

7<sup>th</sup> February 2019

NSW Department of Planning and Environment,  
320 Pitt Street  
Sydney NSW 2000

To whom it may concern,

I am an owner of the property 17 Hume Street, which is in close proximity (less than 100m) from the new Crows Nest Station. The development of this great transport hub will enable the area to transform into a hub for people to live, work and visit. The many studies undertaken in recent years have now all been condensed in the Draft St Leonards and Crows Nest 2036 Plan (**Draft 2036 Plan**), with the overarching goal to transform the Precinct over the next two decades into a business, leisure and residential hub.

The current Draft 2036 Plan however has some inconsistencies in addressing the core elements and principles of what it actually aims to achieve. With this submission I would like to highlight these areas and the disadvantages that I, other owners of our block (17 Hume Street) and the owners of 25 Nicholson Street currently experience should the Draft 2036 Plan not be amended.

#### Background on Location, Amalgamation and Urban Design Study

- The property is part of a strata plan of six (6) owners at 17 Hume Street, less than 100m south of the station. The Draft 2036 Plan proposes a 1.6 FSR and a building height limit of 4 storeys.
- The owners of our block and the neighbouring property of 25 Nicholson Street (**the Site**) have a signed Memorandum of Understanding (**MOU**) in place, which amalgamates the total land size to ~950 sqm . Further discussions with 23 and 21 Nicholson Street to be included in the amalgamation are underway, which could increase the land size to ~1,600 sqm. This could allow for a transformation of the area with large-scale built forms in line with the vision of the Draft 2036 Plan.
- Due to the missing analysis on solar access impacts for our site in the Draft 2036 Plan, the owners of the Site have commissioned an independent urban design consultancy, e8Urban, at our own cost to undertake a full Urban Design Study, including a solar access analysis. This study was presented in a draft form to Ms Klaic and Ms Johnston at the Department of Planning and Environment at the Pitt Street offices on 14<sup>th</sup> December 2018. Subsequently, the final version has now also been submitted separately on behalf of the owners of the amalgamated Site. In regard to solar access, the analysis concludes: “[the diagram] highlights that if development goes ahead on land around the Site it would severely compromise the

solar access the existing properties on the Site have, with a majority of the private open space receiving less than an hour of solar access at mid-winter.

This is simply not acceptable. It devalues my/our property, diminishes solar access and privacy and is non-compliant with North Sydney Council's Development Control Plan 2013.

Draft 2036 Plan and Draft Local Character Plan –  
Guiding principles and key goals that were not addressed:

1. “[The Draft 2036 Plan will] consider cumulative impacts of new developments on existing areas, including overshadowing, wind impacts and view loss” (p11) – The combined site will be significantly overshadowed by the 27 storey and 18 storey buildings to the North-East. The e8Urban planning solar access study showed that the Site will receive less than 1 hour of sunlight in the middle of winter, which is not compliant with North Sydney Council's Development Control Plan 2013.
2. “[The Draft 2036 Plan is] proposing gradual height changes from higher density to lower density areas” (p22). There are 18 storeys proposed along the Pacific Highway to 4 storeys on our Site. This is not a ‘gradual height change’.
3. “[The Draft 2036 Plan will] manage overshadowing of residential areas to the south of the highway with height transitions and building separation” (p23) - 18 storeys to 4 storeys is not a ‘gradual height change’. The Site will be significantly overshadowed by the 18 storey building to the North.
4. The Draft Local Character Statement includes a number of “Guiding Principles” (p 28) “Concentrate taller buildings and higher densities around St Leonards Core and along the Pacific Highway” – The Site is immediately adjacent to the Pacific Highway, separated only by a narrow lane. It is in a radius of less than 100m from the Station, yet it has only received a 1.6 FSR in the Draft Plan.

In the Draft 2036 Plan, our land has been given a 1.6 FSR and an uplift to 4 storeys. This is the lowest uplift in the study area, despite being one of the closest properties to the station and a corner block with three (3) public street frontages. This Site would allow for more significant built forms and can address the Draft 2036 Plans' Principles, if the FSR was increased to a ratio closer to that of the directly adjacent Pacific Highway properties (FSR of 5.5).

The impact to surrounding areas would be minimal as the development of up to 10 storeys on our Site would fall mostly within the shadows of the proposed buildings north of our Site as analysed in the e8Urban, separately submitted to the DPE on behalf of all owner of the Site.

### Devalue of our land under proposed controls

The owners of the Site have enquired with industry leading developers to gauge opportunities for the Site and the contribution it would make for the Crows Nest area. Under the Draft 2036 Plan and the proposed controls a development would not be commercially viable.

This means that our land would be devalued and would currently be worth more than under the proposed controls.

This also means that it results in the opposite of what the Draft 2036 Plan aims to achieve: Transformation of the Precinct and significant growth around the new station.

### Conclusion

The Draft 2036 Plan and currently proposed controls for our Site do not align with many of the guiding principles as outlined above. I am most concerned that the 20 year transformation of the Precinct has shortfalls in its proposal in regards to building controls and it will not deliver to its full potential. To my biggest concern, the shortfalls will be at the cost of owners like myself who's position and land value will diminish through the proposal.

I would therefore like to recommend an adjustment of the FSR to at least 4:1 and a height of at a minimum of 10 storeys, which would allow for a development well within the framework of the Draft 2036 Plan.

The Site has further significant development potential and could be investigated further to maximise opportunities for the Precinct.

Thank you for allowing the public and owners like myself to submit my opinion about this great transformation of Crows Nest.

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