

## DECISION OF 3684<sup>th</sup> COUNCIL MEETING HELD ON 19 SEPTEMBER 2016

### 1. **CiS01: Hume Street Park – Planning Proposal to amend NSLEP 2013 and Draft DCP 2013 Amendment**

Report of Mark Yee, Strategic Planner

On 7 December 2015, Council resolved to support a Planning Proposal which seeks to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) to facilitate the redevelopment and expansion of Hume Street Park. In particular, the Planning Proposal seeks to:

- Rezone the entire site to RE1 Public Recreation;
- Introduce recreation facilities (indoor), child care centres, health consulting rooms, entertainment facilities, business premises, retail premises, and car parks as site specific uses via Schedule 1 of NSLEP 2013 (Clause 11);
- Remove height controls from the site on the Building Height Control Map;
- Remove non-residential floor space ratio controls from the site on the Non-Residential Floor Space Ratio Range Map;
- Identify the site at 90 Willoughby Road (Lot11 Sec4 DP2872) on the Land Reservation Acquisition Map;
- Classify the land (with the exception of 90 Willoughby Road) as 'operational' in accordance with Part 2 of Chapter 6 of the Local Government Act 1993 by listing the subject site within Part 2 of Schedule 4 of NSLEP2013.

Council also resolved to exhibit amendments to North Sydney Development Control Plan 2013 (NSDCP 2013) to identify and facilitate the expansion of Hume Street Park and protect its future function as high amenity open space.

The Planning Proposal and amendments to NSDCP 2013 seek to allow the concept design for the redevelopment of the site as endorsed by Council on 21 September 2015 to increase open space, create a new urban plaza, provide a pedestrian link from the site to Willoughby Road and develop a modern community facility. The expansion and redevelopment of Hume Street Park was identified as a key outcome of the St Leonards/ Crows Nest Planning Study - Precinct 1 (2012).

The Planning Proposal and amendments to NSDCP 2013 were placed on public exhibition from 7 July 2016 to 4 August 2016. Seven (7) submissions were received during the exhibition period. Seven submissions were received during the exhibition period. Those that objected (five) raised issues with compulsory acquisition, noise associated with construction and objection to basketball facilities being included in the new facility. These are discussed in detail in the body of the report. No changes to the Planning Proposal are recommended as a result of submissions received.

Part of the Planning Proposal includes classifying the whole of the site as 'operational' land. When reclassifying land, a public hearing is required to be undertaken in accordance with section 29 of the Local Government Act 1993. The public hearing was held on 11 August 2016, and was chaired by an independent facilitator in accordance with section 47G of the *Local Government Act, 1993*. The report recommended that additional provisions be added to Council's LEP and DCP to secure the intent for the land and remove potential doubt for its future use.

In response to these findings, the Planning Proposal and draft DCP amendment should be amended. Given that the amendments provide more development restrictions consistent with the development intent and do not represent any increased impact to surrounding properties, re-exhibition of both the Planning Proposal and draft DCP is not considered necessary.

It is recommended that Council adopt the Planning Proposal and amendments to NSDCP 2013.

Identification of 90 Willoughby Road on the Land Reservation Acquisition map may trigger acquisition obligations. Council has been negotiating Voluntary Planning Agreements, consistent with expectations within St Leonards / Crows Nest Planning

Study - Precinct 1, to finance this acquisition. As such the financial implications have been considered.

**Recommending:**

**1. THAT** having completed the community consultation requirements outlined in the Gateway Determination, Council forward the amended Planning Proposal (Attachment 1) to the Department of Planning and Environment with a request that a Local Environmental Plan be made in accordance with section 59 of the Environmental Planning and Assessment Act 1979, to give effect to the Planning Proposal.

**2. THAT** Council adopts the amendments to North Sydney Development Control Plan 2013 forming Attachment 2 to this report.

**3. THAT** in accordance with clause 21 of the Environmental Planning and Assessment Regulation 2000, public notice of the adoption of the amendments to North Sydney Development Control Plan 2013 be given.

**4.THAT** in accordance with Clause 25AB of the Environmental Planning and Assessment Regulation 2000, a copy of the adopted amendments to North Sydney Development Control Plan 2013, along with this Council report and resolution be forwarded to the Director General of the Department of Planning and Environment.

Mr Argus, Mr Kulak and Mr Ng addressed Council

At 7.48pm Crs Beregi, Barbour and Marchandeanu left the meeting.

The meeting lapsed for want of a quorum.

At 7.49pm Cr Marchandeanu returned and the meeting recommenced with a quorum.

At 7.50pm Cr Barbour returned to the meeting and Cr Clare left the meeting.

At 7.51pm Cr Beregi returned to the meeting.

At 7.53pm Cr Clare returned to the meeting.

The Motion was moved by Councillor Baker and seconded by Councillor Marchandeanu

Voting was as follows:

For/Against 8/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Absent		Barbour	Y	
Clare	Y		Morris	Absent	
Baker	Y		Marchandeanu	Y	
Carr	Y		Bevan	Y	

**RESOLVED:**

**1. THAT** having completed the community consultation requirements outlined in the Gateway Determination, Council forward the amended Planning Proposal (Attachment 1) to the Department of Planning and Environment with a request that a Local Environmental Plan be made in accordance with section 59 of the Environmental Planning and Assessment Act 1979, to give effect to the Planning Proposal.

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**Report to General Manager**

Attachments:

1. Planning Proposal – Hume Street Park
2. North Sydney Development Control Plan – Proposed amendment
3. Public Hearing Report

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**SUBJECT:** Hume Street Park – Planning Proposal to amend NSLEP 2013 and Draft DCP 2013 Amendment

**AUTHOR:** Mark Yee, Strategic Planner

**ENDORSED BY:** Joseph Hill, Director City Strategy

**EXECUTIVE SUMMARY:**

On 7 December 2015, Council resolved to support a Planning Proposal which seeks to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) to facilitate the redevelopment and expansion of Hume Street Park. In particular, the Planning Proposal seeks to:

- Rezone the entire site to RE1 Public Recreation;
- Introduce recreation facilities (indoor), child care centres, health consulting rooms, entertainment facilities, business premises, retail premises, and car parks as site specific uses via Schedule 1 of NSLEP 2013 (Clause 11);
- Remove height controls from the site on the Building Height Control Map;
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- Identify the site at 90 Willoughby Road (Lot11 Sec4 DP2872) on the Land Reservation Acquisition Map;
- Classify the land (with the exception of 90 Willoughby Road) as ‘operational’ in accordance with Part 2 of Chapter 6 of the Local Government Act 1993 by listing the subject site within Part 2 of Schedule 4 of NSLEP2013.

Council also resolved to exhibit amendments to North Sydney Development Control Plan 2013 (NSDCP 2013) to identify and facilitate the expansion of Hume Street Park and protect its future function as high amenity open space.

The Planning Proposal and amendments to NSDCP 2013 seek to allow the concept design for the redevelopment of the site as endorsed by Council on 21 September 2015 to increase open space, create a new urban plaza, provide a pedestrian link from the site to Willoughby Road and develop a modern community facility. The expansion and redevelopment of Hume Street Park was identified as a key outcome of the St Leonards/ Crows Nest Planning Study - Precinct 1 (2012).

The Planning Proposal and amendments to NSDCP 2013 were placed on public exhibition from 7 July 2016 to 4 August 2016. Seven (7) submissions were received during the exhibition period. Seven submissions were received during the exhibition period. Those that objected

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(five) raised issues with compulsory acquisition, noise associated with construction and objection to basketball facilities being included in the new facility. These are discussed in detail in the body of the report. No changes to the Planning Proposal are recommended as a result of submissions received.

Part of the Planning Proposal includes classifying the whole of the site as ‘operational’ land. When reclassifying land, a public hearing is required to be undertaken in accordance with section 29 of the Local Government Act 1993. The public hearing was held on 11 August 2016, and was chaired by an independent facilitator in accordance with section 47G of the *Local Government Act, 1993*. The report recommended that additional provisions be added to Council’s LEP and DCP to secure the intent for the land and remove potential doubt for its future use.

In response to these findings, the Planning Proposal and draft DCP amendment should be amended. Given that the amendments provide more development restrictions consistent with the development intent and do not represent any increased impact to surrounding properties, re-exhibition of both the Planning Proposal and draft DCP is not considered necessary.

It is recommended that Council adopt the Planning Proposal and amendments to NSDCP 2013.

#### **FINANCIAL IMPLICATIONS:**

Identification of 90 Willoughby Road on the Land Reservation Acquisition map may trigger acquisition obligations. Council has been negotiating Voluntary Planning Agreements, consistent with expectations within St Leonards / Crows Nest Planning Study - Precinct 1, to finance this acquisition. As such the financial implications have been considered.

#### **RECOMMENDATION:**

- 1. THAT** having completed the community consultation requirements outlined in the Gateway Determination, Council forward the amended Planning Proposal (Attachment 1) to the Department of Planning and Environment with a request that a Local Environmental Plan be made in accordance with section 59 of the Environmental Planning and Assessment Act 1979, to give effect to the Planning Proposal.
  - 2. THAT** Council adopts the amendments to North Sydney Development Control Plan 2013 forming Attachment 2 to this report.
  - 3. THAT** in accordance with clause 21 of the Environmental Planning and Assessment Regulation 2000, public notice of the adoption of the amendments to North Sydney Development Control Plan 2013 be given.
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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: 2.3 Vibrant, connected and well maintained streetscapes and villages that build a sense of community

**BACKGROUND**

The St Leonards/Crows Nest Planning Study - Precinct 1 (“the Study”) was adopted by Council on 22 October 2012. The Study identified opportunities for improved urban design outcomes in this precinct whilst accommodating managed increases in height and density. An important component of the Study was the Open Space and Pedestrian Masterplan and a Built Form Masterplan that together provided 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.



*Figure 1 – Image from St Leonards/Crows Nest Planning Study - Precinct 1 showing the concept of an expanded Hume Street Park*

In August 2014, Council resolved to engage Tonkin Zulaikha Greer (TZG) and James Mather Delaney Design (JMD) to lead a consultancy team for the concept and feasibility planning for the expansion of the park. TZG+JMD came up with three concept design options. Consistent with the St Leonards / Crows Nest Planning Study – Precinct 1, the three concept design options all involve the partial closure of Hume Street and the creation of a new urban plaza and link to

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Willoughby Road. Concept design options 1 and 2 proposed different locations for a relocated Kelly's Place Children's Centre but each included over 3000m<sup>2</sup> of additional open space (over 6,000m<sup>2</sup> in total). Concept design option 3 represented a whole of block redevelopment outcome that includes over 5,000m<sup>2</sup> of new open space (over 8,000m<sup>2</sup> in total).

At its meeting on 18 May 2015, North Sydney Council resolved to exhibit the draft Hume Street Park concept design options including all four volumes of TZG+JMD work. The concept design options were placed on public exhibition from Thursday 11 June 2015 to Friday 10 July 2015. A wide-ranging consultation exercise was undertaken with key stakeholders.

On 21 September 2015, Council considered a post-exhibition report which included an analysis of public submissions. Council resolved:

*THAT Council adopt concept design option 3 as the preferred vision for the expansion of Hume Street Park.*

*THAT a Planning Proposal and accompanying Development Control Plan amendment be prepared and reported to Council to ensure the planning framework enables the development of concept design option 3.*

*THAT Council proceed with design to Development Application stage for concept design option 3 taking into consideration input from Northern Suburbs Basketball Association.*

*THAT the detailed design of the underground space mooted for the underground cinema in concept design option 3 be deferred pending the outcomes of recommendations 5 & 6 below.*

*THAT Council seek expressions of interest from potential cinema operators to test the market in relation to the proposed cinema.*

*THAT the outcomes of the EOI process for the cinema, together with the alternate options for a fifth court be reported to council for a determination on the preferred use of the underground space, prior to proceeding with detailed design for this component.*

*THAT temporary relocation options for North Sydney Indoor Sports Centre activities be investigated including opportunities associated with the redevelopment of other Council owned sites.*

*THAT the Northern Suburbs Basketball Association be consulted on all matters relating to the capacity of proposed facilities and relocation options.*

*THAT subject to necessary approvals being obtained, progressive implementation of the works generally proceed in line with the staging and funding plan as exhibited.*

In accordance with above resolution, a Planning Proposal and accompanying Development Control Plan amendment was prepared to ensure that the planning framework enables the development of concept design Option 3 (see figure 2,3 and 4). On 7 December 2015, Council resolved to support the Planning Proposal and amendments to North Sydney Development Control Plan 2013.

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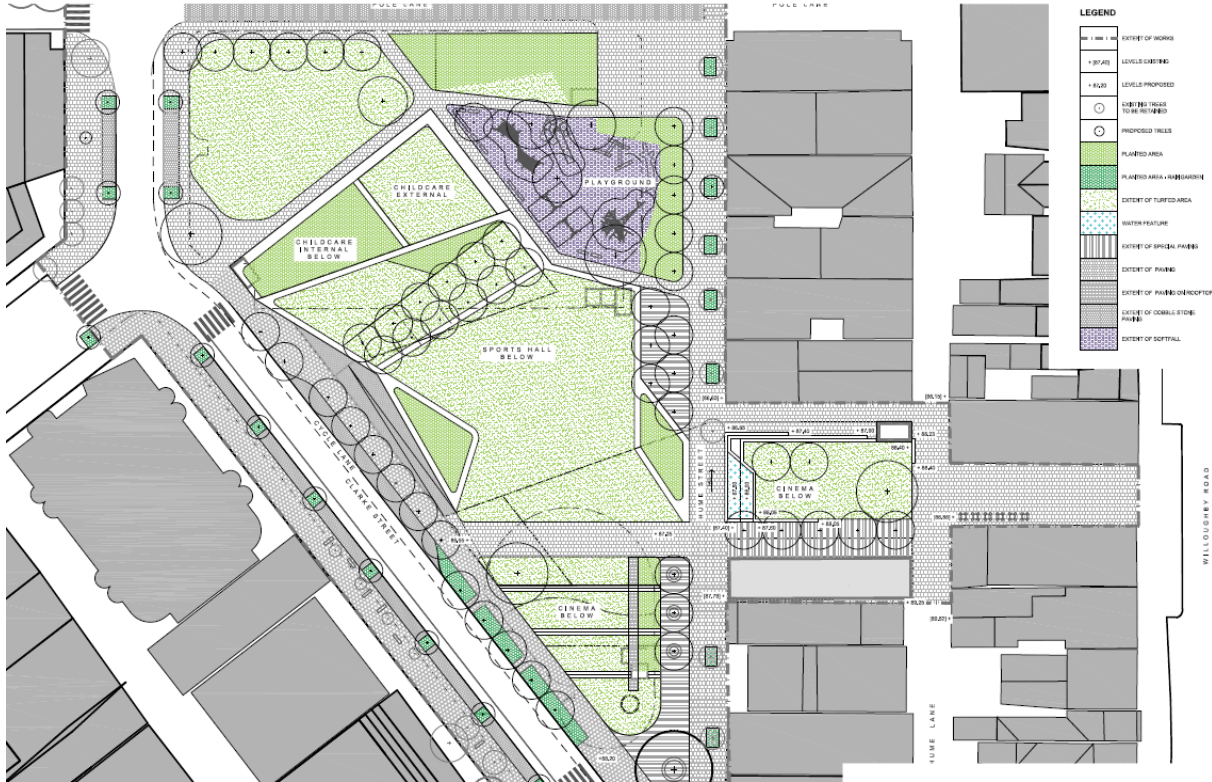


Figure 2 – Adopted concept design landscape plan



Figure 3 – Adopted concept design (option 3) perspective from cnr of Clarke St and Hume St



*Figure 4 – Adopted concept design (option 3) perspective from cnr of Oxley St and Pole Ln*

## **CONSULTATION REQUIREMENTS**

Community engagement has been undertaken in accordance with Council’s Community Engagement Protocol and the requirements of the Gateway Determination.

## **SUSTAINABILITY STATEMENT**

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

## **DETAIL**

### **1. Gateway Determination**

A Gateway Determination was received on 20 April 2016, permitting the Planning Proposal to proceed to public exhibition.

Seven (7) conditions were imposed on the Gateway Determination, each of which are addressed in the following subsections.

#### **Condition 1**

Condition 1 required that prior to undertaking public exhibition, consultation was required to be undertaken with:

- Transport for NSW - Sydney Metro;
- Transport for NSW - Sydney Trains;



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- Transport for NSW - Roads and Maritime Services;
  - Lane Cove Council; and
  - Willoughby City Council

Consultation was accordingly undertaken with the above authorities in accordance with this condition.

### **Condition 2**

Condition 2 required that the Planning Proposal is to be amended to reflect the above condition and a copy provided to the Director, Sydney Region East prior to community consultation under sections 56(2Xc) and 57 of the Act being undertaken.

One (1) submission was received from Roads and Maritime Services (RMS) which requested that the following issues be addressed and included in the public exhibition of the Planning Proposal:

- 1. That the exhibited material is to be supported by a Transport/ Traffic report which examines and minimises any impacts to surrounding road/ transport infrastructure, transport services, pedestrians and cyclists as a result of the full development potential that this site could generate under the proposed planning control changes to NSLEP 2013.*

*In addition, the abovementioned Transport/ Traffic report must also provide details on the following:*

- *How this proposal would be effectively integrated with the existing and any planned future walking/ cycling/ transport networks.*
- *Demonstrating how this proposal would ensure that there would be no net increase in AM/ PM peak hour traffic generation above the existing site generation, given the existing constraints on surrounding road network.*
- *The need to identify infrastructure upgrades/ improvements (including their mechanisms and timing for implementation) to accommodate/ support the full development potential of the site.*

The Planning Proposal will facilitate the significant embellishment of Hume Street Park and improved access and permeability to and from Willoughby Road. The significant planning and consultation work that has occurred in this precinct is predicated on accommodating growth and reinforcing and further encouraging public transport patronage and reduced reliance on private motor vehicles.

The Department of Planning and Environment as well as Transport for NSW were previously been made aware of Council's intentions regarding Hume Street Park. The site is highly accessible to existing public transport services and will be located opposite an entrance for the planned Crows Nest Metro Station. The upgrade and expansion of Hume Street Park was seen as an essential function to maintain amenity and sustain the future growth identified and planned for the precinct.

Upgrading and improving Council facilities and increasing open space on the site will only encourage greater usage of public transport and will complement the planned metro station at Crows Nest. The design and consultation work associated with the upgrade of Hume Street Park

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included consideration of walking, cycling and public transport.

The proposed link from the expanded park to Willoughby Road will form an important connection from the new station to Willoughby Road and will overall improve pedestrian amenity in the area. Council will therefore continue its approach to planning for growth and associated public benefits in areas which are well serviced by public transport and other services.

In the context of this Planning Proposal merely seeking to facilitate an improved open space and pedestrian outcome, Council staff determined that the requested additional information is considered unnecessary and superfluous at this stage of the planning process.

Details regarding traffic management will be further considered at the development assessment stage of the process.

It is also noted that Council has prepared a Masterplan in anticipation of the Crows Nest Metro Station which emphasises pedestrian and cycling connections over car based travel and infrastructure. It should be further noted that the site currently accommodates 345 car parking spaces in the form of a public carpark

### **Condition 3**

Condition 3 required that prior to finalisation, the Planning Proposal is to be amended to demonstrate consistency with any available findings of the St Leonards planning review work being undertaken by the Department.

After the commencement of the public exhibition of the Planning Proposal, the DPE announced the identification of the St Leonards / Crows Nest Priority Precinct. No studies have been completed or released and accordingly this condition has not required the amendment of the Planning Proposal at this point in time.

### **Condition 4**

Condition 4 required Community consultation is required under sections 56(2Xc) and 57 of the Act as follows:

- a) the planning proposal must be made publicly available for a minimum of 28 days;
- b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2013); and
- c) write to landowners affected by the acquisition and reclassification of land.

