

**Report to General Manager**Attachments:
Nil**SUBJECT:** St Leonards/Crows Nest Planning Study - Progress Report**AUTHOR:** Alex Williams, Team Leader - Policy**ENDORSED BY:** Joseph Hill, Director City Strategy**EXECUTIVE SUMMARY:**

At its meeting on 22 October 2012, Council resolved that there be six monthly progress reports to the Planning and Development Committee on the implementation of the St Leonards/Crows Nest Planning Study. This report constitutes the fourth progress report as required by Council's resolution.

Following adoption of the St Leonards / Crows Nest Planning Study - Precinct 1 in 2012, Council has successfully progressed a number of site specific Planning Proposals and associated Voluntary Planning Agreements in the precinct. This process is facilitating developments that are consistent with Council's strategic vision for the area and which also contribute to the identified need for additional open space in the area.

Concept design options for the expansion of Hume Street Park, a key public benefit identified by the Precinct 1 study, were placed on public exhibition in June and July 2015 in order to obtain community feedback. Key stakeholders were consulted during the exhibition period. Submissions received are currently being considered and will be reported to Council later in 2015 allowing for identification of a preferred option and progression to detailed design.

Following adoption of the St Leonards / Crows Nest Planning Study - Precincts 2 & 3 in May 2015, Council staff have been working with developers and property owners to negotiate Planning Proposals that will facilitate the built form and public benefit outcomes endorsed by the study. It is anticipated that representatives of a number of consolidated sites will be in a position to lodge Planning Proposals consistent with the adopted study in the short- to medium-term. Council initiatives and works are also underway which will help achieve Council's adopted vision for the area.

Work on Precinct 4 of the planning study has been deferred pending announcement by Transport for NSW of the location of a new St Leonards / Crows Nest metro station.

FINANCIAL IMPLICATIONS:

Nil

RECOMMENDATION:

- 1. THAT** the St Leonards / Crows Nest Planning Study Progress Report be noted.
 - 2. THAT** Council notes that planning work on Precinct 4 is deferred pending announcements by the NSW Government regarding the location and commissioning of the Metro Station in St Leonards/Crows Nest.
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LINK TO DELIVERY PROGRAM

The relationship with the Delivery Program is as follows:

Direction: 1. Our Living Environment

Outcome: 1.2 Quality urban greenspaces
1.5 Public open space, recreation facilities and services that meet community needs

Direction: 2. Our Built Environment

Outcome: 2.2 Improved mix of land use and quality development through design excellence
2.3 Vibrant, connected and well maintained streetscapes and villages that build a sense of community
2.5 Sustainable transport is encouraged

Direction: 3. Our Economic Vitality

Outcome: 3.1 Diverse, strong, sustainable and vibrant local economy

Direction: 4. Our Social Vitality

Outcome: 4.1 Community is connected
4.7 Community is active and healthy
4.8 Enhanced community facilities, information and services

BACKGROUND

On 29 November 2010, Council resolved to undertake a planning study of the St Leonards/Crows Nest area with the following objectives:

- New open space in St Leonards/Crows Nest;
- Increased investment in St Leonards and decreased commercial vacancy rates, with particular focus on the rejuvenation of the Pacific Highway between St Leonards train station and the intersection of Pacific Highway and Willoughby Road;
- Improved connectivity, particularly between St Leonards/Pacific Highway and Willoughby Road;
- Improved urban design and street level amenity particularly in St Leonards and along the Pacific Highway; and
- Improved building design and residential amenity in St Leonards.

The St Leonards/Crows Nest study area was divided into four precincts to allow detailed analysis and targeted planning solutions.



Figure 1 - Study Area

The St Leonards/Crows Nest Planning Study - Precinct 1 was adopted by Council on 5 December 2011 with an addendum to that study adopted on 22 October 2012. The study of Precinct 1 presents an Open Space and Pedestrian Masterplan and a Built Form Masterplan that together provide a holistic approach to planning and development in the precinct. The masterplans include provision for:

- An expanded Hume Street Park with a pedestrian link to Willoughby Road;
- Widened footpaths along the Pacific Highway and key pedestrian routes; and
- High amenity mixed use buildings on key sites.

Council also resolved that there be six monthly reports to the Planning and Development Committee (now the Legal and Planning Committee) on the progress and implementation of the St Leonards/Crows Nest Planning Study. This report constitutes the fourth progress report as required by Council's resolution.

CONSULTATION REQUIREMENTS

Community engagement has been and will be undertaken in accordance with Council's Community Engagement Protocol.

SUSTAINABILITY STATEMENT

The sustainability implications were considered and reported on during the initiation phase of this project.

