response required for full development uplift in the St Leonards / Crows Nest Precinct"*.

The need to explore cumulative impacts on traffic flow is reinforced in the Cardno report to the Department of Planning (Attachment B4).

The email exchange between Council and the RMS between 3 December 2018 and 30 April 2019 should not be characterised as RMS acknowledgment that the SLS development "is not going to have a significant impact" with RMS raising "no objections to the planning proposal proceeding" (page 6 lines 22 -23).

The RMS response is very clear that it assumes that Council will have in place *"satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of a draft or final strategic planning review for the St Leonards and Crows Nest Station Precinct. Considering this condition, provided that Council has included a satisfactory arrangements clause (to be levied on the residential component) that is commensurate with the draft SIC, Roads and Maritime would raise no further objection to the planning proposal proceeding prior to the St Leonards and Crows Nest Planned Precinct being finalised"*.

Council has made it clear in its response to the 2036 Plan that it does not support the levying of a SIC on the SLS developers.

There is no document on file to establish that it has advised RMS to this effect.

We hope that the panel will seek clarification from the RMS as to its view of the SLS traffic management proposals if the SIC is not levied on SLS developers.

#### 4. Three, not two Hill PDA Reports

p 6 Line 45 suggests that there have been two Hill PDA reports done on SLS but there have been three reports.

- 24 Feb 2015 This report was tabled at the 13 July 2015 meeting of Council in which SLS was adopted for submission to Gateway
- 6 April 2016 This report was released prior to the submission of the SLS Planning Proposal to Gateway. It has not been exhibited, and it is not referenced in the documentation lodged with the Department of Planning on 19 May 2016.
- 12 July 2017 Council has advised that this document was uploaded to Council's website on 23 October 2017, the day Councillors voted to place the SLS plan on exhibition. It is not referenced in the report or documents prepared for Councillors for the meeting.

As outlined in other submissions, the two latter reports state clearly that the SLS Plan (which includes significant Section 7.11 levies to acquire the Park Rd park site) is not feasible at the FSRs proposed in the plan because developers have paid far more than Hill PDA had foreshadowed in February 2015.

#### 5. Status of Plaza over rail-line not clarified

p 42 line 45 It is unclear from accessible material if Council and TfNSW are "signing off on a term sheet".

Public meetings of Council have not dealt with an item specific to the plaza since its meeting of 15 October 2018.

The report to this meeting stated that \$36 million had been collected against a total revenue estimate of \$86.9 million, all of which will be required for the plaza project.

The transcript states that Council has raised the capital through the VPAs for the pilot projects (p 43 line 17) but it seems that there is a significant amount to collect – approx. \$50 million, noting that there has been no cost or revenue update since 15 October 2018.

Address	Cash VPA	Received	s94	Received	Status
500 - 504 Pacific Highway St Leonards	\$21,150,000	Est.	\$7,342,963	\$7,342,963	Under construction
472 - 494 Pacific Highway St Leonards	\$16,947,598	\$8,473,799	\$8,697,527	\$8,697,527	Under construction
75-79 Lithgow St and 84-90 Christie St, St Leonards	\$6,100,000	Est.	\$13,850,768	Est.	DA being assessed
1 -13A Marshall Avenue St Leonards	\$7,967,700	\$7,967,700	\$4,842,000	\$3,776,900	Under construction
<b>Total</b>	<b>\$52,165,298</b>	<b>\$16,441,499</b>	<b>\$34,733,258</b>	<b>\$19,817,390</b>	<b>\$86,898,556</b>

We have been unable to locate copies of the various executed VPAs referred to in the above table to ascertain the basis on which the remaining funds are to be paid and if the funds are guaranteed.

## 6. Housing Targets/Strategy to be verified with GSC

We have previously submitted that Lane Cove has already significantly exceeded the only housing targets set by the GSC to 2021. This has been confirmed by both the GSC and the Department of Planning.

It is inappropriate for Council to state that “the work (SLS plan)” that Lane Cove Council is doing is their “housing strategy” p 25 line 31.

The Department of Planning has issued a guide on the development of housing strategies <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/Local-Housing-Strategy-Guideline-and-Template.pdf>

To our knowledge, Council has not undertaken any community and stakeholder engagement as required in Steps 2 and 3 in the guide.

Lane Cove Council may see SLS as its housing strategy solution but it is required to develop this in consultation with the community and with regard to the principles outlined by the GSC.

We request the panel to seek advice from the GSC in this respect.

## 7. South western and western portions of SLS more than 400m from St Leonards Station

p 3 lines 43-44 Mr Pelcz states that “*the remainder of the sites (are) within 400 metres of the St Leonards Railway Station*”, thereby meeting the principles of transit-orientated development.

The map on p 50 of the Urban Design Report Attachment B2 shows clearly that a significant portion of the SLS precinct lies outside the 400 metre catchment. Furthermore, the topography and street pattern of the proposed SLS development will make this commute strenuous and slow for many, particularly as the proposed east – west link includes stairs and lifts.



It is likely that many in the southern portion of the SLS precinct will walk to Wollstonecraft Station as it is an easier commute.

We have not been able to locate any modelling done of the capacity of Wollstonecraft Station to manage the additional passenger traffic that may come from SLS.

Furthermore, the solutions proposed for the traversing of River Road are dangerous, given that traffic will be approaching the bends near the Canberra Ave intersection at speed.

This feature is highlighted in the photograph presented by Jennifer Schneller on 20 May 2019.

[https://www.ipcn.nsw.gov.au/resources/pac/media/files/pac/projects/2018/11/planning-proposal-for-the-st-leonards-south-residential-precinct/public-meeting/jennifer-schneller/img\\_20181129\\_173309.jpg](https://www.ipcn.nsw.gov.au/resources/pac/media/files/pac/projects/2018/11/planning-proposal-for-the-st-leonards-south-residential-precinct/public-meeting/jennifer-schneller/img_20181129_173309.jpg)

The condition of the barriers around the safety island on River Road highlights the fact that this is not a place for traffic lights. An over road or under road crossing is the only safe solution and RMS will need SIC funds to deliver this.

#### **8. The 2036 plan and supporting documents do not endorse design details of the SLS plan**

It is noted that on p 8 lines 16-17 Mr Pelcz states, when referring to building heights in the 2036 precinct, that “this diagram is taken from the SJB urban design report. That’s from page 63, which has the recommended building heights for the precinct”.

We note that Mr Whitworth of the Department of Planning is clear on p 4 lines 16-18 “*that doesn’t mean that there is an assumption that there is support for the plan* (by the Department of Planning)”.

As stated in an email from Ms Lucchinelli of the Department on 5 December 2018 (in response to a query about the status of the SLS plan within the Gateway process)

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*“Council will then send its final recommendation to the Department. The Department, as delegate of the Greater Sydney Commission, will carry out a final assessment of the proposal to decide if the planning proposal should proceed and under what circumstances. The Department will carefully consider all matters raised by Council, the Independent Planning Commission, the community and public agencies before making a determination on the proposal.”*

7 June 2019