The Planning Proposal was placed on public exhibition from 7 July 2016 to 4 August 2016, which results in the Planning Proposal being exhibited for a minimum of 28 days in accordance in section 5.5.2 of 'A Guide to Preparing LEPs' (Department of Planning and Environment 2013).

All landowners and affected properties were notified of the public exhibition, including the landowners affected by the acquisition and reclassification of land.

### **Condition 5**

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This condition required that consultation be undertaken with the Office of Environment and Heritage under section 56(2Xd) of the Act and given at least 21 days to comment on the proposal.

Correspondence was received from the Office of Environment and Heritage, which raised no objection to the Planning Proposal.

#### **Condition 6**

A public hearing is not required to be held into the under section 56(2Xe) of the Act.

A public hearing was undertaken in accordance with section 29 of the Local Government Act 1993 to address the issue of reclassification of land. Details of this Public Hearing are discussed in Section 3 of this report.

#### **Condition 7**

This condition outlined that the timeframe for completing the Local Environmental Plan is to be 18 months from the week following the date of the Gateway determination. The progression of the Planning Proposal is currently well within this timeframe.

## **2. SUBMISSIONS**

Seven (7) submissions were received during the exhibition period as follows:

- Three (3) submissions raised objections to the Planning Proposal. One (1) submission was received from the owner of the 90 Willoughby Road, which was identified to be rezoned and included for compulsory acquisition under the Planning Proposal.
- Two (2) submissions were received from the tenants of this property who also objected to the acquisition of the property and the potential loss of the site of their business.
- One (1) submission was received from a local business which raised concern regarding noise during the construction of the development.
- One (1) submission was received from Holtermann Precinct which supported the proposed redevelopment and the Planning Proposal.
- One (1) submission was received from a local resident which supported the Planning Proposal but did not support the provision of additional basketball courts in the redeveloped facility.
- One (1) submission was received which fully supported the Planning Proposal on the grounds that an indoor sports facility would take the pressure off existing suburban parks.

Details of these submissions are discussed in the sections below.

#### **Submission 1**

A submission was received from the owner of 90 Willoughby Road, Crows Nest, whose site is included as part of the Planning Proposal.

Part of the Planning Proposal includes rezoning their site from B4 Mixed Use to RE1 Public Recreation which is also identified for compulsory acquisition. Council is seeking to acquire this site to allow the provision of the pedestrian link from the Hume Street Park to Willoughby Road.

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The submitter raised several objections to the Planning Proposal which are outlined below.

1. The proposal to provide access to Hume Street Park development from Willoughby Road is misconceived.

*i) The proposal would adversely affect the Willoughby Road streetscape*

The submitter stated that the demolition properties identified for acquisition will destroy the Willoughby Road streetscape by creating an eyesore and a gap in the street environment.

All properties identified for acquisition are in the middle of the block of shops, which is bounded by Willoughby Road, Hume Lane, Albany Street and Clarke Street. This part of the street was developed with tree planters and with tables to be used by customers of the shops.

*ii) Access through Hume Lane is not desirable and would create safety issues*

The submitter highlighted that Hume Lane is currently used as a vehicle thoroughfare and if it used for pedestrian access to Hume Street Park, it will pose danger for these pedestrians. The submitter stated that Hume Lane is narrow, unlit, amongst rubbish bins and other material often left in the lane.

The submitter highlighted that Hume Lane is currently used for supplying shops facing Willoughby Road and for vehicular access to the rear of these properties. It was further stated that deliveries from Willoughby Road would not be possible given the present layout of the street and would not be desirable, could be dangerous, obstructive to traffic and may be prohibited. There is presently sufficient and safe access to Hume Street Park from existing streets.

***Council Comment***

The proposed link from the subject site to Willoughby Road was identified as a key outcome of the St Leonards/ Crows Nest Planning Study – Precinct 1. The demolition of 90 Willoughby Road is seen as a necessary step to provide this public link and the benefit which the link provides is considered to negate any change to the streetscape on Willoughby Road.

The current accessibility and function of the Hume Lane will remain under the Planning Proposal and the concept development. Vehicles will still be able to drive through Hume Lane and the lane will still be able to be utilised for deliveries and access. The proposal to provide a plaza and provide a linkage at Willoughby Road is partly aimed at promoting activation of Hume Lane.

2. The proposal to have access through 90 Willoughby Road:

*i) Is implemented in a haphazard way and by make-shift decisions.*

The submitter stated that the Planning Proposal is different to the Option 3 concept development, which adopted by Council on 21 September 2015.

The submitter is of the belief that that proposal was amended to how it is presented in the Planning Proposal, following the acquisition of a couple of inferior properties on Hume Street. The submission questioned this approach and stated that is not a conduct of business expected from Council. The submitter further notes that the Concept Development plans are professionally presented and well delineated, whilst the Planning Proposal is not of the same standard.

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*ii) The proposal is wasteful use of the ratepayers' funds.*

The submitter again states that the Planning Proposal is different to the Concept 3 material, which was adopted by Council on 21 September 2015. The submitter states that the cost and time previously required to develop these concept options is therefore wasted.

***Council Comment***

The Planning Proposal is seeking to provide the planning framework to allow implementation of the Option 3 concept development and does not provide any departures of the principles of this concept development.

This concept development identified the creation of an urban plaza on Hume Street and a link to Willoughby Road, but did not specifically commit to where it would be located or what properties may be acquired to provide this link. The Planning Proposal is the first time that Council had committed to the location of the plaza and identify a property for compulsory acquisition.

In regards to the material presented in the Planning Proposal, the images outlining the envisaged development utilise a number of images from Option 3 concept material. There are no new images which detail the concept development.

There are a number of new photos and maps in the Planning Proposal which identify the site and provide further detail regarding the context of the site. The format and presentation of these images are consistent with Council's approach for preparing Planning Proposals.

*iii) The building at 90 -92 Willoughby Road is of heritage value*

The submitter stated that they were informed by Council that the site was of heritage value during the assessment of previous application (DA 75/08). The submitter stated that they incurred additional expense when refurbishing the shopfront to comply with the Council's instructions.

***Council Comment***

The site is not listed as a heritage item of heritage significance, nor is it located within a Conservation Area or in the vicinity of a heritage listed item.

However, it is acknowledged that during the assessment of DA 75/08, Council identified that the site did have some value as one of the last remaining intact shops in this precinct with an intact timber and glass shopfront, original awning and unaltered front facade.

The applicant originally proposed the complete removal of the original shopfront and awning. Council requested the retention of some of the original fabric of the building and the application was amended to retain the existing awning and the feature highlight windows of the shopfront with new timber framed doors below. The applicant accordingly complied with this request and the application was subsequently approved.

*iv) The latest proposal is not as well positioned as it was under the original proposal*

The submission stated that the concept development detailed that the link was originally envisaged to link with a pedestrian crossing at Willoughby Road. The submitter argued that it would make a lot more sense for the pedestrian access point to be located at this location rather than their property.

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### ***Council Comment***

The submitter is referring to the material identified under the St Leonards/ Crows Nest Planning Study – Precinct 1. This study loosely identified the link to be located slightly further north on Willoughby Road and would have aligned with an existing pedestrian crossing which is located near the corner of Willoughby Road/ Holtermann Street. However, this concept material did not commit to a location or any properties to be acquired and was intended to represent a vision for the new park and connection to Willoughby Road.

Following the successful purchase of several properties on Hume Street, it was determined that the site of 90 Willoughby Road was the obvious location to provide the pedestrian link, as it aligned well with the location of the plaza and implemented the vision for the new expanded park and link.

v) *The proposal is prejudicial to the interests of our tenants.*

The submitter stated that a tenancy of the premises was established late 2015 and that the tenant spent substantial funds to establish their business.

The submitter notes that the Option 3 adopted by Council included the acquisition of 94, 96 and 98 Willoughby Road, to provide the pedestrian link. The submitter states that Council is now removing the threat on the owners of these properties and are placing it upon them and their tenants. The implementation of the Hume Street Park development proposal is "playing" with the emotions of the owners of the properties concerned.

The submitter states that changes to the proposal and the general planning by the Council is premature and should be deferred. They further note the potential Council amalgamations and argues that Council is therefore premature in taking any action until the amalgamation issue is resolved.

### ***Council Comment***

As stated earlier, as part of this project Council had not committed to the exact location of the pedestrian link and has not identified any properties to be acquired.

It is acknowledged that the compulsory acquisition of a property may cause stress to the owners and tenants of a property. Council has been in ongoing negotiations with the landowners seeking to voluntarily purchase their property and achieve an outcome which satisfies all parties. Should Council compulsorily acquire the site, any compensation will need to be negotiated between all involved parties in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

The expansion of Hume Street Park and the provision of the pedestrian link has been a priority of Council for a number of years. Planning for this project has included extensive consultation with strong support from the community. Council is well placed to implement Stage 1 of the expansion of the park and as such, Council is continuing with this project.

### **Submission 2**

A submission was received from an occupant of 90 Willoughby Road, who were opposed to the inclusion of that property on the Land Reservation Acquisition Map.

The submitter stated that they were opposed to the forced acquisition of their property as it

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would result in them losing their place of business. The submitter stated that their business was expensive to fit out and that forcing them to rebuild their business elsewhere from their own resources was not a fair and just outcome.

An additional email was received from the submitter after the exhibition period. The email further re-iterated concerns about the acquisition of the property resulting in the loss of their place of business. In particular, the submitter stated that their business was in a state of limbo as they had an existing lease on the property which they could not break.

The submitter stated that due to the existing lease, they were unable to seek a new location for their business. The submitter further stated that uncertainty regarding the acquisition and a lack of a clear timeframe for the acquisition of their property was detrimental to their business as they were unsure of whether to order stock for the upcoming Christmas period.

The submitter requested compensation from Council regarding the cost of relocating their business and the uncertainty that their business currently faces.

#### ***Council Comment***

It is acknowledged that the compulsory acquisition of a property may cause stress to the owners and tenants of a property. Council has been in ongoing negotiations with the landowners to voluntarily purchase their property and achieve an outcome which satisfies all parties.

However, should Council compulsorily acquire the site, any compensation will need to be satisfactorily negotiated between all parties in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

#### **Submission 3**

A submission was received from the other tenant of 90 Willoughby Road. The submitter stated that whilst they understood Council's intent to have the Hume St Park accessible from Willoughby Road, they did not agree that it is necessary to acquire 90 Willoughby Road to provide this link.

The submission highlighted that Hume Street Park is already accessible from Clarke Street, Hume Street and Pole Lane and has ample street frontage for pedestrian access. The submission also stated that the park will be easily accessible from Willoughby Road via nearby streets and questioned whether the proposed pathway through the property at 90 Willoughby is necessary.

The submitter also states that the proposed access through Hume Lane then to Willoughby Rd will cut off vehicle access in the middle of Hume Lane. Businesses and residences which currently park via Hume Lane will encounter major traffic and access issues as the lane is not wide enough for two directional access.

Additionally, the submitter states that if access of Hume Lane is changed, deliveries for businesses on Willoughby Road will become difficult and the impact to local businesses cannot be underestimated. Garbage collection on Hume Lane will no longer be viable as the trucks can only drive in and only exit by reversing.

It is the submitter's belief that the proposed park should not include the intrusion of Hume Lane and 90 Willoughby Road. The impact and disturbance to the local community should be kept at a minimum and argues that the pedestrian access should be considered in the future but does

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not need to be a part of the current proposal for the park.

***Council Comment***

The proposed link from the subject site to Willoughby Road was identified as a key outcome of the St Leonards/ Crows Nest Planning Study – Precinct 1. Given that all of the buildings on that portion of Willoughby Road are built to the boundary, the acquisition and demolition of 90 Willoughby Road is seen as a necessary step to provide this pedestrian link.

It is considered that the wider community benefit provided by this link would outweigh the loss of the building at the subject site. Furthermore, the link will improve pedestrian connectivity from Willoughby Road to the planned Crows Nest Metro Station.

The current accessibility and function of the Hume Lane is not proposed to change under the Planning Proposal and the future development. Vehicles will still be able to drive through Hume Lane and the lane will still be able to be utilised for deliveries and access.

**Submission 4**

One (1) submission was received from a local business which raised concerns regarding the impact that the noise and vibration from the construction of their development will have on their business.

***Council Comment***

It is acknowledged that construction on the subject site would likely result in a certain level of noise and vibration.

The construction on the site would have to undertaken in accordance with any relevant development consent. It is likely that any development consent will include conditions which seek to minimise noise and vibration during the construction of the development. It is, however, noted that such disturbance would be temporary and that the outcome of the development has a wider community benefit.

Council’s standard development conditions include conditions requiring any construction to be undertaken in accordance with the “Interim Construction Noise Guideline” published by the NSW Environment Protection Authority, to ensure excessive levels of noise and vibration do not occur so as to minimise adverse effects experienced on any adjoining land.

**Submission 5**

A submission was received from a local resident who did not oppose the Planning Proposal but opposed the option of providing increased floor space in the redeveloped facility to the Northern Suburbs Basketball Association. The submitter stated that this restricts the usage of the site for a specific group of people and that the site should be used for a more diverse selection of population. The submitter stated that that their preference would be for the site to operate an indoor cinema, which would complement the dining precinct on Willoughby Road.

The submission noted that the redevelopment is scheduled to be completed in 15 years and stated that this would mean that the cost of the development would likely increase over that time and the benefit of having an updated park will not be available in the short term.

The submitter stated that they would be prepared to have their council rates increased and have the funds associated to the rate increase be allocated to this project. Bringing forward the

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construction so that the current residents & visitors to the area have more certainty that the project will proceed in its current form together with the benefits of more open space being available in a shorter timeframe.

#### ***Council Comment***

When adopting the Option 3 Concept Development, Council determined that further analysis would be undertaken to determine the most appropriate long term use of the void below the proposed plaza east of Hume St. Part of the Council resolution included the following:

- 4. THAT the detailed design of the underground space mooted for the underground cinema in concept design option 3 be deferred pending the outcomes of recommendations 5 & 6 below.*
- 5. THAT Council seek expressions of interest from potential cinema operators to test the market in relation to the proposed cinema.*
- 6. THAT the outcomes of the EOI process for the cinema, together with the alternate options for a fifth court be reported to council for a determination on the preferred use of the underground space, prior to proceeding with detailed design for this component.*

The use of the land will be further considered by Council following the EOI process for the cinema.

Funding of \$8 million has been included in the 2016/17 budget to progress early stages of the park expansion such as:

- Closing Hume Street between Pole Lane and Clarke Street;
- A plaza and pedestrian link between Hume Street and Willoughby Road

It should be noted that a long-term funding plan will be required for later stages of the project. The purpose of the Planning Proposal is to develop a planning framework to enable the development to take place. Council's priority is to complete Stage 1 works and funding for Stage 2 of the project will be considered by Council once the Stage 1 works are completed.

#### **Submission 6**

A submission was received from the Holtermann Precinct which stated their support for the Planning Proposal and the expansion of Hume Street Park.

#### ***Council Comment***

This support is noted and Council will continue to liaise with relevant precincts throughout the project.

#### **Submission 7**

A submission was received which stated that their view that an underground/ indoor sports facility that could operate during the night time would take the pressure of suburban park grounds.

The submission suggests several sports should be operated on the site such as tennis courts and even skateboarding. The submission also supported the provision of open space at the ground level.

#### ***Council Comment***

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This support is noted and does not require any further action.

### **3. Public Hearing – Reclassification of Land**

Under the Local Government Act 1993, all public land is required to be classified as either ‘community’ or ‘operational’. The Planning Proposal includes seeking to classify the whole of the site as ‘operational’ land. These 2 classifications are explained below.

- ‘Community’ land is generally open to the public, for example, parks, reserves or sports grounds.
- ‘Operational’ land may be used for other purposes, for example, as works depots or garages, or held by council as a temporary asset.

Currently the site has a mixture of classifications with the existing car park/ sports facility and childcare centre classified as ‘operational’ with other portions of the site such as the existing extent of Hume Street Park and the recently acquired properties at 43 Hume Street and 49 Hume Street being classified as ‘community’ land. The Planning Proposal provides the opportunity for Council to classify the whole of the site as ‘operational’.

The classification of the site as ‘operational’ is being undertaken to remove any barriers to allow the redevelopment to occur. Furthermore, classifying the site as ‘operational’ is necessary to ensure any long term leases or other commercial arrangements with childcare providers, operators of the sports centre or any other parties, can still occur. It should be noted that the overall intent is to enhance the existing park and provide an improved community facility.

When reclassifying land, a public hearing is required to be undertaken in accordance with section 29 of the Local Government Act 1993.

The public hearing was held on 11 August 2016, at Council’s Chambers. Five people attended the public hearing. In accordance with section 47G of the Local Government Act, 1993, the public hearing was chaired by an independent facilitator. This public hearing was focused on the issue of classification of public land and not the wider Planning Proposal.

The independent facilitator submitted a report to Council, detailing the findings from the public hearing (attachment 3). Section 47G of the Local Government Act 1993, requires the report to be available for public inspection no later than 4 days after it is received by Council. The report was published on Council’s website with hard copies available at Council’s Chambers and at the Library within this timeframe.

#### ***Findings of Public Hearing***

The report noted the development was an important and ambitious project. The report noted that all attendees supported the development proposal but there was concern regarding classifying the whole of the site as ‘operational’ land. In particular, there was a concern that when a site classified as ‘operational’ would allow the land to potentially be sold or leased for long periods.

The report noted that the proposal was seeking to increase open space and provide an updated community facility. However, the report highlighted that Council may need to provide clearer security on the future use of the land to ensure that use was focused on benefiting the community.

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The report recommended that additional provisions should be added to Council's LEP and DCP to more securely emphasise the intent for the land and remove potential doubt for its future use. The final recommendations of the report are as follows:

1. Council note the submissions to the proposed reclassification as outlined in this report.
2. The land proposed for operational land classification in draft LEP 2013 be supported for that classification, conditional on revisions to draft LEP 2013 and draft DCP 2013 (including Plan of Management provisions) as indicated in Section 4 of the report (page of attachment 3), or provisions with similar effect.
3. In recognition of challenges in providing open space and community facilities in higher density urban settings subject to redevelopment pressures, Council consider making submissions to relevant government agencies as to the potential for public land to be "classified" on the basis of land stratum (under Community or Strata Title tenure provisions) rather than Torrens Title property description.

### ***Council Response***

In response, Clause 11 in the Planning Proposal was amended so that child care centres and recreation facilities (indoor) are still permitted but business premises, car parks, entertainment facilities, health consulting rooms, retail premises are only being permitted where those uses are located below ground level (finished) as per the Council's vision for an enhanced Hume Street Park.

This amended clause is as follows.

### ***11 Use of certain land at Hume Street Park, Crows Nest***

- (1) *This clause applies to land at Hume Street Park, Hume Street, Crows Nest, being Lot 32 Sec 4, DP 2872, Lot 1, DP 627992, Lot 30 DP 667133, Lots 1147–1149 and 1151, DP 728437 and SP 33062 and parts of Hume Street and Hume Lane that is identified as "Area #" on the Additional Permitted Uses Map.*
  - (2) *Development for the following purposes is permitted with development consent:*
    - (a) *child care centres,*
    - (b) *recreation facilities (indoor).*
  - (3) *Development for the following purposes is permitted with development consent:*
    - (a) *business premises,*
    - (b) *car parks,*
    - (c) *entertainment facilities,*
    - (d) *health consulting rooms,*
    - (e) *retail premises.*

*but only where those uses are located below ground level (finished).*
  - (4) *Despite subclause (3), development for the purposes identified under subclause (3) may be permitted with development consent above ground level, but only for the following purposes:*
    - (a) *entrances and lobbies,*
    - (b) *access for fire stairs,*
-

- 
- (c) *vehicular access.*

It is considered that restricting those commercial uses so that they are only permitted below ground level provides clearer security to the community of the future use of the land and further emphasises Council's intent for the redevelopment of the site to be accordance with the endorsed concept development.