DETAIL

1. Precinct 1

The adopted St Leonards / Crows Nest Planning Study - Precinct 1 identifies the following implementation strategies:

- Landowner initiated changes to local planning provisions; and
- Initiatives and works undertaken by Council:
 - Land acquisition;
 - Closure of Hume Street and widening of verges on Clarke and Oxley Streets; and
 - Embellishment of expanded Hume Street Park.

1.1. Implementation - Landowner initiated changes to local planning provisions

Since adoption of the final study of Precinct 1 in October 2012 Council staff been working with developers and property owners in implementing the Built Form Masterplan and maximising open space and public amenity for the community through implementation of the Open Space and Pedestrian Masterplan. This is occurring via site specific Planning Proposals and Voluntary Planning Agreements (VPAs).

1.1.1. 545 Pacific Highway, St Leonards

The first site specific Planning Proposal relating to the site at 545-553 Pacific Highway, St Leonards (NSLEP2001 Amendment No. 54) sought to amend LEP 2001 by increasing the height control from 26 metres to 50 metres, consistent with the Built Form Masterplan, and by introducing a site specific FSR control of 6.6:1. The Planning Proposal was accompanied by a VPA which provides for, among other things, building setbacks to allow for an improved public domain and a monetary contribution towards the provision of new open space in the precinct.

The amendments to NSLEP brought about by the Planning Proposal came into force on 24 May 2013 and a Development Application for a 50 metre building (DA455/12) was subsequently approved. The Planning Proposal process and associated VPA has ensured that this development is consistent with Council's strategic vision for the area as articulated by the Built Form Masterplan and Open Space and Pedestrian Masterplan contained in the St Leonards/Crows Nest Planning Study - Precinct 1.

1.1.2. 7-19 Albany Street, St Leonards

The second site specific Planning Proposal relating to the site at 7-19 Albany Street, St Leonards (NSLEP2013 Amendment No. 4) sought to amend LEP 2013 by increasing the height control from 26 metres to 40 metres, consistent with the Built Form Masterplan, and by introducing a site specific FSR control of 5.6:1. The Planning Proposal was accompanied by a VPA which provides for, among other things, building setbacks to allow for an improved public domain and a monetary contribution towards the provision of new open space in the precinct.

The amendments to LEP 2013 brought about by the Planning Proposal came into force on 11 July 2014 and a Development Application for a 40 metre building (DA167/14) was approved in November 2014 and is now under construction. The Planning Proposal process and associated VPA is ensuring that approved development is consistent with Council's strategic vision for the area as articulated by the Built Form Masterplan and Open Space and Pedestrian Masterplan contained in the St Leonards/Crows Nest Planning Study - Precinct 1.

1.1.3. 521 Pacific Highway, Crows Nest

The third site specific Planning Proposal relating to the site at 521 Pacific Highway, Crows Nest seeks to amend LEP 2013 by increasing the height control from 20 metres to 40 metres, consistent with the Built Form Masterplan, and by introducing a site specific FSR control of 5.3:1. The Planning Proposal is accompanied by a draft VPA which provides for, among other things, a 6 metre building setback from Oxley Street to allow for a widened footpath, landscaping and outdoor seating as well as a monetary contribution towards the provision of new open space in the precinct.

The Planning Proposal and draft VPA were publically exhibited in February and March 2015 and were formally endorsed by Council at its meeting on 20 April 2015. Council is now awaiting execution of the VPA. Once this occurs the Planning Proposal will be sent to the Department of Planning and Environment with a request that the LEP amendments be made. The Planning Proposal process and associated VPA will ensure that any future development on the land is consistent with Council's strategic vision for the area as articulated by the Built Form Masterplan and Open Space and Pedestrian Masterplan contained in the St Leonards/Crows Nest Planning Study - Precinct 1.

1.1.4. Future Planning Proposals

Council is in receipt of a further two Planning Proposals and draft VPAs relating to land in Precinct 1: 575-583 Pacific Highway, St Leonards, and 31-33 Albany Street, Crows Nest. Following assessment against the St Leonards/Crows Nest Planning Study - Precinct 1 these Planning Proposals will be reported to Council. If endorsed by Council, they will then be placed on public exhibition.

Council staff are in ongoing communication with other land owners in the precinct to ensure further implementation of the masterplans for Precinct 1. Staff expect that a further 2 consolidated sites will be in a position to lodge Planning Proposals consistent with the adopted masterplans in the short- to medium-term.

1.2. Implementation - Initiatives and works undertaken by Council

The current status of each initiative/work required to achieve the Open Space and Pedestrian Masterplan for Precinct 1 is summarised below:

1.2.1. Expansion of Hume Street Park

In August 2014, Council resolved to engage Tonkin Zulaikha Greer + JMD Design to lead a consultancy team for the concept and feasibility planning for the closure of Hume Street, widening of verges on Clarke and Oxley Streets and expansion and embellishment of Hume Street Park. TZG (Tonkin Zulaikha Greer) and JMD (James Mather Delaney) are both highly experienced award-winning architectural and landscape architectural consultancies respectively. They lead a strong team in support of the requirements of the brief including MBM (Miliken Berson Madden) for cost planning and feasibility assessment.

