

Our ref 19016

7 February 2019

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

Dear Sir/Madam

RE: draft 2036 Plan for St Leonards/Crows Nest

We refer to the above and provide the following comments on the draft Plan on behalf of our client, the owner of No 53 Hume Street Crows Nest – Boating Industry Association Ltd (BIA). The subject land is directly affected by the proposed changes to Hume Park detailed in the draft Plan as it has been earmarked for acquisition (see **Figure 1**). The site is one lot back from the northern side of the ‘Council proposed’ open space (shown as green with white dots)



Source – draft St Leonards Crows Nest 2036 Plan

Figure 1 – Location of No 53 Hume Street relative to proposed Hume Park Expansion

As detailed in the following photograph, the site contains a substantial commercial building and as such, a significant uplift in development potential is required in order to make redevelopment viable.



Figure 2 – Photo of site and properties to the south

In Council's study of the precinct which preceded the draft Plan (St Leonards / Crows Nest Planning Study – Precinct 1, adopted Dec 2011), the scope of the park was smaller and affected a smaller amount of properties (shown by white dots on **Figure 1**). This plan provided a link between the existing park and Willoughby Road, requiring the acquisition of 49-53 Hume Street and also 98 Willoughby Road. However, the Addendum to this study adopted October 2012, alter this to 45-51 Hume Street and also 90-92 Willoughby Road as this provided a better transition in levels.

In 2015 Council exhibited design options for the expansion of the park and Option 3 was chosen by Council as its preferred option on 21 September 2015 (see **Figure 3**).

Council has progressed this matter and ultimately 43-49 Hume Street and 90-92 Willoughby Road have been rezoned as RE1 Public Recreation. A DA for the demolition of the buildings on these properties and a construction of temporary plaza has been approved and work will commence this year.

As part of the Council Study, it was proposed to allow an additional 3 storeys of height on the Hume Street properties not affected by the park expansion. With other

properties that face it are used for servicing. These areas are unsightly as car parking, loading facilities and garbage areas dominate. The movement of large vehicles within this area is contrary to the proposed public park usage. This is highly unlikely to change as there is minimal potential for redevelopment as the applicable height and FSR controls are to remain low. In any event, servicing areas are required even if redevelopment occurs and the indicated 'dual frontage' potential is unrealistic.

As noted below the reduction of development potential on land adjoining the park would also result in poorer urban design outcomes.

Acquisition costs

As the subject site and other properties have already been earmarked for higher density, any acquisition will have to meet the expected value of the land. This would also be the case if compulsory acquisition was used. This will add significantly to the overall cost of an expanded park.

The draft plan also indicated potential for further Willoughby Road properties to be acquired to allow additional pathways to this main shopping street. This would also add significantly to the overall costs of the park. It will not be possible to provide these links through redevelopment as there is no change proposed to the existing development controls.

Given the above it is unlikely that the contributions set aside in the proposed SIC will cover the cost of the required works and acquisition. Also, Council advise that they do not have the funds to undertake the full scope of their own more limited proposal, so overall there is a very significant funding shortfall.

Impact on viability of redevelopment

The remaining sites that are not proposed to be acquired are now much smaller. With significant buildings already on them and as the draft Plan does not adopt the additional development potential indicated in Council's Study, it is highly unlikely that redevelopment will be viable. If the properties adjoining the park are unable to be redeveloped, this will significantly inhibit the ability to provide a high quality interface and activation.

Further, the inability for Council to negotiate Planning Agreements on the Hume Street properties (because of the additional acquisitions and lack of change to the controls) means that the ability to fund the new park are significantly reduced.

Conclusion

The BIA is strongly opposed to the proposed expansion of Hume Park and the proposed acquisition of their property.

The BIA is a not-for-profit Association that provides a forum to discuss industry needs, problems and solutions and serves as the representative of the industry to Federal, State and Local Government departments and agencies, as well as other industry bodies, corporate interests, allied organisations, media and the general public. The subject land is a significant asset of the Association and is strategically and centrally located to

the members of the association. It had been counting on the ability to lodge a Planning Proposal for additional height and FSR, as have many other land owners in the area.

The BIA acquired 53 Hume Street in 2002 has occupied the building since then. It is an important part of the local business community. It wishes to stay part of that community but forced acquisition would be likely to result in the need to relocate due to the higher cost of new commercial space.

As discussed above the proposed expansion of the park will also have significant adverse impacts on the viability and urban design outcomes of the Council own proposal that is already well advanced.

On this basis we request that the draft Plan be amended to be fully consistent with the Council's proposed expansion of the park (ie that only 43-49 Hume Street form part of the park) and that the height and FSR maps be amended to provide the additional 3 storeys noted for Hume Street properties, consistent with Council's study.

Please do not hesitate to contact the undersigned should you wish to discuss.

Yours faithfully



Brett Brown, Director
INGHAM PLANNING PTY LTD