As the amendments to the Planning Proposal introduce more restrictive controls for development on the site and do not represent any increased impact to surrounding properties, re-exhibition of the Planning Proposal is not considered to be necessary.

#### **4. Draft DCP 2013 Amendment**

No submissions were received regarding the draft amendments to NSDCP 2013.

In response to the report for the public hearing, further amendments to NSDCP 2013 were made to further ensure that development on the site is in accordance with the endorsed concept development for Hume Street Park.

In particular, the additional amendments to NDSCP 2013 includes new controls requiring a Plan of Management be prepared before any development occurs on the subject land and that majority of development on the site is below ground level, with any development above ground level being restricted to 1 storey.

This new provision is as follows:

##### **3.2.4 Hume Street Park**

###### **Plan of Management**

- P1 Development is not permitted on the Hume Street Park site:*
- (a) until a Plan of Management has been prepared for the site; and*
  - (b) the development is consistent with the Plan of Management.*

###### **Diversity**

- P2 The principal purposes is to provide a large recreational area and urban plaza with a variety of community, recreational and business purposes provided below ground level.*

###### **Form, massing and scale**

- P3 Development is predominately located below ground, to ensure that the land is highly accessible for pedestrians and can be actively used as a recreational space and urban plaza.*
- P4 Any development located above ground shall not exceed 1 storey in height.*

As the further amendments to NDCP 2013, further expand on the intent to identify and facilitate the expansion of Hume Street Park and protect its future function as high amenity open space, re-exhibition of the amendments to NDSCP 2013 is not considered necessary.

It is recommended that Council adopt the proposed amendments to NSDCP 2013 as outlined as Attachment 2 of this report.

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## **5. CONCLUSION**

The Planning Proposal and amendments to NSDCP 2013, seek to allow the concept design for the redevelopment of site as endorsed by Council on 21 September 2015.

This concept development seeks to increase open space, create a new urban plaza, provide a pedestrian link from the site to Willoughby Road and develop a modern community facility. The expansion and redevelopment of Hume Street Park was identified as a key outcome of the St Leonards/ Crows Nest Planning Study - Precinct 1 (2012).

In response to the report from the public hearing held on 11 August 2016, further amendments were made to Planning Proposal and draft NSDCP 2013 to provide clearer security for the community of the future use of the land and further emphasise Council's intent for the redevelopment of the site to be accordance with the endorsed concept development.

As the amendments to the Planning Proposal and NSDCP 2013 are more restrictive for development on the site and do not represent any increased impact to surrounding properties, re-exhibition of both the Planning Proposal and amendments to NSDCP 2013 is not considered necessary.

It is therefore recommended that Council adopt the Planning Proposal and amendments to NSDCP 2013.

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# **PLANNING PROPOSAL**

***Hume Street Park, Crows Nest***

**September 2016**

## 1 INTRODUCTION

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North Sydney Council (Council) has prepared a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013).

The primary intent of the Planning Proposal is to facilitate the redevelopment of Hume Street Park consistent with the concept design option endorsed by Council at its meeting on 21 September 2015. In particular, the proposed amendments seek to:

- Rezone the entire site to RE1 Public Recreation;
- Introduce site specific uses via Schedule 1 of NSLEP 2013 (Clause 11) permitting child care centres and recreation facilities (indoor) on the whole of the site with business premises, car parks, entertainment facilities, health consulting rooms, retail premises being permitted only where those uses are located below ground level (finished);
- Remove height controls from the site on the Building Height Control Map;
- Remove non-residential floor space ratio controls from the site on the Non-Residential Floor Space Ratio Range Map;
- Identify the site at 90 Willoughby Road on the Land Reservation Acquisition Map.

The Planning Proposal also includes details regarding classification of the land under the Local Government Act 1993. The land must be classified as operational in order for the land to be redeveloped in accordance with Council's adopted vision for an expanded park.

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) and the Department of Planning and Environment's (DPE) document "*A guide to preparing planning proposals*" (October 2012).

The Planning Proposal is accompanied by proposed amendments to North Sydney DCP 2013 (NSDCP 2013) which similarly seek to facilitate the redevelopment of, and protect the amenity of, an enlarged Hume Street Park consistent with the concept design option endorsed by Council at its meeting on 21 September 2015.

## 2 BACKGROUND

The St Leonards/Crows Nest Planning Study - Precinct 1 (“the Study”) was adopted by Council on 22 October 2012. The Study identified opportunities for improved urban design outcomes in this precinct whilst accommodating managed increases in height and density. An important component of the Study was the Open Space and Pedestrian Masterplan and a Built Form Masterplan that together provided 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.



Figure 1 – Image from St Leonards/Crows Nest Planning Study - Precinct 1 showing the concept of an expanded Hume Street Park

In August 2014, Council resolved to engage Tonkin Zulaikha Greer (TZG) and James Mather Delaney Design (JMD) 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 and JMD are both highly experienced award-winning architectural and landscape architectural consultancies respectively. They lead a strong team in support of the requirements of the project including MBM (Miliken Berson Madden) for cost planning and Land Use Projects for feasibility assessment.

TZG+JMD came up with three concept design options for the expansion of the park. Consistent with the St Leonards / Crows Nest Planning Study – Precinct 1, 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 3000m<sup>2</sup> of additional open space (over 6,000m<sup>2</sup> in total). Concept design option 3 represents a whole of block redevelopment outcome that includes over 5,000m<sup>2</sup> of new open space (over 8,000m<sup>2</sup> in total).

At its meeting on 18 May 2015, North Sydney Council resolved to exhibit the draft Hume Street Park concept design options including all four volumes of TZG+JMD work.

The concept design options were placed on public exhibition from Thursday 11 June 2015 to Friday 10 July 2015. The exhibition material comprised the following documents:

- Council Report – 18 May 2015
- Volume 1 – Executive Summary
- Volume 2 – Concept Options Analysis
- Volume 3 – Existing Site Investigation
- Volume 4 – Document Review
- St Leonards / Crows Nest Planning Study – Precinct 1 (2012)

Consultation undertaken during the public exhibition period is summarised below. This is in addition to consultation undertaken during preparation of the concept options. It is also in addition to the consultation undertaken during preparation of the St Leonards / Crows Nest Planning Study – Precinct 1.

On 21 September 2015, Council considered a post-exhibition report which included an analysis of public submissions. Council resolved (in part):

1. **THAT** Council adopt concept design option 3 as the preferred vision for the expansion of Hume Street Park.
2. **THAT** a Planning Proposal and accompanying Development Control Plan amendment be prepared and reported to Council to ensure the planning framework enables the development of concept design option 3.
3. **THAT** Council proceed with design to Development Application stage for concept design option 3 taking into consideration input from Northern Suburbs Basketball Association.
4. **THAT** the detailed design of the underground space mooted for the underground cinema in concept design option 3 be deferred pending the outcomes of recommendations 5 & 6 below.
5. **THAT** Council seek expressions of interest from potential cinema operators to test the market in relation to the proposed cinema.
6. **THAT** the outcomes of the EOI process for the cinema, together with the alternate options for a fifth court be reported to council for a determination on the preferred use of the underground space, prior to proceeding with detailed design for this component.
7. **THAT** temporary relocation options for North Sydney Indoor Sports Centre activities be investigated including opportunities associated with the redevelopment of other Council owned sites.
8. **THAT** the Northern Suburbs Basketball Association be consulted on all matters relating to the capacity of proposed facilities and relocation options.
9. **THAT** subject to necessary approvals being obtained, progressive implementation of the works generally proceed in line with the staging and funding plan as exhibited.



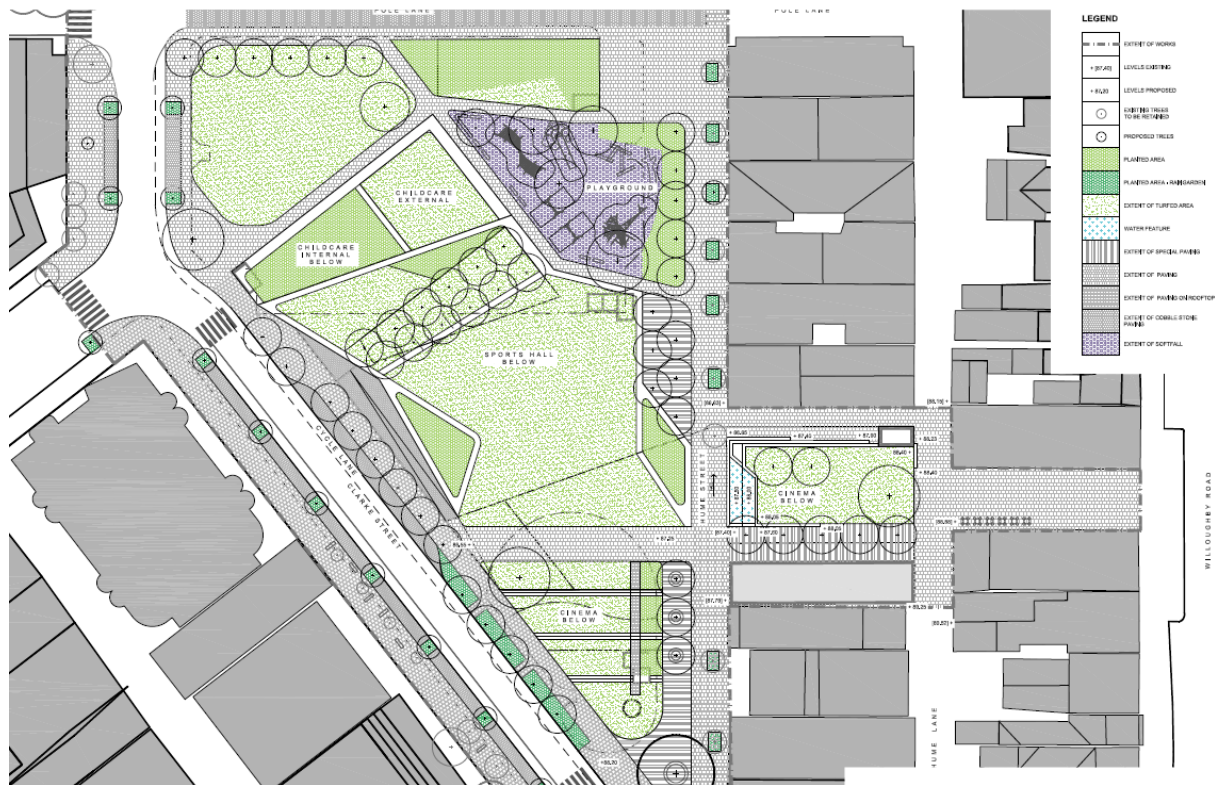


Figure 2 – Preferred concept design (option 3) landscape plan



Figure 3 – Preferred concept design (option 3) perspective from cnr of Clarke St and Hume St





Figure 4 – Preferred concept design (option 3) perspective from cnr of Oxley St and Pole Ln

## 2.1 Site Description

The subject site is legally described as Lot 1 DP 627992, Lot 1151 DP 1001452, Lot 1148 DP 728437, Lot 1149 DP 728437, Lot 32 Sec 4 DP 2872, Lot 0 SP 33062, Lot 30 DP 667133 and Lot 11 Sec 4 DP 2872. The site also includes a portion of Hume Street between its intersection with Pole Lane and its intersection with Clark Street and a small portion of Hume Lane. Its location is identified in Figure 5.

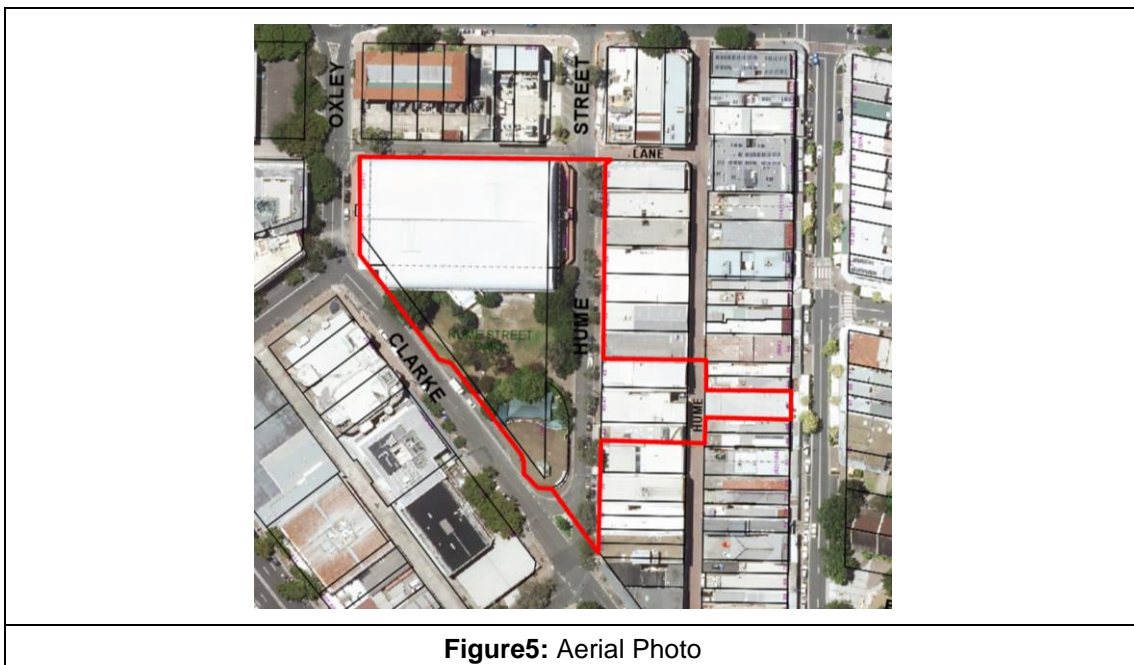


Figure5: Aerial Photo

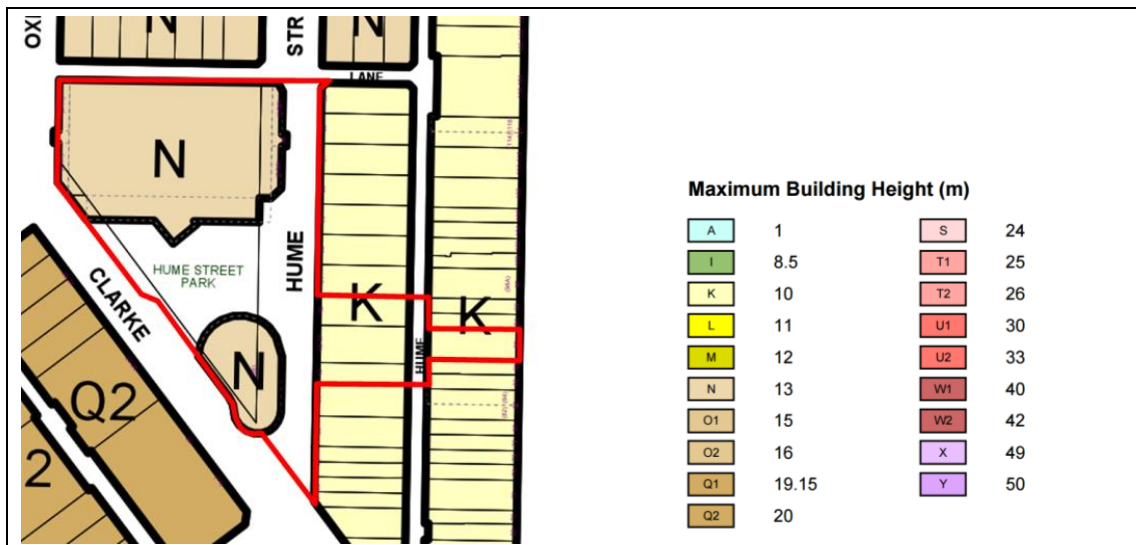


Figure 6: Height of Buildings Map to NSLEP 2013

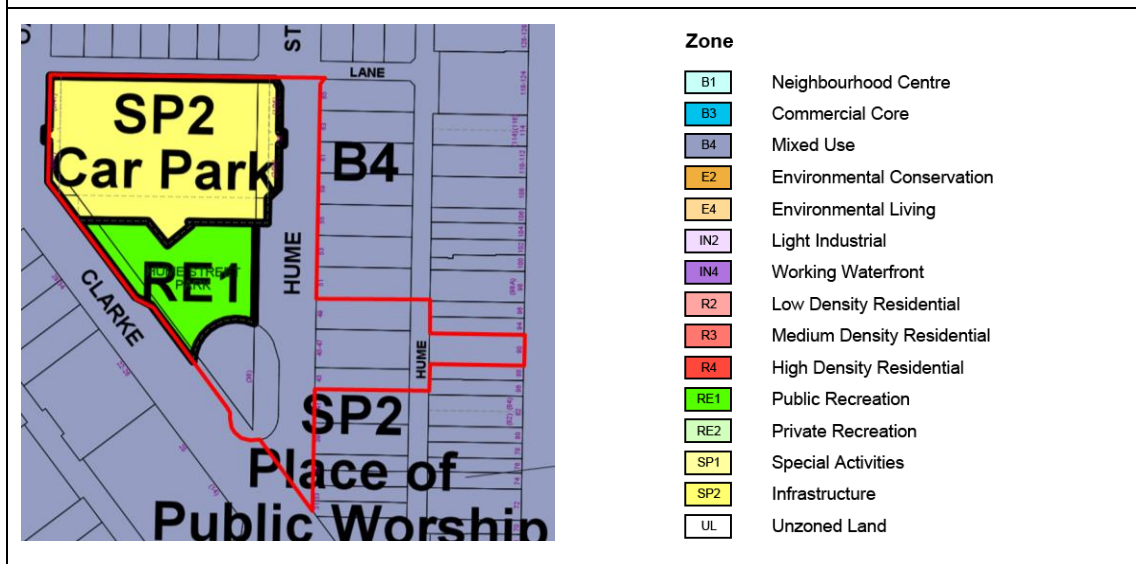


Figure 7: Extract of Land Zoning Map to NSLEP 2013

The subject site is 8664sqm in area and is irregular in shape. The site is generally defined by a triangle formed by Oxley/Clarke Streets, Pole Lane and Hume Street with the addition of a rectangular parcel of land between Hume Street and Hume Lane and a single parcel of land between Hume Lane and Willoughby Road. The site has a 170m frontage to Oxley and Clarke Streets on its western side, an 87m frontage to Pole Lane on the northern boundary, and includes 135 metres of the Hume Street road reservation. The site includes frontages to private property on Hume Street and also includes 30 metres of the Hume Lane road reservation.

The site contains:

- The Hume Street car park which accommodates the North Sydney Indoor Sports Centre on its upper level;
- Kelly's Place Children's Centre;
- The existing Hume Street Park which is located between the car park/sports centre and Kelly's Place Children's Centre;
- A 2½-storey commercial building at 43 Hume Street;
- A 2-storey strata-titled commercial building at 45-47 Hume Street;
- A 2-storey commercial building at 49 Hume Street;



- 2 single storey retail buildings at 90 Willoughby Road.



Figure 8 – Hume Street car park and North Sydney Indoor Sports Centre



Figure 9 – Kelly's Place Children's Centre



Figure 10 – Hume Street Park (current)

## 2.2 Local Context

The subject site is located within a predominantly commercial area between the Pacific Highway and Willoughby Road that is increasingly transitioning to a mixed-use residential precinct. All buildings to the east of the site on Hume Street are aging 2-3 storey commercial buildings.



Figure 11 – Aging 2-3 commercial buildings on Hume Street

Many sites in the precinct, particularly on The Pacific Highway, Clarke Street and Albany Street, have been redeveloped as largely residential mixed-use buildings, consistent with the mixed use zoning of the precinct. Relevant examples include 26



Clarke Street as well as 34 Oxley Street which houses the Northside Community Church at its lower levels.