In May 2015, Council resolved to exhibit three Hume Street Park Concept Design Options. Consistent with the St Leonards / Crows Nest Planning Study, the three concept design options all involve the partial closure of Hume Street and the creation of a new urban plaza and link to Willoughby Road. Concept Design Options 1 and 2 propose different locations for a relocated Kelly's Place Children's Centre but each include over 3000m² of additional open space (over 6,000m² in total). Concept Design Option 3 represents a whole of block redevelopment outcome that includes undergrounding the indoor sports centre and the provision of over 5,000m² of new open space (over 8,000m² in total).

The concept design options were placed on public exhibition from Thursday 11 June 2015 to Friday 10 July 2015 in order to obtain community feedback. During the exhibition period consultation sessions were undertaken with key stakeholders including:

- Kelly's Place Children's Centre;
- Northern Suburbs Basketball Association;
- Crows Nest Mainstreet;
- Holtermann Precinct Committee;
- Local property and business owners.

It should be noted that community engagement for the expansion of the park is in addition to the community engagement that took place during the preparation of the St Leonards / Crows Nest Planning Study - Precinct 1.

Submissions received during the exhibition period are currently being considered and will be reported to Council in September 2015. Following formal endorsement of a preferred concept design, detailed design including gaining development approval is anticipated to take in excess of 12 months. While foreseeable timings are subject to change it is anticipated that construction of the expanded park may be able to commence in 2017.

Such forecasting is dependent on new capital works being incorporated into Council's forward and financial planning. This is being done through the budget considerations for 2015/16 and beyond.

1.2.2. Land acquisition

Council has purchased its first two properties in Hume Street as part of its long term strategy to expand Hume Street Park and improve pedestrian connectivity in accordance with the Open Space and Pedestrian Masterplan for Precinct 1. Council's Property Management

Agents are in continuing negotiations with property owners in the identified area and are confident that a number of acquisition opportunities will arise in the near future.

1.2.3. Cycleways and streetscape upgrades

Rollout of the Integrated Cycling Strategy is progressing apace with plans prepared for a cycleway on Oxley St and Clarke St in Precinct 1.

Planning for a general upgrade of the public domain, including bringing paving, lighting and street trees up to standard, is underway including for the blocks bounded by the Pacific Highway, Albany Street, Oxley Street and Clarke Street. This is being undertaken in the expectation that redevelopment will occur on many sites in the precinct as envisaged by the St Leonards/Crows Nest Planning Study. The redevelopment of private land is the optimal time to undertake such upgrades.

1.2.4. Amendments to DCP2013

In February 2014 Council adopted an amendment to North Sydney Development Control Plan 2013 (NSDCP 2013). In particular, the DCP was amended to include provisions for increased setbacks and site specific podium heights at locations identified by the St Leonards/Crows Nest Planning Study - Precinct 1.

The amendment ensures that more detailed built form requirements envisaged by the adopted planning study are achieved, regardless of whether a particular site is the subject of a site specific Planning Proposal and VPA.

2. Precincts 2 and 3

Following public exhibition in late 2014 and early 2015 the St Leonards / Crows Nest Planning Study - Precincts 2 & 3 was formally adopted by Council on 18 May 2015. The adopted study aims to:

- Establish a liveable, high amenity mixed use centre;
- Support creative/innovative industries establish and grow;
- Improve urban design and street level amenity;
- Improve building design and residential amenity; and
- Increase investment in St Leonards.

The adopted St Leonards / Crows Nest Planning Study - Precincts 2 & 3 is being implemented via the following strategies:

- Landowner initiated changes to local planning provisions; and
- Initiatives and works undertaken by Council.

2.1. Implementation - Landowner initiated changes to local planning provisions

Since adoption of the final study Council staff have commenced negotiations with developers and property owners on Planning Proposals that facilitate the built form outcomes endorsed by the study. The Planning Proposal negotiations seek to facilitate the following public benefits by way of Voluntary Planning Agreements (VPAs):

- Upgrade of Christie Street Reserve and Mitchell Street Plaza;
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- Creation of new, landscaped ‘linear parks’ along Mitchell St and Oxley Streets;
- Provision of a multi-purpose art centre and 60-place long day childcare facility;
- Provision of affordable commercial space for start-up businesses;
- Provision of affordable housing.

It is anticipated that a number of consolidated sites will be in a position to lodge Planning Proposals consistent with the adopted study in the short- to medium-term.