Figure 12 – Mixed use development at 26 Clarke Street



Figure 13 – Mixed use development at 34 Oxley Street

A heritage listed energy substation is located directly to the north across Pole Lane. The 'St Leonards Centre', a late-twentieth century brutalist commercial building directly across Clarke Street, is also heritage listed.



Figure 14 – The heritage listed electricity sub-station



Figure 15 – The heritage listed 'St Leonards Centre'



### **3 STATUTORY CONTEXT**

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NSLEP 2013 is the principal planning instrument that applies to the land subject to the Planning Proposal. The relevant sections of NSLEP 2013 are discussed in the following subsections.

#### **3.1 Aims of Plan**

Clause 1.2 of NSLEP 2013 outlines the aims of the LEP. In particular, it states:

- (1) *This Plan aims to make local environmental planning provisions for land in North Sydney in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) *The particular aims of this Plan are as follows:*
  - (a) *to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment, ...*

#### **3.2 Permitted and prohibited development**

Part 2 of NSLEP 2013 enables land to be zoned on the Land Zoning Map. Each zone has a Land Use Table which specifies:

- a) the objectives for development, and
- b) development that may be carried out without development consent, and
- c) development that may be carried out only with development consent, and
- d) development that is prohibited.

Clause 2.5 under Part 2 of NSLEP 2013 also allows for additional permitted uses to be listed in Schedule 1 of the NSLEP for individual sites.

#### **3.3 Building height**

Clause 4.3(2) of NSLEP 2013 allows for the height of a building to be controlled by stipulating a maximum building height on the Height of Buildings Map.

Clause 6.7(3)(c) of NSLEP 2013 stipulates that the consent authority must be satisfied that development on land zoned RE1 (which is generally blank on the Height of Buildings Map) is consistent with the most restrictive development standards applying to any adjacent land in relation to the height of buildings.

#### **3.4 Non-residential floor space ratio**

Clause 4.4A of NSLEP 2013 allows for the regulation of non-residential floor space. These controls seek to encourage active street frontages and an appropriate level of non-residential floor space within the B4 Mixed Use zone, B1 Neighbourhood Centre zone and SP2 Infrastructure zone.

#### **3.5 Reservation of land for a public purpose**

Clause 5.1(2) of NSLEP 2013 enables land to be identified on the Land Reservation Acquisition Map if the land is required for certain public purposes, including for the purpose of open space. This triggers the owner-initiated acquisition provisions under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991*. Clause 5.1(2) of NSLEP 2013 also nominates Council as the relevant acquisition

authority for land zoned RE1 Public Recreation and marked local open space on the Land Reservation Acquisition Map.

### **3.6 Classification of public land**

Clause 5.2 of NSLEP 2013 enables Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the *Local Government Act 1993*. This is done by listing land within Schedule 4 of NSLEP 2013.

Generally, there are no special restrictions on Council’s powers to manage, develop or dispose of operational land, subject to the provisions of relevant environmental planning instruments (such as NSLEP 2013). However restrictions on the use, sale, and lease of land apply to public land classified as community land.

## **4 THE PLANNING PROPOSAL**

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### **4.1 PART 1: STATEMENT OF OBJECTIVES**

The primary purpose of this Planning Proposal is to facilitate the redevelopment of Hume Street Park consistent with the concept design option endorsed by Council at its meeting on 21 September 2015.

### **4.2 PART 2: EXPLANATIONS OF PROVISIONS**

The intent of the Planning Proposal can be achieved by amending NSLEP 2013 as follows:

- Rezone the entire site to RE1 Public Recreation;
- Introduce site specific uses via Schedule 1 of NSLEP 2013 (Clause 11) permitting child care centres and recreation facilities (indoor) on the whole of the site with business premises, car parks, entertainment facilities, health consulting rooms, retail premises being permitted only where those uses are located below ground level (finished);
- Remove height controls from the site on the Building Height Control Map;
- Remove non-residential floor space ratio controls from the site on the Non-Residential Floor Space Ratio Range Map;
- Identify the site at 90 Willoughby Road on the Land Reservation Acquisition Map;
- Classifying the land as 'operational' by listing the subject site within Part 2 of Schedule 4 of NSLEP2013.

The specific amendments sought are identified in the following subsections:

#### **4.2.1 Rezoning the subject site to RE1 Public Recreation**

The intent of the Planning Proposal is proposed to be achieved, in part, by replacing the following Sheet to the Land Zoning Map:

- 5950\_COM\_LZN\_001\_010\_20140708 (refer to Appendix 3)

With:

- 5950\_COM\_LZN\_001\_010\_20151123 (refer to Appendix 4)

This will have the effect of rezoning the land to RE1 Public Recreation.

#### **4.2.2 Introducing additional site specific uses**

The intent of the Planning Proposal is proposed to be achieved, in part, by replacing Clause 11 in Schedule 1 with a new Clause 11.

The existing Clause 11 lists business premises, childcare centres, health consulting rooms, recreation facilities (indoor), and retail premises as permissible uses on only a portion of the subject site.

It is proposed that a new Clause 11 list these uses as well as all other uses identified in the endorsed concept design option and apply the clause to the entire site.

The Planning Proposal originally proposed that recreation facilities (indoor), child care centres, health consulting rooms, entertainment facilities, business premises, retail premises, and car parks will be listed as permissible with consent on the subject land via their listing in Schedule 1 of NSLEP 2013.

However at the public hearing on 11 August 2016, to address the issue of reclassification of land, there was concern regarding classifying the whole of the site as 'operational' land. In particular, there was a concern that when a site classified as 'operational' would allow the land to potentially be sold or leased for long periods.

The independent report from the public hearing recommended that additional provisions should be added to Council's LEP and DCP to more securely emphasise the intent for the land and remove potential doubt for its future use.

In response the Planning Proposal is now seeking to amend Clause 11 so that child care centres and recreation facilities (indoor) are still permitted but business premises, car parks, entertainment facilities, health consulting rooms, retail premises only be permitted where those uses are located below ground level (finished) as per the Council's vision for an enhanced Hume Street Park.

This amended clause is as follows.

**11 Use of certain land at Hume Street Park, Crows Nest**

- (1) *This clause applies to land at Hume Street Park, Hume Street, Crows Nest, being Lot 32 Sec 4, DP 2872, Lot 1, DP 627992, Lot 30 DP 667133, Lots 1147–1149 and 1151, DP 728437 and SP 33062 and parts of Hume Street and Hume Lane that is identified as "Area #" on the Additional Permitted Uses Map.*
- (2) *Development for the following purposes is permitted with development consent:*
  - (a) *child care centres,*
  - (b) *recreation facilities (indoor).*
- (3) *Development for the following purposes is permitted with development consent:*
  - (a) *business premises,*
  - (b) *car parks,*
  - (c) *entertainment facilities,*
  - (d) *health consulting rooms,*
  - (e) *retail premises.*

*but only where those uses are located below ground level (finished).*
- (4) *Despite subclause (3), development for the purposes identified under subclause (3) may be permitted with development consent above ground level, but only for the following purposes:*
  - (a) *entrances and lobbies,*
  - (b) *access for fire stairs,*
  - (c) *vehicular access.*



It is considered that restricting those commercial uses so that they are only permitted below ground level provides clearer security to the community of the future use of the land and further emphasises Council's intent for the redevelopment of the site to be accordance with the endorsed concept development.

As the amendments to the Planning Proposal introduce more restrictive controls for development on the site and do not represent any increased impact to surrounding properties, re-exhibition of the Planning Proposal was not considered to be necessary.

The site will be identified by replacing the following Sheet to the Additional Permitted Uses Map:

- 5950\_COM\_APU\_001\_010\_20130906 (refer to Appendix 5)

With:

- 5950\_COM\_APU\_001\_010\_20151123 (refer to Appendix 6)

#### **4.2.3 Removing height controls from the site**

The intent of the Planning Proposal is proposed to be achieved, in part, by replacing the following Sheet to the Height of Buildings Map:

- 5950\_COM\_HOB\_001\_010\_20140708 (refer to Appendix 7)

With:

- 5950\_COM\_HOB\_001\_010\_20151123 (refer to Appendix 8)

This will have the effect of removing the existing building height controls from the site. Clause 6.7(3)(c) of NSLEP 2013 stipulates that land zoned RE1 is subject to the most restrictive development standards applying to any adjacent land, including building height. Land adjacent to the subject site on the eastern side of Hume Street is currently subject to a 10m building height control. Removing the building height controls from the site will therefore result the development on the site being subject to a 10m building height control.

#### **4.2.4 Removing non-residential floor space ratio controls from the site on the Non-Residential Floor Space Ratio Range Map**

The intent of the Planning Proposal is proposed to be achieved, in part, by replacing the following Sheet to the Non-Residential Floor Space Ratio Range Map:

- 5950\_COM\_LCL\_001\_010\_20150624 (refer to Appendix 9)

With:

- 5950\_COM\_LCL\_001\_010\_20151123 (refer to Appendix 10)

This will have the effect of removing the existing non-residential floor space controls from the site.

#### **4.2.5 Identifying the site at 90 Willoughby Road on the Land Reservation Acquisition Map**

The intent of the Planning Proposal is proposed to be achieved, in part, by replacing the following Sheet to the Land Reservation Acquisition Map:

- 5950\_COM\_LRA\_001\_010\_20130607 (refer to Appendix 11)

With:

- 5950\_COM\_LRA\_001\_010\_20151123 (refer to Appendix 12)

This triggers the owner-initiated acquisition provisions under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991*. Clause 5.1(2) of NSLEP 2013 nominates Council as the relevant acquisition authority for land zoned RE1 Public Recreation and marked local open space on the Land Reservation Acquisition Map.

#### **4.2.6 Classifying the land as 'operational land'**

The intent of the Planning Proposal is proposed to be achieved, in part, by including the parcels of land that make up the subject site in NSLEP 2013 Schedule 4 - Classification and reclassification of public land. The parcels of land to be included in Part 2 of Schedule 4 are:

Lot 1 DP 627992  
Lot 1151 DP 1001452  
Lot 1148 DP 728437  
Lot 1149 DP 728437  
Lot 32 Sec 4 DP 2872  
Lot 0 SP 33062  
Lot 30 DP 667133

(The land at 90 Willoughby Road (Lot11 Sec4 DP2872) is not proposed to be classified as part of this Planning Proposal as the site is not currently owned by Council.)

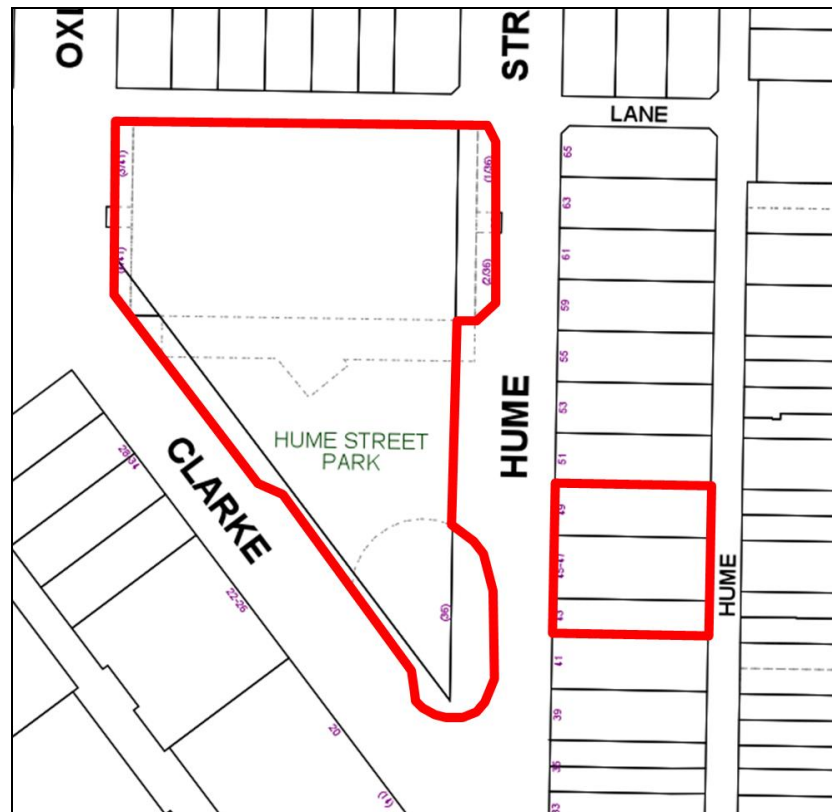


Figure 16 – Land to be classified as 'operational'

When the Local Government Act 1993 was introduced it required all councils to classify public land as either “operational” or “community”. It is understood that Council classified parts of the site as “operational” at this time. The following sections of the site were classified as operational.

Hume Street Parking Station  
 Shops 1-4  
 Lot 1 DP 627992  
 Lots 1147, 1148, 1149 DP 729343

Hume Street Carpark  
 Lot 1 627992  
 Lots 1147, 1148, 1149 DP 728437

Hume Street Tennis Courts  
 Lot 1 DP 627 992  
 Lots 1147, 1148, 1149 DP 728437

Kellys Place Childrens Centre  
 Lot 1 DP 627992

However during the preparation of NSLEP 2013, the way that Council had classified several of its properties in the past had been questioned. Further, some portions of the subject site, such as the existing extent of Hume Street Park and the recently acquired properties at 43 Hume Street and 49 Hume Street are classified as community land. The Planning Proposal therefore provides an opportunity to confirm the classification of the site as whole as “operational land” which will allow the redevelopment of the site to occur.

## 4.3 PART 3: JUSTIFICATION

### 4.3.1 Section A – Need for the planning proposal

#### 1. *Is the planning proposal a result of any strategic study or report?*

Yes. This Planning Proposal is the result of North Sydney Council's long-term planning in the St Leonards / Crows Nest area and seeks to provide much needed infrastructure to support planned increases in density in the area.

The St Leonards / Crows Nest Planning Study – Precinct 1, which was adopted by Council in October 2012, included the concept of an expanded Hume Street Park. The expanded park was envisaged to involve the relocation of Kelly's Place Children's Centre, the partial closure of Hume Street and the creation of a plaza on the eastern side of Hume Street with a link to Willoughby Road.

The adopted planning study found that an enlarged Hume Street Park is consistent with preferred acquisition strategies contained in Council's Open Space Provision Strategy and would extend the potential functions of the park so as to better cater for the needs of new populations coming into the St Leonards / Crows Nest Area. The study also found that the new plaza on the eastern side of Hume Street with a pedestrian link to Willoughby Road would effectively further enlarge the park but also provide improved access to the park and form an important link within a broader pedestrian network linking St Leonards and Willoughby Road.

In August 2014, Council resolved to engage Tonkin Zulaikha Greer (TZG) and James Mather Delaney Design (JMD) to lead a consultancy team for the concept and feasibility planning for the expansion of the park. At its meeting on 18 May 2015, North Sydney Council resolved to exhibit three draft Hume Street Park concept design options. The concept design options were placed on public exhibition from Thursday 11 June 2015 to Friday 10 July 2015. On 21 September 2015, Council considered a post-exhibition report which included an analysis of public submissions. Council resolved to adopt concept design option 3 and:

**THAT** a Planning Proposal and accompanying Development Control Plan amendment be prepared and reported to Council to ensure the planning framework enables the development of concept design option 3.

This Planning Proposal is therefore a direct result of the strategic planning work undertaken by Council, as endorsed in the St Leonards / Crows Nest Planning Study – Precinct 1, as well as the subsequent concept design work.

#### 2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The proposed amendments to NSLEP 2013 are the best means of facilitating the redevelopment of Hume Street Park consistent with the concept design option endorsed by Council at its meeting on 21 September 2015.

Rezoning the subject site to RE1 Public Recreation

It is considered that rezoning the subject site to RE1 public recreation is the best means of giving effect to Council's endorsed vision for the land as articulated by the concept design option endorsed by Council at its meeting on 21 September 2015. It also invokes the objectives of the RE1 zone which are:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To ensure sufficient public recreation areas are available for the benefit and use of residents of, and visitors to, North Sydney.*

These zone objectives best capture Council's primary objective for the use of the land which is the provision of open space.

While all required land uses are permissible within the B4 Mixed Use zone, it is considered that the objectives of this zone do not reflect Council's primary objective for the land, which is the provision of open space. Further zoning the land B4 Mixed Use may allow a future planning authority to use the land for reasons not connected with the provision of open space. For this reason, and to provide increased protection regarding the appropriate future use of the land, it is preferred that the land be zoned RE1 Public Recreation and that Schedule 1 be used to resolve land use permissibility issues.

Introducing recreation facilities (indoor), child care centres, health consulting rooms, entertainment facilities, business premises, retail premises, and car parks as site specific uses via Schedule 1 of NSLEP 2013

It is considered this is the best means of ensuring those uses that are not permissible uses in the RE1 Public Recreation zone, but formed part of the endorsed concept design option, are able to be undertaken with development consent.

While retail premises, health consulting rooms and business premises did not form part of the endorsed concept design option, NSLEP 2013 currently permits these uses on most of the subject site by way of inclusion of these uses in Schedule 1 (Clause 11). Further, the existing car park / sports centre structure does accommodate a number of retail and business tenancies. In order to allow for the incorporation of such tenancies within a redeveloped indoor sports centre structure, it is considered important to allow flexibility by allowing for these as permissible uses.

The Planning Proposal originally proposed that recreation facilities (indoor), child care centres, health consulting rooms, entertainment facilities, business premises, retail premises, and car parks will be listed as permissible with consent on the subject land via their listing in Schedule 1 of NSLEP 2013.

However at the public hearing on 11 August 2016, to address the issue of reclassification of land, there was concern regarding classifying the whole of the site as 'operational' land. In particular, there was a concern that when a

site classified as 'operational' would allow the land to potentially be sold or leased for long periods.

The independent report from the public hearing recommended that additional provisions should be added to Council's LEP and DCP to more securely emphasise the intent for the land and remove potential doubt for its future use.

In response, Clause 11 in the Planning Proposal was amended so that child care centres and recreation facilities (indoor) are still permitted but business premises, car parks, entertainment facilities, health consulting rooms, retail premises are only being permitted where those uses are located below ground level (finished) as per the Council's vision for an enhanced Hume Street Park.

*Removing height controls from the site on the building height control map*

Removing the height controls from the site is consistent with Council's approach to other land in the LGA zoned RE1.

Clause 6.7(3)(c) of NSLEP 2013 stipulates that land zoned RE1 is subject to the most restrictive development standards applying to any adjacent land, including building height. Land adjacent to the subject site on the eastern side of Hume Street is currently subject to a 10m building height control. This is considered sufficient to accommodate the upper point of the redeveloped indoor sports centre and car park as depicted in the endorsed concept design option.

*Removing non-residential floor space ratio controls from the site on the Non-Residential Floor Space Ratio Range Map*

Council's non-residential floor space controls seek to encourage active street frontages and an appropriate level of non-residential floor space within the B4 Mixed Use zone, B1 Neighbourhood Centre zone and SP2 Infrastructure zone. Given the proposal to rezone the land to RE1 Public Recreation, there is no need to promote the provision of non-residential floor space.

*Identifying the site at 90 Willoughby Road on the Land Reservation Acquisition Map*

While there are alternate options available to Council for the acquisition of this land, it is considered important to trigger the owner-initiated acquisition provisions under Division 3 of Part 2 of the *Land Acquisition (Just Terms Compensation) Act 1991*. This provides another level of certainty that the land will, in time, come under Council ownership and that the desired outcome of a link from the expanded park to Willoughby Road will be achieved.

*Classifying the land as 'operational' by listing the subject site within Part 2 of Schedule 4 of NSLEP 2013*

The Planning Proposal provides an opportunity to confirm the classification of the site as "operational land". This will allow the redevelopment of the site to occur generally in accordance with the endorsed concept design.

#### **4.3.2 Section B – Relationship to strategic planning framework**

### **3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

Yes.

#### *A Plan for Growing Sydney (2014)*

Released in December 2014, *A Plan for Growing Sydney* (Metropolitan Plan) sets the planning framework for the growth of the Sydney metropolitan area over the next 25 years. The Metropolitan Plan sets targets of an additional 664,000 homes and 689,000 jobs by 2031.

The subject site sits within the Global Economic Corridor adjacent to the Strategic Centre of St Leonards.

There are a number of relevant Directions and Actions relevant to the subject planning proposal:

#### *Direction 1.7: Grow strategic centres - providing more jobs closer to home*

Action 1.7.1 under this Direction is to “invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity”. The Metropolitan Plan identifies St Leonards as a strategic centre and nominates the following as a priority:

*Work with council to investigate potential future employment and housing opportunities associated with a Sydney Rapid Transit train station at St Leonards/Crows Nest.*

The St Leonards / Crows Nest Planning Study – Precinct 1 proposed that Hume Street Park be expanded to better cater for the needs of new residents and workers coming into the St Leonards / Crows Nest Area as a result of planned increases in density. The deficit of open space in the St Leonards / Crows Nest Area has been identified in Council’s Open Space Provision Strategy. The need for new open space in the area will only increase through the provision increased housing and employment associated with the delivery of the Sydney Metro station at Crows Nest.

The Department of Planning and Environment as well as Transport for NSW have been made aware of Council’s intentions regarding Hume Street Park. The expanded Hume Street Park will complement the identified location of the Crows Nest Metro Station and station entry points at the intersection of Oxley Street and the Pacific Highway and at the intersection of Hume and Clarke Streets. The proposed link from the expanded park to Willoughby Road will form an important connection from the new station to Willoughby Road.

#### *Direction 1.11: Deliver infrastructure*

Action 1.11.3 under this Direction is to “undertake long-term planning for social infrastructure to support growing communities”. The action states that:

*Providing social infrastructure where and when it is needed is important to the daily lives of residents in areas experiencing growth. It also helps people to feel connected with their local community. Social infrastructure can include ... child care centres ... open space and recreational facilities.*

This Planning Proposal is the result of North Sydney Council's long-term planning in the St Leonards / Crows Nest area and seeks to provide much needed infrastructure to support the planned increases in density in the area.

*Direction 3.1: Revitalise existing suburbs*

Action 3.11.3 under this direction is to “support urban renewal by directing local infrastructure to centres where there is growth”. The subject planning proposal is the result of Council's long-term planning for the rejuvenation of St Leonards / Crows Nest. It seeks to facilitate the redevelopment of Hume Street Park consistent with the concept design option endorsed by Council at its meeting on 21 September 2015. The endorsed concept design option provides for over 8000m<sup>2</sup> of open space, a new indoor sport facility, a childcare centre and other complementary uses. This will be a significant piece of local infrastructure within the high-growth St Leonards / Crows Nest centre.

*Direction 3.2: Create a network of interlinked, multipurpose open and green spaces across Sydney*

Action 3.2.1 under this direction is to “deliver the Sydney green grid project”. The action emphasises working with councils to encourage appropriate local planning for the open space needs of communities. As noted above, the subject planning proposal is the result of Council's long-term planning for the area and seeks to facilitate the expansion of Hume Street Park. It will allow for a broader range of uses within the park than is currently possible and will form part of a broader network of open spaces linking St Leonards with Willoughby Road.

*Direction 3.3: Create healthy built environments*

The provision of an expanded park and indoor sport facility that allows for a broader range of uses will encourage a more healthy community.

*Draft Inner North Subregional Strategy*

In July 2007, the NSW Government released the draft Inner North Subregional Strategy (draft INSS). The North Sydney LGA is located within the Inner North subregion with the other LGAs of Lane Cove, Ryde, Willoughby, Hunters Hill and Mosman. The Draft INSS sets targets of an additional 5,500 homes and 15,000 jobs by 2031 for the North Sydney LGA.

A key direction for the North Sydney subregion is to strengthen the North Sydney to Macquarie Park corridor, which is part of the global economic corridor (Part B Centres and corridors). The subject site sits within this corridor between the St Leonards “specialised centre” and the Crows Nest “village”. The St Leonards specialised centre is nominated as having a health and education focus and is to accommodate significant employment and



housing growth. The Crows Nest village is nominated as servicing mainly local populations.

A key direction for the North Sydney subregion is to ensure equitable access to parks and public places for all residents.

The subject planning proposal seeks to facilitate the provision of a significant piece of local infrastructure, primarily in the form of new open space. This will complement the growth agenda envisaged for St Leonards by the draft INSS. The area has a recognised deficit of open space and this initiative will allow future workers and residents to access local open space.

**4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

Yes.

*North Sydney Council Community Strategic Plan 2013-2023*

North Sydney Council's Community Strategic Plan is Council's highest order strategic document and was prepared in accordance with NSW State Government's Integrated Planning and Reporting Framework requirements. The Plan outlines Council's priorities over ten years, set out under five key directions:

- Direction 1: Our Living Environment
- Direction 2: Our Built Environment
- Direction 3: Our Economic Vitality
- Direction 4: Our Social Vitality
- Direction 5: Our Civic Leadership

The subject planning proposal is consistent with, and will further, many of the outcomes and strategies listed under these key directions, including:

*Direction 1 Our Living Environment*

*Outcome 1.5 Public open space, recreation facilities and services that meet community needs*

*Strategy 1.5.1 Provide a range of recreational facilities and services for people of all ages and abilities*

*Strategy 1.5.2 Improve equity of access to open space and recreation facilities*

*Direction 2 Our Built Environment*

*Outcome 2.1 Infrastructure, assets and facilities that meet community needs*

*Strategy 2.1.2 Expand capacity of existing community infrastructure*

*Outcome 2.3 Vibrant, connected and well maintained streetscapes and villages that build a sense of community*

*Strategy 2.3.1 Develop and implement Masterplans for villages*

*Direction 4 Our Social Vitality*

*Outcome 4.1 Community is connected*

*Strategy 4.1.1 Engage and connect communities through placemaking*

*Strategy 4.1.2 Promote active and diverse street life, including markets, street parties and fairs using streets, laneways and public spaces*

*Strategy 4.1.3 Improve social inclusion*

*Outcome 4.7 Community is active and healthy*

*Strategy 4.7.1 Provide a range of recreation and leisure activities for people of all ages and abilities*

*North Sydney Council Delivery Program 2010/11-2013/14*

The North Sydney Council Delivery Program 2010/11-2013/14 (Delivery Program) was prepared in accordance with NSW State Government's Integrated Planning and Reporting Framework requirements. It outlines Council's role and commitment to actions that it will take to meet the desired 'outcomes'. The Delivery Program describes the 'actions' required of Council to achieve the 'strategies' outlined in the Community Strategic Plan. The Delivery Program outlines Council's priorities and service delivery programs over four years, set out under the same five key directions as the Community Strategic Plan.

The expansion of Hume Street Park is explicitly identified as a key activity under Direction 1 Our Living Environment:

*Outcome 1.5 Public open space, recreation facilities and services that meets community needs*

*Strategy 1.5.2 Improve equity of access to open space and recreation facilities*

*Action 1.5.2.1 Improve open space and recreation facilities through capital improvement projects*

*Activity 1.5.2.1.10 Plan for staged development of an expanded Hume Street Park, Crows Nest*

The expansion of Hume Street Park is also explicitly identified as a key activity under Direction 2 Our Built Environment:

*Outcome 2.3 Vibrant, connected and well maintained streetscapes and villages that build a sense of community*

*Strategy 2.3.1 Develop and implement Masterplans for villages*

*Action 2.3.1.1 Develop and implement Masterplans for villages*

*Activity 2.3.1.1.6 Expand and embellish Hume Street Park, St Leonards*

**5. *Is the planning proposal consistent with applicable state environmental planning policies?***

The Planning Proposal is consistent with those State Environmental Planning Policies (SEPPs) which are relevant to the North Sydney Local Government Area, as demonstrated in TABLE 1.

<b>TABLE 1: Consistency with SEPPs</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
SEPP No. 1 – Development Standards	NA	This SEPP does not apply pursuant to Clause 1.9 of NSLEP 2013.
SEPP No. 19 - Bushland in urban areas	Yes	The Planning Proposal does not seek to reduce any bushland protection standards applying to land or adjacent land containing bushland.
SEPP No. 32 - Urban consolidation (redevelopment of urban land)	Yes	The PP aims to be consistent with the SEPP having regard to the range of uses that may be appropriate for the site.
SEPP No. 33 - Hazardous and offensive development	NA	This SEPP does not apply as, the Planning Proposal does not relate to land upon which hazardous and offensive development is permitted.
SEPP No. 50 - Canal estate development	Yes	The Planning Proposal is consistent with the SEPP as it does not seek to permit canal estate development anywhere within the LGA.
SEPP No. 55 - Remediation of land	Yes	<p>Clause 6 of the SEPP requires Council to consider if the land is contaminated before it rezones certain land.</p> <p>None of the existing parcels have been identified as potentially being contaminated nor do any of the existing uses.</p> <p>Notwithstanding, the provisions under clause 7 of the SEPP will require contamination issues to be addressed with any development application that is lodged for the subject site, ensuring that this issue is considered at the DA stage.</p>
SEPP No. 64 - Advertising and signage	Yes	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
SEPP No. 65 - Design Quality of Residential Flat Development	Yes	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
SEPP (Affordable Rental Housing) 2009	Yes	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
SEPP (Building Sustainability Index: BASIX) 2004	Yes	This SEPP does not apply, as the Planning Proposal does not relate to building sustainability.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004 - <i>formerly SEPP (Seniors Living) 2004</i>	Yes	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.

<b>TABLE 1: Consistency with SEPPs</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
SEPP (Infrastructure) 2007	Yes	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
SEPP (Major Development) 2005 - <i>formerly SEPP Major Projects &amp; SEPP State Significant Development</i>	NA	This SEPP does not apply, as the Planning Proposal does not relate to any state significant sites identified under this SEPP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives.
SEPP (Miscellaneous Consent Provisions) 2007 - <i>formerly SEPP (Temporary Structures) 2007</i>	Yes	The Planning Proposal is consistent with the SEPP as it does not affect the attainment of the SEPP's aims and objectives
SEPP (State and Regional Development) 2011	NA	This SEPP does not apply as the Planning Proposal does not relate to state or regional development nor the operation of joint regional planning panels.
Sydney REP (Sydney Harbour Catchment) 2005	Yes	The Planning Proposal is consistent with the SEPP as it will not impede the attainment of the aims and objectives of this SEPP.

**6. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?***

It is considered that the Planning Proposal is consistent with the relevant Directions issued under Section 117(2) of the EP&A Act by the Minister to Councils, as demonstrated in TABLE 2.

<b>TABLE 2: Consistency with s.117 Directions</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
<b>1. Employment and Resources</b>		
1.1 Business & Industrial Zones	No	<p>The Planning Proposal does seek to rezone a number of properties from B4 Mixed Use to RE1 Public Recreation, thereby reducing potential employment floorspace.</p> <p>However the rezoning is consistent with St Leonards/Crows Nest Planning Study - Precinct 1, which was adopted by Council on 22 October 2012.</p> <p>Council's planning studies in St Leonards facilitate the planned growth of both employment and residential land uses, consistent with in force and draft metropolitan and subregional plans.</p> <p>An important component of the Study was the expansion of Hume Street park and the associated benefits to existing and future residents and workers.</p> <p>It is considered that the benefit resulting from of the expansion of the park and the redevelopment of the recreation facility would substantially outweigh the negligible loss of any employment floor space. This facility and expanded park will improve the amenity of the area and make the area overall more attractive for business.</p>
1.2 Rural Zones	NA	This Direction does not apply as there are no existing rural zones under NSLEP 2013 or proposed under the Planning Proposal
1.3 Mining, Petroleum Production & Extractive Industries	Yes	The Planning Proposal does not seek to alter the permissibility of these types of land uses.
1.4 Oyster Aquaculture	NA	This Direction does not apply as the Planning Proposal does not propose any change in land use.
1.5 Rural Lands	NA	This Direction does not apply as the Planning Proposal does not propose any changes that will affect development in a rural or environmental protection zone.
<b>2 Environmental Heritage</b>		
2.1 Environmental Protection Zones	Yes	The Planning Proposal does not seek to reduce any environmental protection standards apply to land zoned E2 – Environmental Conservation or E4 – Environmental Living under NSLEP 2013.
2.2 Coastal Protection	NA	Not applicable
2.3 Heritage Conservation	Yes	The Planning Proposal does not alter the existing heritage conservation provisions within NSLEP 2013



<b>TABLE 2: Consistency with s.117 Directions</b>		
<b>Direction</b>	<b>Consist-ency</b>	<b>Comment</b>
2.4 Recreation Vehicle Areas	NA	Not applicable
<b>3 Housing, Infrastructure &amp; Urban Development</b>		
3.1 Residential Zones	No	<p>The Planning Proposal does seek to rezone several properties from B4 Mixed Use to RE1 Public Recreation, thereby potentially reducing land where residential uses are permitted.</p> <p>However the rezoning is consistent with St Leonards/Crows Nest Planning Study - Precinct 1, which was adopted by Council on 22 October 2012.</p> <p>Council's planning studies in St Leonards facilitate the planned growth of both employment and residential land uses, consistent with in force and draft metropolitan and subregional plans.</p> <p>An important component of the Study was the expansion of Hume Street park and the associated benefits to nearby residents and workers.</p> <p>The growth in dwellings facilitated by the study of Precinct 1 was dependent on the expansion of Hume Street Park and the recreation facility. It is therefore considered that this Planning Proposal should be supported as it forms part of a strategy which results in an overall increase in dwellings.</p> <p>Furthermore the sites which are zoned B4 Mixed Use do not currently include any residential dwellings.</p>
3.2 Caravan Parks & Manufactured Home Estates	NA	This Direction does not apply as the Planning Proposal does not seek to permit caravan parks or manufactured home estates under NSLEP 2013.
3.3 Home Occupations	Yes	The Planning Proposal does not alter the existing provisions within NSLEP 2013 that relate to home occupations, which already satisfy the requirements of the Direction.
3.4 Integrating Land Use & Transport	Yes	<p>The objective of this direction is to ensure that urban structures are located on sites with good access to transport.</p> <p>The Planning Proposal seeks to allow a redevelopment that would upgrade a recreation facility on a site that has excellent access to public transport.</p>

<b>TABLE 2: Consistency with s.117 Directions</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
3.5 Development Near Licensed Aerodromes	NA	This Direction does not apply as the Planning Proposal does not relate to land in the vicinity of a licensed aerodrome nor does it propose to amend a height limit that exceeds the Obstacle Limitation Surface level that applies to the North Sydney LGA.
3.6 Shooting Ranges	NA	This Direction does not apply as the Planning Proposal does not relate to land in the vicinity of a shooting range.
<b>4 Hazard and Risk</b>		
4.1 Acid Sulfate Soils	NA	This Direction does not apply as the Planning Proposal does not relate to land affected by Acid Sulfate Soils.
4.2 Mine Subsidence & Unstable Land	NA	This Direction does not apply as the Planning Proposal does not relate to land affected by mine subsidence nor has it been identified as being unstable land.
4.3 Flood Prone Land	NA	This Direction does not apply as the Planning Proposal does not relate to land identified as being flood prone land.
4.4 Planning for Bushfire Protection	NA	This Direction does not apply as the Planning Proposal does not relate to land identified as being bushfire prone land.
<b>5 Regional Planning</b>		
5.1 Implementation of Regional Strategies	NA	This Direction does not apply as the Planning Proposal does not relate to land affected by one of the identified strategies.
5.2 Sydney Drinking Water Catchment	NA	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast.	NA	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast.	NA	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
5.8 Second Sydney Airport: Badgerys Creek	NA	This Direction does not apply as the Planning Proposal does not relate to any of the identified LGAs.
<b>6 Local Plan Making</b>		
6.1. Approval & Referral Requirements	Yes	The Planning Proposal does not alter any concurrence, consultation or referral requirements under NSLEP 2013, nor does it identify any development as designated development.

<b>TABLE 2: Consistency with s.117 Directions</b>		
<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
6.2 Reserving Land for Public Purposes	Yes	<p>Clause (4) of this Direction requires that Planning Proposals must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant planning authority and the DPI.</p> <p>It is noted that the Planning Proposal seeks to identify the parcel of land at 90 Willoughby Road on the Land Reservation Acquisition Map. It is also noted that the Planning Proposal is rezoning land and is classifying the site as 'operational'. These amendments to NSLEP 2013 are consistent with the objective of this direction to facilitate the provision of public services and facilities by reserving land for public purposes</p> <p>As the Planning Proposal is seeking to facilitate the expansion of Hume Street Park it is considered that these amendments to NSLEP 2013 would be supported by the Department of Planning and Environment.</p>
6.3 Site Specific Provisions	Yes	<p>The Planning Proposal proposes a site specific clause to introduce recreation facilities (indoor), child care centres, health consulting rooms, entertainment facilities, business premises, retail premises, and car parks as site specific uses via Schedule 1 of NSLEP 2013.</p> <p>As the site specific clause won't place any restrictions on development, the Planning Proposal is considered to be consistent with this Direction.</p>
<b>7 Metropolitan Planning</b>		
7.1 Implementation of A Plan for Growing Sydney	Yes	Refer to Section 4.3.2 of this report

**4.3.3 Section C – Environmental, social and economic impact.**

**7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. The subject site is located within an existing urban environment and does not apply to land that has been identified as containing critical habitat or threatened species, population or ecological communities, or their habitats. ...

**8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

No. The planning proposal is unlikely to result in any other environmental effects.

**9. How has the planning proposal adequately addressed any social and economic effects?**

The planning proposal will facilitate the expansion of Hume Street Park which will provide new open space for new and existing residents, workers and visitors in the St Leonards / Crows Nest area.

Redevelopment of the park will be a significant place making initiative and will aid the local economy through creating a vibrant public place.

**4.3.4 Section D – State and Commonwealth interests**

**10. Is there adequate public infrastructure for the planning proposal?**

The site is well serviced by public transport.

The site is within easy walking distance of St Leonards train station. In addition there are a number of nearby bus routes running along the Pacific Highway and Willoughby Road.

The site will also be in very close proximity to the location of the Crows Nest station under the proposed Sydney Metro.

**11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

The Planning Proposal has not yet been considered by State or Commonwealth public authorities. Views of the State will be gained through the Gateway Determination process if required.

**4.4 PART 4: MAPPING**

The Planning Proposal requires amendment of the Land Zoning Map, Additional Permitted Uses Map, Height of Buildings Map, Non-Residential Floor Space Ratio Range Map and Land Reservation Acquisition Map to NSLEP 2013.

In particular, the Planning Proposal would require the replacement of the following Sheet to the Land Zoning Map:

- 5950\_COM\_LZN\_001\_010\_20140708 (refer to Appendix 3)

With:

- 5950\_COM\_LZN\_001\_010\_20151123 (refer to Appendix 4)

In particular, the Planning Proposal would require the replacement of the following Sheet to the Additional Permitted Uses Map:

- 5950\_COM\_APU\_001\_010\_20130906 (refer to Appendix 5)

With:

- 5950\_COM\_APU\_001\_010\_20151123 (refer to Appendix 6)

In particular, the Planning Proposal would require the replacement of the following Sheet to the Height of Buildings Map:

- 5950\_COM\_HOB\_001\_010\_20140708 (refer to Appendix 7)

With:

- 5950\_COM\_HOB\_001\_010\_20151123 (refer to Appendix 8)

In particular, the Planning Proposal would require the replacement of the following Sheet to the Non-Residential Floor Space Ratio Range Map:

- 5950\_COM\_LCL\_001\_010\_20150624 (refer to Appendix 9)

With:

- 5950\_COM\_LCL\_001\_010\_20151123 (refer to Appendix 10)

In particular, the Planning Proposal would require the replacement of the following Sheet to the Land Reservation Acquisition Map:

- 5950\_COM\_LRA\_001\_010\_20130607 (refer to Appendix 11)

With:

- 5950\_COM\_LRA\_001\_010\_20151123 (refer to Appendix 12)

#### **4.5 PART 5: COMMUNITY CONSULTATION**

Consultation will be undertaken in accordance with the requirements made by the Gateway Determination and Council's guidelines.