2.1.1. Auswin Planning Proposal

In January 2015, Auswin TWT lodged a Pre-Gateway review of a planning proposal for their landholding at 75-89 Chandos St, 23-35 and 58-62 Atchison St, with the Department of Planning & Environment (the ‘Department’). The proposal seeks, in part, to increase the height limit to enable up to an estimated 35 and 55 storey mixed use towers - significantly exceeding what is available under the adopted St Leonards / Crows Nest Planning Study - Precincts 2 & 3.

On 22 June 2015, Council resolved to request Auswin withdraw the Pre-Gateway review and propose a masterplanning process be undertaken in line with the Study. The letter was sent on 29 June 2015.

The Pre-Gateway Review will soon be entering its 8th month. Council staff have recently been advised by the Department that the matter is still ‘under consideration’, however, it is not in a position to advise Council as to when a decision will be made.

Auswin has yet to respond to Council’s letter.

2.2. Implementation - Initiatives and works undertaken by Council

The adopted study identifies a range of initiatives and works to be undertaken by Council including:

- A suite of streetscape improvements under the Public Domain Style Guide;
- Transform St Leonards into a transit oriented centre by downgrading the traffic role of Atchison, Mitchell and Oxley Streets and installing new bike paths and infrastructure;
- Install pedestrian crossings, and traffic lights over time, on key intersections;
- Investigate establishing a dedicated taxi rank near the station;
- Promote innovative on-site parking arrangements that reduce the demand for parking;
- Target small-medium businesses and creative industries;
- Actively promote St Leonards as a place to do business;
- New ground level, whole building and above podium setbacks to improve built form;
- Set design principles to encourage tall, slender towers with good separation;
- Design to be considered upfront by referring schemes to the Design Excellence Panel.

2.2.1. Cycleways and streetscape upgrades

Rollout of the Integrated Cycling Strategy is progressing apace with plans prepared for cycleways on Atchison St and Oxley St in Precinct 2/3.

Planning for a general upgrade of the public domain, including bringing paving, lighting and street trees up to standard, is underway on most streets within Precinct 2. This is being undertaken in the expectation that redevelopment will occur on many sites in the precinct as envisaged by the St Leonards/Crows Nest Planning Study. The redevelopment of private land is the optimal time to undertake such upgrades.

2.2.2. Transport related DCP amendments

At its meeting on 18 May 2015, North Sydney Council resolved to place a draft amendment to North Sydney Development Control Plan 2013 (NSDCP 2013) on public exhibition. The draft amendment identifies a number of changes to planning controls for land bound by Chandos Street, Oxley Street, Albany Street and the Pacific Highway east of St Leonards railway station. The draft amendments address community concerns regarding traffic generation and its impacts on the local road network.

Specifically, the amendments will:

- Reduce maximum parking rates for new residential development;
- Strengthen travel planning requirements for new development; and
- Remove existing impediments to the provision of innovative parking schemes in new developments.

These proposed changes will help to create a St Leonards that is welcoming, interesting and safe and that prioritises walking, cycling and public transport use over the use of private vehicles.

These amendments were placed on public exhibition from 16 July 2015 to 14 August 2015. Following consideration of submissions this matter will be reported to Council.

3. Precinct 4

On 4 June 2015, the NSW Government released a high level project overview of the Sydney Metro City and Southwest. The project is planned to connect the north-west sector at Rouse Hill with the Bankstown line via the city and a second underground crossing of the harbour. Within North Sydney, there are new stations being explored at St Leonards/Crows Nest and the North Sydney centre (at Victoria Cross), however, their exact location is yet to be determined.

Transport for NSW has stated that it expects design of the project to have been progressed sufficiently to obtain required approvals in 2016 and that construction is anticipated to commence in 2017 with operations commencing in 2024.

The planning study of Precinct 4 may be heavily influenced by a St Leonards / Crows Nest Metro station, which may be located within, or in the vicinity of, Precinct 4. The location as well as the capacity and design of a new station will have implications for urban design and built form within the Precinct. Council also has not been informed of whether a new station will be accompanied by an expectation for increased residential or employment densities.

It is considered prudent to commence work on the planning study of Precinct 4 only once the location of a new St Leonards / Crows Nest metro station has been announced by TfNSW.

Council's resourcing of the preparation of a planning study for Precinct 4 will only be deployed after a commitment is made to a specific location and timing of construction of a new Metro station by the NSW Government. In recognition of the time and resourcing required for the preparation of a robust and consultative planning study, a commitment to the preparation of such work needs to be well informed and on the basis of certainty. Given that the major catalyst for change in this precinct is a new Metro station, such infrastructure delivery needs to be very clearly defined with a high level of confidence around its timing and delivery.

It is important that given the high level of expectation amongst some local landowners, that this be clearly articulated.