#### 4.6 PART 6: PROJECT TIMELINE

TABLE 3 provides a project timeline having regard to identified milestones and estimating approximately 6 months from submitting the proposal to the DPE to the amending LEP being made.

TABLE 3 – Project Timeline						
Milestone	Dec 2015	Jan 2016	Feb 2016	Mar 2016	Apr 2016	May 2016
1. Request for Gateway Determination sent to DPE						
2. DPE considers request						
3. Gateway Determination issued to Council						
4. Public exhibition and subsequent public hearing undertaken						
5. Council considers post exhibition report						
6. Submission to DPE requesting making of LEP						
7. Drafting of LEP and making						



# **APPENDIX 1**

*Hume Street Park Concept Design Options Post-exhibition Report and Council  
Resolutions  
21 September 2015*

**DECISION OF 3669<sup>th</sup> COUNCIL MEETING  
HELD ON 21 SEPTEMBER 2015**

**322. CiS01: Hume Street Park Concept Design Options - Post-exhibition Report**

Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect

At its meeting on 18 May 2015, North Sydney Council resolved to exhibit the draft Hume Street Park Concept Design Options. Three draft concept design options have been prepared in response to the St Leonards/Crows Nest Planning Study - Precinct 1 (2012) which identified need to provide more open space in the St Leonards area and proposed that Hume Street Park be expanded.

Consistent with that 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 3000m<sup>2</sup> of additional open space (over 6,000m<sup>2</sup> in total). Concept design option 3 represents a whole of block redevelopment outcome that includes over 5,000m<sup>2</sup> of new open space (over 8,000m<sup>2</sup> in total).

The concept design options were placed on public exhibition from Thursday 11 June 2015 to Friday 10 July 2015 during which a comprehensive community consultation strategy was implemented to inform the community and obtain feedback. Council received 87 submissions during the exhibition period. 84% of submissions indicated either strong support for concept design option 3 (13%) or a preference for concept design option 3 subject to additional indoor sports capacity being incorporated (71%), in particular inclusion of a fifth basketball court. This contrasts with stated support for concept design option 1 at 3% and no submissions of support being received for concept design option 2.

A large proportion of received submissions, predominantly from members of the Northern Sydney Basketball Association or their associates, raised concerns regarding the capacity of the indoor sports facility in each concept design option. Concept design option 3 is the only option that increases the capacity of the indoor sports facility. Concept design option 3 also has the ability to accommodate capacity beyond that exhibited should the void below the plaza be used for a fifth basketball court instead of a cinema. Should Council endorse concept design option 3 (as exhibited) as the preferred option for the expansion of Hume Street Park, it is recommended that further analysis be undertaken to determine the most appropriate long term use for the void below the proposed plaza east of Hume St. It should be noted that if the redevelopment of Hume Street Park does not allow for a significant increase in indoor sports capacity beyond that exhibited in concept design option 3, additional capacity may be able to be provided via redevelopment of other sites in the North Sydney local government area. Investigation of other sites is currently in progress as part of the separate Community Uses on Council Land Study being undertaken by Council.

Many submissions, raised concerns regarding the impact that redevelopment will have on the operation of the North Sydney Indoor Sports Centre facility. Once Council has endorsed a preferred option for the expanded park, a degree of certainty will exist regarding the broad parameters of Council's desired vision for the park. Any temporary relocation of current North Sydney Indoor Sports Centre activities in order to realise this vision will need to be managed to minimise adverse affects on the Sports Centre operations. As suggested in the submission from the NSBA this may include finding them alternative premises for the duration of the construction works.

It is noted that whilst concept design option 3 is the most expensive of the three options, the general feel from the submissions received was that the additional benefits and aspirational vision it provided outweighed the price differential. Funding for detailed design to DA stage is included in the adopted 2015/16 budget.

Funding of \$8million has been included in the 2016/17 budget to progress early stages (Stages 1 & 2) of the park expansion.

A long-term funding plan will be required for later stages.

Funding for the project is appropriate.

**Recommending:**

1. **THAT** Council adopt concept design option 3 as the preferred vision for the expansion of Hume Street Park.
2. **THAT** a Planning Proposal and accompanying Development Control Plan amendment be prepared and reported to Council to ensure the planning framework enables the development of concept design option 3.
3. **THAT** Council proceed with design to Development Application stage for concept design option 3 taking into consideration input from Northern Suburbs Basketball Association.
4. **THAT** the detailed design of the underground space mooted for the underground cinema in concept design option 3 be deferred pending the outcomes of recommendations 5 & 6 below.
5. **THAT** Council seek expressions of interest from potential cinema operators to test the market in relation to the proposed cinema.
6. **THAT** the outcomes of the EOI process for the cinema, together with the alternate options for a fifth court be reported to council for a determination on the preferred use of the underground space, prior to proceeding with detailed design for this component.
7. **THAT** temporary relocation options for North Sydney Indoor Sports Centre activities be investigated including opportunities associated with the redevelopment of other Council owned sites.
8. **THAT** the Northern Suburbs Basketball Association be consulted on all matters relating to the capacity of proposed facilities and relocation options.
9. **THAT** subject to necessary approvals being obtained, progressive implementation of the works generally proceed in line with the staging and funding plan as exhibited.
10. **THAT** six monthly progress updates continue to be sent to Council's Legal and Planning Committee including funding details and anticipated timeframes.

The Motion was moved by Councillor Baker and seconded by Councillor Gibson.

Voting was as follows:

For/Against 10/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Beregi	Y	
Reymond	Y		Barbour	Y	
Clare	Y		Morris	Y	
Baker	Y		Marchandean	Y	
Carr	Y		Bevan	Y	

**RESOLVED:**

1. **THAT** Council adopt concept design option 3 as the preferred vision for the expansion of Hume Street Park.
2. **THAT** a Planning Proposal and accompanying Development Control Plan amendment be prepared and reported to Council to ensure the planning framework enables the development of concept design option 3.
3. **THAT** Council proceed with design to Development Application stage for concept design option 3 taking into consideration input from Northern Suburbs Basketball Association.
4. **THAT** the detailed design of the underground space mooted for the underground cinema in concept design option 3 be deferred pending the outcomes of recommendations 5 & 6 below.
5. **THAT** Council seek expressions of interest from potential cinema operators to test the market in relation to the proposed cinema.
6. **THAT** the outcomes of the EOI process for the cinema, together with the alternate options for a fifth court be reported to council for a determination on the preferred use of the underground space, prior to proceeding with detailed design for this component.

7. **THAT** temporary relocation options for North Sydney Indoor Sports Centre activities be investigated including opportunities associated with the redevelopment of other Council owned sites.
8. **THAT** the Northern Suburbs Basketball Association be consulted on all matters relating to the capacity of proposed facilities and relocation options.
9. **THAT** subject to necessary approvals being obtained, progressive implementation of the works generally proceed in line with the staging and funding plan as exhibited.
10. **THAT** six monthly progress updates continue to be sent to Council's Legal and Planning Committee including funding details and anticipated timeframes.
11. **THAT** the excellent work of all Council staff involved in the project be acknowledged.



## Report to General Manager

Attachments:

1. Council report - 18 May 2015
2. Volume 1 - Executive Summary (as exhibited)
3. Volume 2 - Concept Options Analysis (as exhibited)
4. Volume 3 - Existing Site Investigation (as exhibited)
5. Volume 4 - Document Review (as exhibited)
6. Submissions Summary Table
7. Design Excellence Panel Meeting Minutes - 9 June 2015
7. TZG+JMD Preliminary Fifth Court Investigations
8. Preliminary Cost Plan, Cost Comparison and Financial Summary for Fifth Court Option

**SUBJECT:** Hume Street Park Concept Design Options - Post-exhibition Report

**AUTHORS:** Alex Williams, Team Leader - Policy  
David Banbury, Landscape Architect

**ENDORSED BY:** Joseph Hill, Director City Strategy  
Rob Emerson, Director Open Space and Environmental Services

### EXECUTIVE SUMMARY:

At its meeting on 18 May 2015, North Sydney Council resolved to exhibit the draft Hume Street Park Concept Design Options. Three draft concept design options have been prepared in response to the St Leonards/Crows Nest Planning Study - Precinct 1 (2012) which identified need to provide more open space in the St Leonards area and proposed that Hume Street Park be expanded.

Consistent with that 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 3000m<sup>2</sup> of additional open space (over 6,000m<sup>2</sup> in total). Concept design option 3 represents a whole of block redevelopment outcome that includes over 5,000m<sup>2</sup> of new open space (over 8,000m<sup>2</sup> in total).

The concept design options were placed on public exhibition from Thursday 11 June 2015 to Friday 10 July 2015 during which a comprehensive community consultation strategy was implemented to inform the community and obtain feedback. Council received 87 submissions during the exhibition period. 84% of submissions indicated either strong support for concept design option 3 (13%) or a preference for concept design option 3 subject to additional indoor sports capacity being incorporated (71%), in particular inclusion of a fifth basketball court. This contrasts with stated support for concept design option 1 at 3% and no submissions of support being received for concept design option 2.

A large proportion of received submissions, predominantly from members of the Northern Sydney Basketball Association or their associates, raised concerns regarding the capacity of the indoor sports facility in each concept design option. Concept design option 3 is the only

Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
Re: Hume Street Park Concept Design Options - Post-exhibition Report

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option that increases the capacity of the indoor sports facility. Concept design option 3 also has the ability to accommodate capacity beyond that exhibited should the void below the plaza be used for a fifth basketball court instead of a cinema. Should Council endorse concept design option 3 (as exhibited) as the preferred option for the expansion of Hume Street Park, it is recommended that further analysis be undertaken to determine the most appropriate long term use for the void below the proposed plaza east of Hume St. It should be noted that if the redevelopment of Hume Street Park does not allow for a significant increase in indoor sports capacity beyond that exhibited in concept design option 3, additional capacity may be able to be provided via redevelopment of other sites in the North Sydney local government area. Investigation of other sites is currently in progress as part of the separate Community Uses on Council Land Study being undertaken by Council.

Many submissions, raised concerns regarding the impact that redevelopment will have on the operation of the North Sydney Indoor Sports Centre facility. Once Council has endorsed a preferred option for the expanded park, a degree of certainty will exist regarding the broad parameters of Council's desired vision for the park. Any temporary relocation of current North Sydney Indoor Sports Centre activities in order to realise this vision will need to be managed to minimise adverse affects on the Sports Centre operations. As suggested in the submission from the NSBA this may include finding them alternative premises for the duration of the construction works.

It is noted that whilst concept design option 3 is the most expensive of the three options, the general feel from the submissions received was that the additional benefits and aspirational vision it provided outweighed the price differential.

#### **FINANCIAL IMPLICATIONS:**

Funding for detailed design to DA stage is included in the adopted 2015/16 budget.

Funding of \$8million has been included in the 2016/17 budget to progress early stages (Stages 1 & 2) of the park expansion.

A long-term funding plan will be required for later stages.

#### **Comment by Responsible Accounting Officer:**

Funding for the project is appropriate.

#### **RECOMMENDATION:**

- 1. THAT** Council adopt concept design option 3 as the preferred vision for the expansion of Hume Street Park.
  - 2. THAT** a Planning Proposal and accompanying Development Control Plan amendment be prepared and reported to Council to ensure the planning framework enables the development of concept design option 3.
  - 3. THAT** Council proceed with design to Development Application stage for concept design option 3 taking into consideration input from Northern Suburbs Basketball Association.
  - 4. THAT** the detailed design of the underground space mooted for the underground cinema in concept design option 3 be deferred pending the outcomes of recommendations 5 & 6 below.
-



Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
Re: Hume Street Park Concept Design Options - Post-exhibition Report

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(3)

- 5. THAT** Council seek expressions of interest from potential cinema operators to test the market in relation to the proposed cinema.
  - 6. THAT** the outcomes of the EOI process for the cinema, together with the alternate options for a fifth court be reported to council for a determination on the preferred use of the underground space, prior to proceeding with detailed design for this component.
  - 7. THAT** temporary relocation options for North Sydney Indoor Sports Centre activities be investigated including opportunities associated with the redevelopment of other Council owned sites.
  - 8. THAT** the Northern Suburbs Basketball Association be consulted on all matters relating to the capacity of proposed facilities and relocation options.
  - 9. THAT** subject to necessary approvals being obtained, progressive implementation of the works generally proceed in line with the staging and funding plan as exhibited.
  - 10 .THAT** six monthly progress updates continue to be sent to Council's Legal and Planning Committee including funding details and anticipated timeframes.
-

Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
 Re: Hume Street Park Concept Design Options - Post-exhibition Report

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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

The St Leonards/Crows Nest Planning Study - Precinct 1 (“the Study”) was adopted by Council on 22 October 2012. The Study identified opportunities for improved urban design outcomes in this precinct whilst accommodating managed increases in height and density. An important component of the Study was the Open Space and Pedestrian Masterplan and a Built Form Masterplan that together provided 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.
-

Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
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Figure 1 - Image from St Leonards/Crows Nest Planning Study - Precinct 1 showing the concept of an expanded Hume Street Park

In August 2014, Council resolved to engage Tonkin Zulaikha Greer (TZG) and James Mather Delaney Design (JMD) 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 and JMD are both highly experienced award-winning architectural and landscape architectural consultancies respectively. They lead a strong team in support of the requirements of the project including MBM (Miliken Berson Madden) for cost planning and Land Use Projects for feasibility assessment.

TZG+JMD undertook the concept design and feasibility planning work in three stages:

1. Documentation review and information gathering;
2. Concept development; and
3. Cost planning and feasibility.

The outcomes of this work were presented in four Volumes:

- Volume 1 - Executive Summary;
- Volume 2 - Concept Options Analysis;
- Volume 3 - Existing Site Investigation;
- Volume 4 - Document Review;

Consistent with the St Leonards / Crows Nest Planning Study - Precinct 1, 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 3000m<sup>2</sup> of additional open space (over 6,000m<sup>2</sup> in total). Concept design option 3 represents a whole of block redevelopment outcome that includes over 5,000m<sup>2</sup> of new open space (over 8,000m<sup>2</sup> in total).

At its meeting on 18 May 2015, North Sydney Council resolved to exhibit the draft Hume Street Park concept design options including all four volumes of TZG+JMD work.

## CONSULTATION REQUIREMENTS

Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
Re: Hume Street Park Concept Design Options - Post-exhibition Report

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Community engagement was undertaken in accordance with Council's Community Engagement Protocol. Additional details are provided below.

## **SUSTAINABILITY STATEMENT**

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

## **DETAIL**

### **1. Public Exhibition**

The concept design options were placed on public exhibition from Thursday 11 June 2015 to Friday 10 July 2015. The exhibition material comprised the following documents:

- Council Report - 18 May 2015
- Volume 1 - Executive Summary
- Volume 2 - Concept Options Analysis
- Volume 3 - Existing Site Investigation
- Volume 4 - Document Review
- St Leonards/Crows Nest Planning Study - Precinct 1 (2012)

Consultation undertaken during the public exhibition period is summarised below. This is in addition to consultation undertaken during preparation of the concept options. It is also in addition to the consultation undertaken during preparation of the St Leonards / Crows Nest Planning Study - Precinct 1.

#### **1.1. Advertisement in the Mosman Daily**

An advertisement was placed in the Mosman Daily on

The advertisement provided the following information:

- A brief background to the project;
- A summary of the three concept design options;
- The reason why Council is seeking community input;
- How and where the public exhibition material can be viewed;
- Details of public information sessions;
- How to make a submission.

#### **1.2. Notification**

Notification letters were distributed to property owners and occupiers in accordance with the distribution map below.

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Figure 2 - Notification area map

Notification letters were also sent to the following:

- Kelly's Place Children's Centre;
- Northern Suburbs Basketball Association;
- NSW Department of Planning and Environment;
- Transport for NSW - Roads and Maritime Services;
- Willoughby Council;
- Lane Cove Council;
- 15 Atchison St, St Leonards (owners and occupiers);
- 48 Atchison St, St Leonards (owners and occupiers).

The notification letters provided the following information:

- A brief background to the project;
- A summary of the three concept design options;
- The reason why Council is seeking community input;
- How and where the public exhibition material can be viewed;
- Details of public information sessions;
- How to make a submission.

### 1.3. Information displays

The exhibition material was displayed at the following locations:

- At Council's Customer Service Centre, 200 Miller Street, North Sydney, from 9:00am to 5:00pm Monday to Friday;
- In the Stanton Library, 234 Miller Street, North Sydney, from 9:00am to 9:00pm Monday to Thursday, 9:00am to 6:00pm Friday, and 10:00am to 5:00pm Saturday and Sunday;
- At the Crows Nest Community Centre, 2 Ernest Place, Crows Nest, from 8.30am to 4.30pm Monday to Friday.

In addition, information posters were placed at the following locations:

Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
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- On the vacant retail tenancy shopfront on the eastern side of the Hume Street carpark;
- On the turret of Kelly's Place in the rooftop section of the park facing Hume Street;
- On the fence of the children's playground in St Thomas Rest Park;
- In the display cabinets at Civic Park, Miller Street North Sydney.

A set of posters were also provided to Holtermann Precinct representatives to put up at a place of their choosing. Copies of the full document set including posters were provided to:

- Kelly's Place Children's Centre management;
- Northern Suburbs Basketball Association;
- Holtermann Precinct representatives.

#### **1.4. Online presence**

The exhibition material was available on Council's web-site at [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).

Other online methods used for informing the community and seeking feedback included:

- Council's Voicebox facility;
- Council's Twitter Account;
- Council's Facebook Account.

#### **1.5. Consultation sessions**

The following consultation sessions were undertaken:

- 9 June 2015 - Presentation and Q & A session - Holtermann Precinct Committee meeting;
- 11 June 2015 - Presentation and Q & A session - Kelly's Place Children's Centre, Directors and Management Board;
- 12 June 2015 - Door knocking businesses on portion of Hume Street that is proposed to be closed to traffic and delivery of targeted notification letter (31-65 Hume Street);
- 13 June 2015 - Community information stall at Crows Nest Community Centre entrance foyer (9am-12noon) with staff in attendance as advertised in Mosman Daily and on Council website;
- 15 June 2015 - Presentation and Q & A session - Northern Suburbs Basketball Association incl. Michael Haynes, Chief Executive Officer;
- 15 June 2015 - Community information stall at Crows Nest Community Centre entrance foyer (12noon-3pm) with staff in attendance as advertised in Mosman Daily and on Council website;
- 15 June 2015 - Presentation and Q & A session - Hume St property and business owners, Ros Crichton Pavilion, North Sydney Council. Property owners were notified of meeting by way of targeted mailout. Business owners were notified by hand delivered letter;
- 20 June 2015 - Information display with staff in attendance - 11am-1pm whilst the Crows Nest Market was in progress;
- 23 June 2015 - Crows Nest Mainstreet - Presentation and Q & A session.

## **2. Design Excellence Panel**

On 9 June 2015, the draft concept design options were considered by the North Sydney Design Excellence Panel (the DEP). Overall the DEP members were very supportive of the

Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
Re: Hume Street Park Concept Design Options - Post-exhibition Report

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initiative and saw Option 3 as an opportunity to positively transform the area. Significant concerns were raised regarding Options 1 and 2 particularly that re-use and retrofitting the existing car park structure to improve functionality and aesthetics would add bulk and scale while doing nothing to resolve other problems associated with this structure such as overshadowing and its divisive role in the urban landscape.

Minutes from the Panel's meeting are provided at Attachment 7.

### 3. Submissions received

Council received eighty-seven (87) submissions on the draft concept design options. A summary of the submissions is at Attachment 6. A copy of all submissions has been placed in the Councillor's room.

Sixty-nine (69) submissions (79%) were from people associated with Northern Suburbs Basketball Association or who stated some connection with the North Sydney Indoor Sports Centre facility. These submissions generally referred to the submission by the Northern Suburbs Basketball Association or contained pro-forma text suggested by the Northern Suburbs Basketball Association via the Associations website.

### 4. Support for concept design options

Only three (3) submissions were received that explicitly expressed support for Option 1. Nil submissions were received which expressed support for Option 2. Eleven (11) submissions were received which explicitly expressed strong support for Option 3.

<b>Support for concept design options</b>					
	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>None (explicit)</b>	<b>None (issues based)</b>
<b>Submissions received</b>	3	0	11	48	25

Table 1 – Stated support for each option

Forty-eight (48) submissions were received which explicitly stated that they did not support any of the concept design options. All of these submissions were received from people associated with the Northern Suburbs Basketball Association or who stated some connection with the North Sydney Indoor Sports Centre facility. The key reason for the lack of support for any option was that new proposals should have expanded capacity in the facilities and in particular that none of the options include an additional fifth basketball court, per the recommendation included in the North Sydney Recreation Needs Study. It is noted that most of these submissions expressed support for the submission made by the Northern Suburbs Basketball Association which noted that Option 3 contains the potential to accommodate additional capacity.

Twenty-five (25) submissions were received which didn't identify support for an option and instead focused on particular issues. Of these, fourteen (14) submissions were from people associated with the Northern Suburbs Basketball Association or who stated some connection with the North Sydney Indoor Sports Centre facility. These submissions stated that new proposals should have expanded capacity in the facilities. While concept design option 3 provides for additional capacity for a range of activities, the additional floorspace does not



Report of Alex Williams, Team Leader - Policy and David Banbury, Landscape Architect  
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have floor to ceilings heights suitable for sports such as basketball. It is noted that most of these submissions expressed support for the submission made by the Northern Suburbs Basketball Association which noted that Option 3 contains the potential to accommodate additional basketball capacity.

In summary, 84% of submissions indicated either strong support for concept design option 3 (13%) or a preference for concept design option 3 subject to additional indoor sports capacity being incorporated (71%). This contrasts with stated support for concept design option 1 at 3% and no submissions of support being received for concept design option 2.

## **5. Consideration of issues**

The submission summary table at Attachment 6 provides a response to all issues raised by submitters. The main issues raised during the public exhibition that warrant more detailed consideration are as follows:

### **5.1. Capacity of indoor recreation facility**

As noted above, 79% of submissions received raised concerns regarding the capacity of the indoor sports facility in each concept design option. The general position taken is that new proposals should have expanded capacity in the facilities. Many submissions make reference to the inconsistency between the concept design options, which each propose maintaining the current capacity of four basketball courts, and the North Sydney Recreation Needs Study, which recommends Council provides a 'fifth' basketball court.

The brief for the expansion of Hume Street Park, which was driven by the St Leonards/ Crows Nest Planning Study work, looked at expanding the passive open space as the primary objective and did not specifically include the need to expand the Indoor Sports Centre. The concept design options for the expansion of Hume Street Park were endorsed for public exhibition by Council at its meeting on 18 May 2015. At that same meeting Council's Recreation Needs Study, which included a recommendation that a fifth court be provided at the Indoor Sports Centre, was adopted by Council. Therefore, when the Hume Street Park concept design options were being prepared, no endorsed position existed regarding a fifth basketball court at the Crows Nest facility.

Despite this, TZG+JMD were asked early on in the concept design process to investigate the potential for increased indoor sports capacity. Consistent with the 2006 Recreation Needs Study in force at the time, emphasis was placed on floorspace catering to uses other than basketball. Options 1 and 2 did not include significant increases in capacity due to the limitations associated with retaining the existing structure. Option 3 provides for an increase in floorspace for the indoor sports centre of 2,055m<sup>2</sup> from 3,690m<sup>2</sup> to 5,745m<sup>2</sup>. However it is noted that this additional floorspace has a limited floor to ceiling height which limits the range of sports that could be use the additional space. So whilst a range of other sports could be accommodated within this additional space, it would preclude sports like basketball that require larger areas with higher clearances.

Following adoption of the Recreation Needs Study in May 2015, and the submissions received during the exhibition process for the Hume Street Park Expansion project, TZG+JMD were asked to test the concept of an additional court at the Crows Nest facility, with reference to the concept options developed for the park. The preliminary findings of this

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work are outlined below:

### *Concept Option 1 v Provision of a Fifth Court*

The authors of the Recreational Needs Study advised that the concept for a fifth court discussed during consultation for the study (and hence it is assumed the concept referred to in the RNS recommendations) involved extending the sports centre playing area over the Hume Street road reservation. This is illustrated by TZG below:

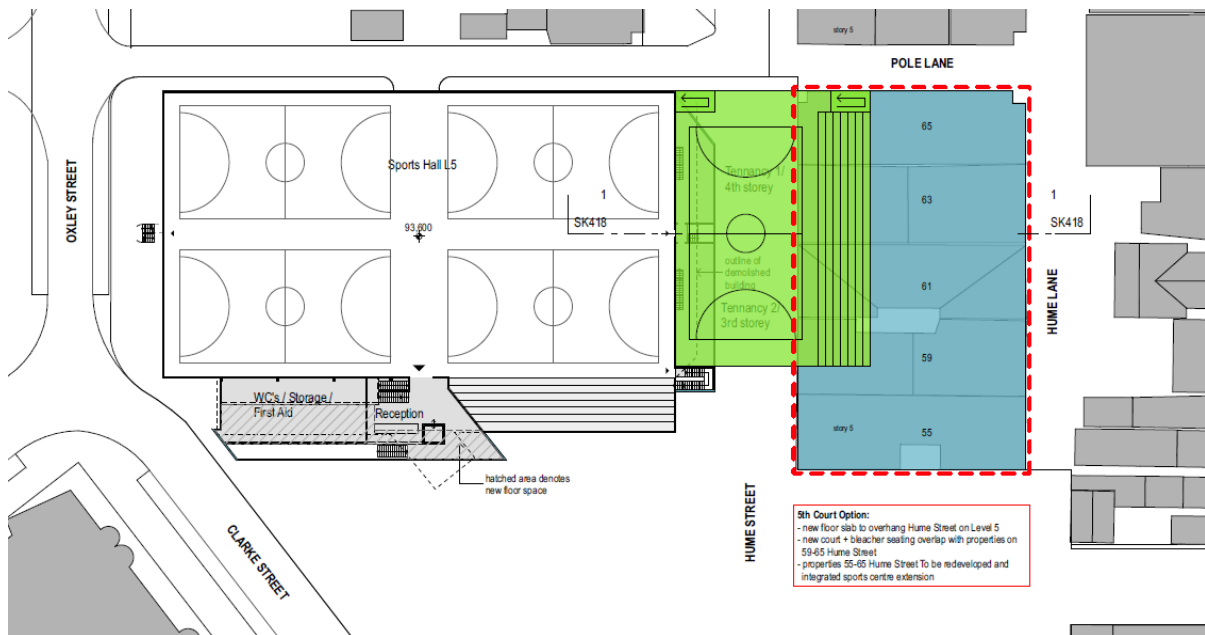


Figure 3 – Option 1 showing additional basketball court

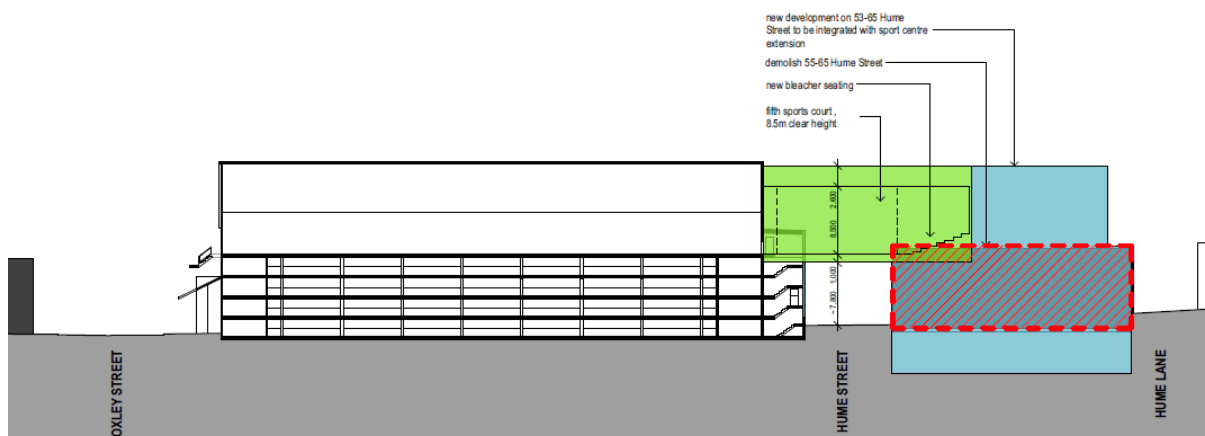


Figure 4 - Option 1 showing additional basketball court

Building over Hume Street, as shown in the amended Option 1 above (Figures 3, 4), is not considered worthy of support. It conflicts with established urban design principles such as maintaining view corridors along Hume Street and would be inconsistent with the intent of recent planning initiatives in the area which are aimed at improving built form outcomes. It would be a poor neighbour to an expanded Hume Street Park to the south.

### *Concept Option 2 v Provision of a Fifth Court*

Adding a fifth court above the existing sports centre, as shown in the amended Option 2 below (see Figures 5, 6), is also not considered worthy of support. As with the amended Option 1, re-use and retrofitting the existing car park structure to accommodate a fifth court in this way would add bulk and scale while exacerbating existing problems associated with the car park / sports centre structure such as overshadowing and its divisive role in the urban landscape.

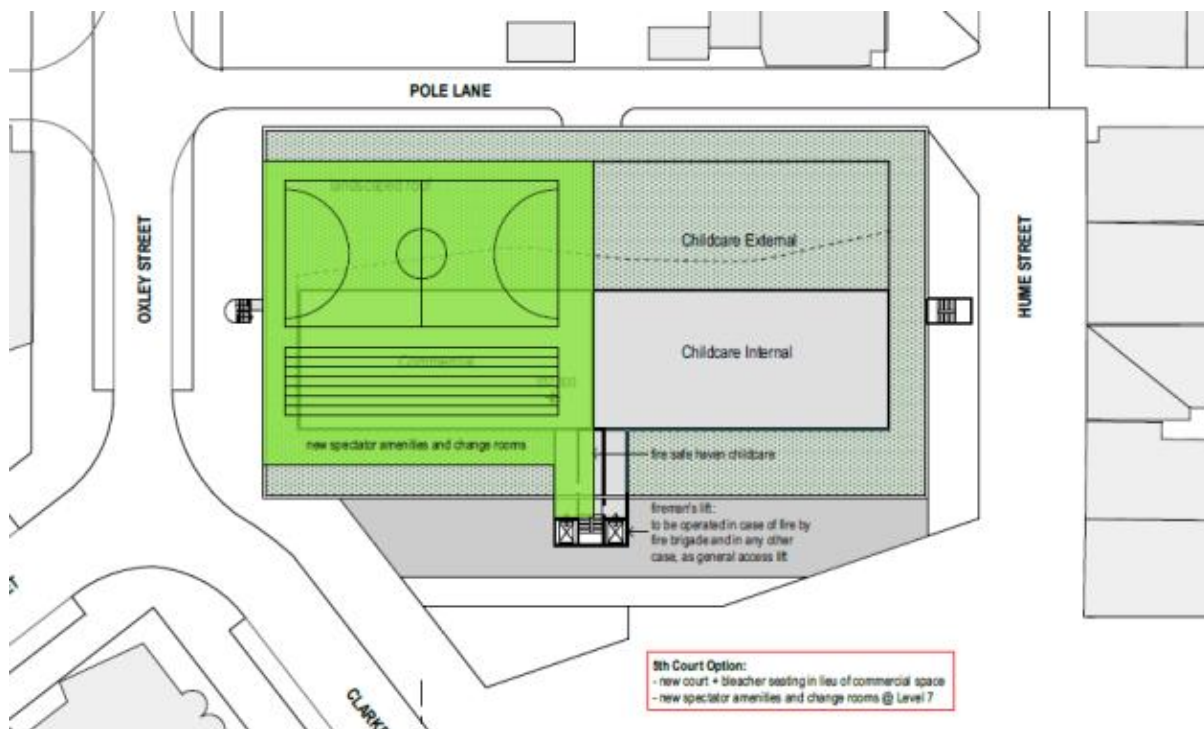


Figure 5 – Option 2 showing additional basketball court



Figure 6 – Option 2 showing additional basketball court

### ***Concept Option 3 v Provision of a Fifth Court***

Concept design option 3 was found to be capable of accommodating a fifth court however this would be at the expense of the underground cinema that formed part of the option that was

publically exhibited (see Figures 7, 8).



Figure 7 - Option 3 showing additional basketball court (in lieu of underground cinema)

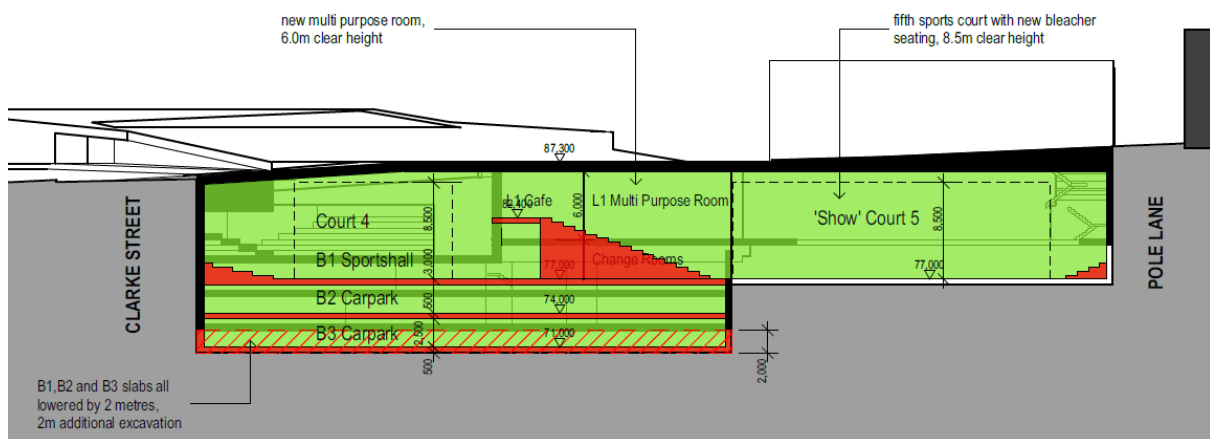


Figure 8 - Option 3 showing additional basketball court

Concept design option 3 is the only option that increases the capacity of the indoor sports facility. Option 3 also has the ability to accommodate capacity beyond that exhibited should the void below the plaza be used for a fifth basketball court, in lieu of the proposed cinema use. Unlike adding a fifth basketball court to concept design options 1 and 2, adding a fifth

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Re: Hume Street Park Concept Design Options - Post-exhibition Report

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basketball court to concept design option 3 may not have a major negative physical or visual impact on the key objective of expanding Hume Street Park. It may require some re-design of the park and plaza area above to accommodate the necessary skylights and related infrastructure, that wouldn't be required for an underground cinema.

However there may be social and financial implications that need to be considered in regards to a change of use from the proposed cinema to a fifth basketball court. It is noted that the concept of an underground cinema was generally supported in feedback received during consultation sessions. It was seen as complementing the night time activities of the Willoughby Road restaurant strip in particular and providing activation to the park in the evening. In addition, should a fifth court replace the proposed Cinema, the financial modelling for Option 3 would need to be adjusted accordingly. TZG has been asked to look at the implications to the existing financial model. The preliminary findings of this work can be seen at Attachment 9.

Should Council endorse concept design option 3 (as exhibited) as the preferred option for the expansion of Hume Street Park, in order to proceed with detailed design, it is recommended that market testing of the cinema concept be undertaken through an Expression of Interest process. Also that detailed design of the underground space mooted for the cinema be deferred pending the outcomes of the EOI process. Once this information is to hand the matter can then be reported back to Council together with the options for a fifth court, such that a determination can be made of the preferred use for this space.

As noted in the recently adopted Recreation Needs Study, Council has a number of options that could be explored to provide additional indoor sports courts including the Ward Street and Ridge Street car parks. Some of these opportunities are currently being investigated as part of Council's Community Uses on Council Land Study. Should the redevelopment of Hume Street Park not allow for a sufficient increase in capacity to meet the needs of the Northern Suburbs Basketball Association, additional capacity may be able to be provided via redevelopment of these other identified sites.

## **5.2. Relocation of indoor sports function during construction**

Fifty-two (52) submissions specifically raised concerns regarding the impact that redevelopment will have on the operation of the North Sydney Indoor Sports Centre facility. The submissions generally repeat the assertion that the feasibility for temporary relocation of North Sydney Indoor Sports Centre activities during any construction period should be established prior to project approval.

The goal of this initiative is to identify Council's long-term vision for the expansion of Hume Street Park. It is not considered practical to prevent further work being undertaken to facilitate the expansion of the park until the details of sports centre relocation have been finalised.

Once Council has endorsed a preferred option for the expanded park, a degree of certainty will exist regarding the broad parameters of Council's desired vision for the park. This will allow more detailed work to be undertaken to achieve the vision. This work will include tasks such as progressing planning and development applications and undertaking detailed design of the expanded park.

Any temporary relocation of current North Sydney Indoor Sports Centre activities in order to

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realise this vision will need to be managed to minimise adverse affects on the Sports Centre operations. As suggested in the submission from the NSBA this may include finding them alternative premises for the duration of the construction works.

As noted in the recently adopted Recreation Needs Study, Council has a number of options that could be explored to provide additional indoor sports courts including redevelopment of the Ward Street and Ridge Street car parks. Some of these opportunities are currently being investigated as part of Council's Community Uses on Council Land Study.

## **6. Next steps**

Following is a summary of the next steps necessary to enable the expansion of Hume Street Park to progress:

- a) Endorse Option 3 as the preferred concept, on the basis of feedback received during the exhibition period;
- b) Undertake any planning amendments necessary to facilitate Option 3;
- c) Commence detailed design to Development Application stage for Option 3, with the detailed design of the underground cinema space component to be deferred pending the outcomes of d) below;
- d) Undertake an EOI process to market-test the proposed cinema and report outcomes back to Council, together with a possible fifth court option in order to determine a way forward for the underground space;
- e) Once a determination has been made of the use of the underground space, finalise detailed design to DA stage for this component;
- f) Finalise a staging and funding plan for the preferred option, with a focus on commencing works on Stages 1 & 2 as outlined in the draft plan in the TZG + JMD report, as soon as the necessary approvals are obtained.

Please note that this information is not exhaustive, is provided in good faith and may be subject to change should the circumstances require. Some aspects of these steps are further explained below:

### **6.1. Planning amendments**

In regards to b) above in particular, preliminary investigations reveal that amendments to Local Environmental Plan 2013 will be required in order to enable the redevelopment of the expanded Hume Street Park site. This is likely to include rezoning of the land such that all endorsed uses are permissible on the site. Investigations at this stage should also include whether the land is appropriately classified under the Local Government Act 1993 and corrective action undertaken to ensure appropriate classification if necessary to achieve the intent of concept design option 3.

It is also likely that an accompanying amendment to Development Control Plan 2013 will need to be prepared, particularly relating to Part C - Area Character Statements, to appropriately include the intent of concept design option 3.

### **6.2. Development approvals**

The completion of detailed designs will allow for relevant documentation to be prepared and a development application to be lodged. Given that Council would be the applicant for this

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project and the likely construction cost, it is anticipated that the assessment would be undertaken externally and the determination made by either the Joint Regional Planning Panel or Planning Assessment Commission.

### **6.3. Tendering and construction**

Tendering and construction of capital works packages can commence once requisite approvals for the project have been obtained. As noted above it is proposed that initial works would be in line with the draft staging plan as advertised, focusing on the creation of the link from Willoughby Road, creation of the plaza space, closure of Hume Street and associated streetscape works.

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**DECISION OF 3664<sup>th</sup> COUNCIL MEETING  
HELD ON 18 MAY 2015**

**136. CiS06: Hume Street Park expansion - Concept and feasibility planning**

Report of Alex Williams, Strategic Planning Team Leader - Policy

On 22 October 2012, Council formally adopted the St Leonards/Crows Nest Planning Study - Precinct 1 ("the Study") which sought to manage the growth of that precinct. A key outcome of the Study was the proposal to expand Hume Street Park and provide a pedestrian link to Willoughby Road.

In August 2014, consultancy team Tonkin Zulaikha Greer & JMD Design (TZG+JMD) was engaged to undertake concept design and feasibility planning for the expansion of Hume Street Park. In collaboration with an internal working team, the consultant team has prepared three concept design options for the expansion of the park. Options 1 and 2 are generally consistent with the open space gains envisaged by the Study of Precinct 1. Option 3 takes into consideration the limited life span of the existing Hume Street car park and indoor sports centre structure and represents a whole-of-block outcome with significant open space gains beyond that envisaged by the Study.

The next stage of the process is to consult with the community, including key stakeholders, regarding the three options and their component parts. This will assist in the ongoing refinement of the concept designs. It should be noted that this remains at concept stage and there is enough flexibility in the options to enable component parts of the designs to be amended or massaged following consultation.

TZG+JMD have prepared a staging plan for each concept design option. Notably, stages 1 and 2 are similar for each option. An opportunity therefore exists to implement stages 1 and 2 with funds available in the short-term, while deferring implementation of a final outcome until design refinements are made, and cost implications and funding options become clearer. A transformational project such as that represented by concept design option 3, may well attract State Government funding should the mooted Crows Nest Rapid Transit railway station, and associated requirements for increased density, come to fruition.

This report recommends that the consultant outputs, including the three concept designs and funding options, be placed on public exhibition for community input. Following the consideration of submissions and further deliberation with the consultant team and Councillors, it is anticipated that a preferred option can be identified and pursued to detailed design. Identification of a preferred option will also allow for a detailed long term funding plan to be prepared for implementation beyond Stages 1 and 2.

**Recommending:**

- 1. THAT** the concept planning and feasibility work prepared by consultants TZG+JMD (Attachments 1-4) be placed on public exhibition for 28 days.
- 2. THAT** key stakeholders, including the Holtermann Precinct Committee, North Sydney Indoor Sports Centre, Kelly's Place Children's Centre and property owners within Precinct 1, be notified of the exhibition period and offers be made for Council staff to present the three concept design options.

**RESOLVED:**

- 1. THAT** the concept planning and feasibility work prepared by consultants TZG+JMD (Attachments 1-4) be placed on public exhibition for 28 days.
- 2. THAT** key stakeholders, including the Holtermann Precinct Committee, North Sydney Indoor Sports Centre, Kelly's Place Children's Centre and property owners within Precinct 1 and Crows Nest Streetscape Committee be notified of the exhibition period and offers be made for Council staff to present the three concept design options.
- 3. THAT** Council staff be congratulated on the Planning Study.

4. **THAT** a rigorous and broad Community Engagement Plan be prepared to ensure the community is fully informed and able to participate in consultation.
5. **THAT** Council's Strategic Planning staff ensure the Community Engagement Plan meets best practice.
6. **THAT** Council staff provide a presentation at the next Crows Nest Streetscape Committee meeting.

The Motion was moved by Councillor Gibson and seconded by Councillor Marchandean.

Voting was as follows:

For/Against 9/0

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Reymond	Y		Morris	Y	
Clare	Y		Burke	<b>Absent</b>	
Baker	Y		Marchandean	Y	
Carr	<b>Absent</b>		Bevan	Y	
Beregi	Y				



## Report to General Manager

Attachments:

1. Volume 1 - Executive Summary
2. Volume 2 - Concept Options Analysis
3. Volume 3 - Existing Site Investigation
4. Volume 4 - Document Review
5. Community Services memo regarding concept design option 2

**SUBJECT:** Hume Street Park expansion - Concept and feasibility planning

**AUTHOR:** Alex Williams, Strategic Planning Team Leader - Policy

**ENDORSED BY:** Joseph Hill, Director City Strategy

### EXECUTIVE SUMMARY:

On 22 October 2012, Council formally adopted the St Leonards/Crows Nest Planning Study - Precinct 1 ("the Study") which sought to manage the growth of that precinct. A key outcome of the Study was the proposal to expand Hume Street Park and provide a pedestrian link to Willoughby Road.

In August 2014, consultancy team Tonkin Zulaikha Greer & JMD Design (TZG+JMD) was engaged to undertake concept design and feasibility planning for the expansion of Hume Street Park. In collaboration with an internal working team, the consultant team has prepared three concept design options for the expansion of the park. Options 1 and 2 are generally consistent with the open space gains envisaged by the Study of Precinct 1. Option 3 takes into consideration the limited life span of the existing Hume Street car park and indoor sports centre structure and represents a whole-of-block outcome with significant open space gains beyond that envisaged by the Study.

The next stage of the process is to consult with the community, including key stakeholders, regarding the three options and their component parts. This will assist in the ongoing refinement of the concept designs. It should be noted that this remains at concept stage and there is enough flexibility in the options to enable component parts of the designs to be amended or massaged following consultation.

TZG+JMD have prepared a staging plan for each concept design option. Notably, stages 1 and 2 are similar for each option. An opportunity therefore exists to implement stages 1 and 2 with funds available in the short-term, while deferring implementation of a final outcome until design refinements are made, and cost implications and funding options become clearer. A transformational project such as that represented by concept design option 3, may well attract State Government funding should the mooted Crows Nest Rapid Transit railway station, and associated requirements for increased density, come to fruition.

This report recommends that the consultant outputs, including the three concept designs and funding options, be placed on public exhibition for community input. Following the

Report of Alex Williams, Strategic Planning Team Leader - Policy  
Re: Hume Street Park expansion - Concept and feasibility planning

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consideration of submissions and further deliberation with the consultant team and Councillors, it is anticipated that a preferred option can be identified and pursued to detailed design. Identification of a preferred option will also allow for a detailed long term funding plan to be prepared for implementation beyond Stages 1 and 2.

**FINANCIAL IMPLICATIONS:**

Nil

**RECOMMENDATION:**

- 1. THAT** the concept planning and feasibility work prepared by consultants TZG+JMD (Attachments 1-4) be placed on public exhibition for 28 days.
  - 2. THAT** key stakeholders, including the Holtermann Precinct Committee, North Sydney Indoor Sports Centre, Kelly's Place Children's Centre and property owners within Precinct 1, be notified of the exhibition period and offers be made for Council staff to present the three concept design options.
-

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 Re: Hume Street Park expansion - Concept and feasibility planning

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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

The St Leonards/Crows Nest Planning Study - Precinct 1 (“the Study”) was adopted by Council on 22 October 2012. The Study identified opportunities for improved urban design outcomes in this precinct whilst accommodating managed increases in height and density. An important component of the Study was the Open Space and Pedestrian Masterplan and a Built Form Masterplan that together provided 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;
  - Relocation of Kelly’s Place Children’s Centre and closure of Hume Street between Clarke Street and Pole Lane to facilitate the open space expansion;
  - Activation of frontages to the park;
  - Widened footpaths along the Pacific Highway and key pedestrian routes; and
  - High amenity mixed use buildings on key sites.
-

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Figure 1 - Image from St Leonards/Crows Nest Planning Study - Precinct 1 showing the concept of an expanded Hume Street Park

In August 2014, Council resolved to engage Tonkin Zulaikha Greer (TZG) and James Mather Delaney Design (JMD) to lead a consultancy team for the concept and feasibility planning for the expansion and embellishment of Hume Street Park in line with the objectives of the master plan referred to above. TZG and JMD are both highly experienced award-winning architectural and landscape architectural consultancies respectively. They lead a strong team in support of the requirements of the project including Northrop Consulting Engineers, Transport & Urban Planning Pty Ltd, SMEC Environmental Engineers, MBM (Miliken Berson Madden) for cost planning and Land Use Projects for feasibility assessment.

## CONSULTATION REQUIREMENTS

Members of Council's internal project implementation team, in conjunction with TZG+JMD, liaised with key stakeholders, including Kelly's Place Children's Centre, as the first stage of the community engagement strategy for the expansion of the park. In regards the children's centre this included liaison on the development of a 'model' children's centre layout, to be used as the basis for developing the more specific layouts, tailored to whichever overall site redevelopment scenario is ultimately selected for detailed design work. Initial consultation with the North Sydney Indoor Sports Centre, through their feedback to the separate North Sydney Recreational Needs Study process was also incorporated.

Community engagement for the expansion of the park, including public exhibition, will continue to be undertaken in accordance with Council's Community Engagement Protocol. This report is seeking Council endorsement to publically exhibit the three concept design options and all background material prepared by TZG+JMD.

During the public exhibition period, it is proposed to obtain advice from Council's Design Excellence Panel regarding the design attributes of each concept design option.

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 which identified this work conceptually.

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## SUSTAINABILITY STATEMENT

The following table provides a summary of the key sustainability implications:

QBL Pillar	Implications
Environment	<ul style="list-style-type: none"> <li>• New green spaces in built up areas reduce heat island effects and reduce the need for artificial cooling.</li> <li>• Open space and greening of public domain potentially provides for ecological processes and habitat.</li> </ul>
Social	<ul style="list-style-type: none"> <li>• Improved street level amenity will make pedestrian journeys more enjoyable.</li> <li>• Improved linkages between origins and destinations (train station, Willoughby Road, etc.) will improve connectivity and make areas of high amenity more accessible for residents/workers.</li> <li>• New civic and/or open space in areas of high demand will operate as community meeting places.</li> </ul>
Economic	<ul style="list-style-type: none"> <li>• Improved amenity in St Leonards will improve its attractiveness for investment and consumer spending.</li> </ul>
Governance	<ul style="list-style-type: none"> <li>• The project aims to implement a key component of Council's strategic vision for the area as per the adopted St Leonards/Crows Nest Planning Study - Precinct 1.</li> </ul>

## DETAIL

### 1. Consultant outputs

TZG+JMD has undertaken the concept design and feasibility planning work in three stages:

1. Documentation review and information gathering;
2. Concept development; and
3. Cost planning and feasibility.

The outcomes of this work can be seen in full in the following documents:

- Volume 1 - Executive Summary (Attachment 1)
- Volume 2 - Concept Options Analysis (Attachment 2)
- Volume 3 - Existing Site Investigation (Attachment 3)
- Volume 4 - Document Review (Attachment 4)

It is proposed that the complete suite of documents be placed on public exhibition.

### 2. Concept design options

The work undertaken by TZG+JMD in consultation with Council's internal working team, has resulted in three concept design options being put forward for consideration. These three options can be seen in detail in the consultant outputs (Attachments 1 and 2) and are summarised below.



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## 2.1. Option 1

Concept design option 1 is generally consistent with the preliminary concept put forward by the St Leonards/Crows Nest Planning Study - Precinct 1. It includes the following:

- A plaza and pedestrian link between Hume Street and Willoughby Road;
- Relocating Kelly's Place Children's Centre into a mixed use development to the east of Hume Street;
- Closing Hume Street between Pole Lane and Clarke Street;
- Alterations to the existing Hume Street car park and indoor sports centre including new commercial and retail tenancies, a new entrance to the sports centre, improved ancillary facilities and a new facade incorporating a green wall;
- 3,190m<sup>2</sup> of new open space (6,115m<sup>2</sup> in total) at street level, including a public children's playground.

The concept design for this option is shown below, however, more details and images are included in Attachments 1 and 2.

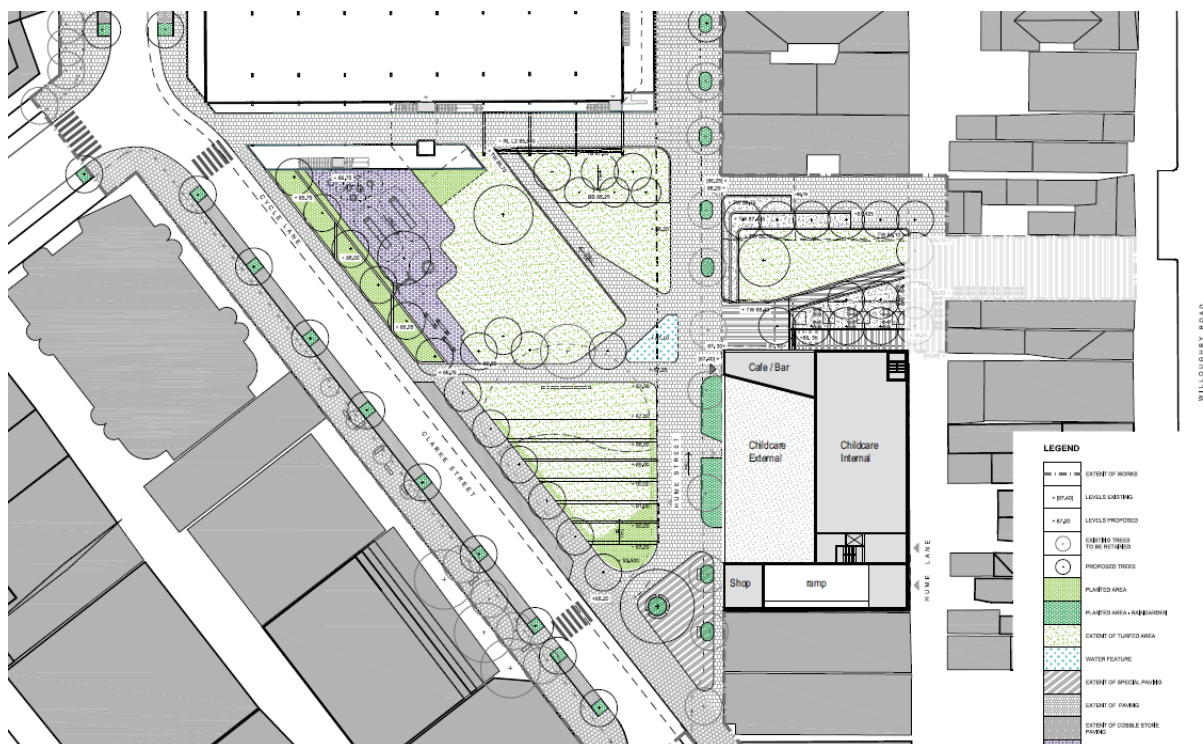


Figure 2 - Option 1 landscape plan

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Figure 3 - Option 1 perspective from corner of Clarke St and Hume St

## 2.2. Option 2

Concept design option 2 is generally consistent with concept design Option 1 with the exception that Kelly's Place Children's Centre is incorporated into the existing Hume Street car park and indoor sports centre structure at roof level. This involves construction of a new roof slab above the sports centre to support the children's centre premises and outdoor play area, as well as adjacent commercial floorspace. The remainder of the roof slab would be treated as a green-roof area. Please refer to Attachment 2 for concept architectural drawings.

Whilst a rooftop location for a children's centre is feasible from an architectural and engineering point of view, Council's Community Services Department has expressed concerns with this option in regards to separation from the existing park and fire safety and evacuation management in particular (see Attachment 5 for Community Services position on concept design Option 2).

The concept design for this option is shown below, however, more details and images are included in Attachments 1 and 2.



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Figure 4 - Option 2 landscape plan



Figure 5 - Option 2 perspective from corner of Clarke St and Hume St

### 2.3. Option 3

Concept design Option 3 goes beyond the scope envisaged by the planning study of Precinct 1 by taking into consideration the limited life span of the existing Hume Street car park and

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indoor sports centre structure. Option 3 represents a whole-of-block outcome and includes the following:

- Demolishing the existing parking and sports centre structure;
- Closing Hume Street between Pole Lane and Clarke Street;
- A plaza and pedestrian link between Hume Street and Willoughby Road;
- New underground car parking and indoor sports facilities allowing for a minor expansion of both;
- A new underground commercial space well suited to a cinema or indoor swimming pool;
- A green roof over the underground facilities allowing for more usable open space;
- Relocating Kelly’s Place Children’s Centre into a new facility located above the new indoor sports facility in the middle of the expanded park;
- 5,317m<sup>2</sup> of new open space (8,242m<sup>2</sup> in total) largely at street level, including a public children’s playground.

The concept design for this option is shown below; however, more details and images are included in Attachments 1 and 2.

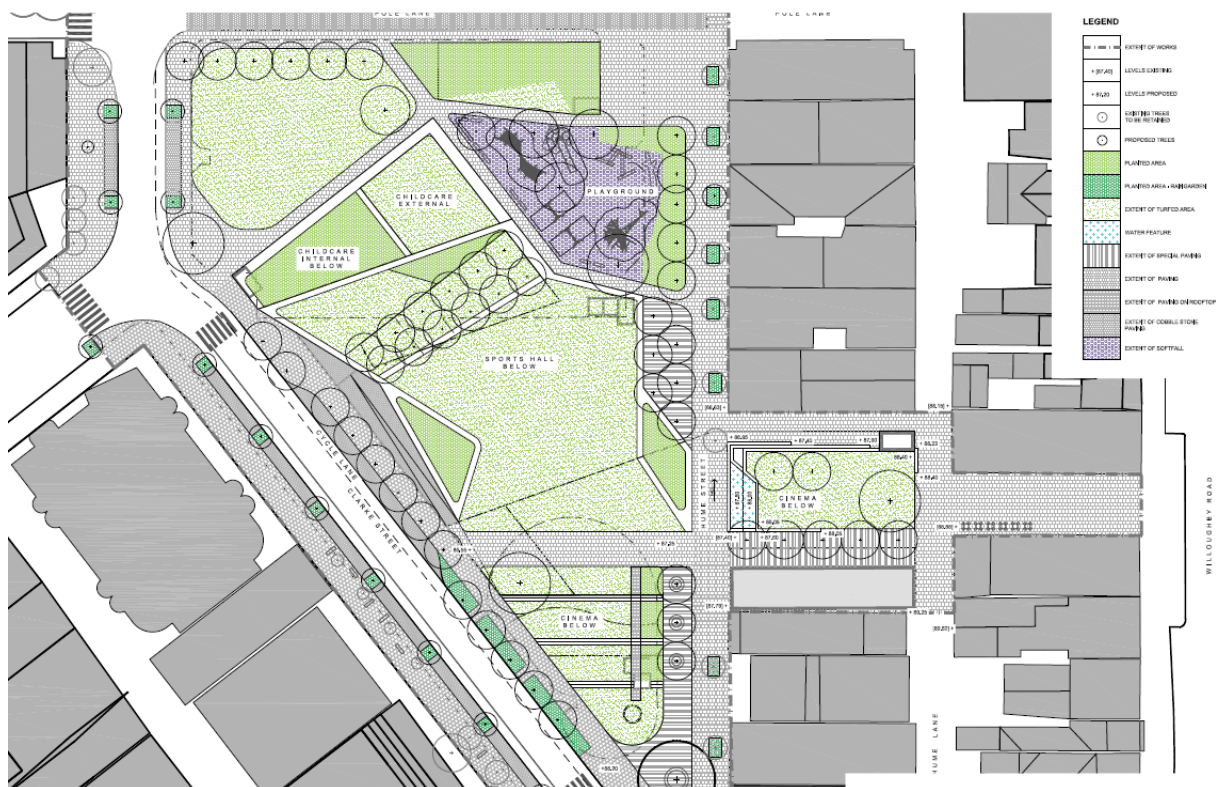


Figure 6 - Option 3 landscape plan

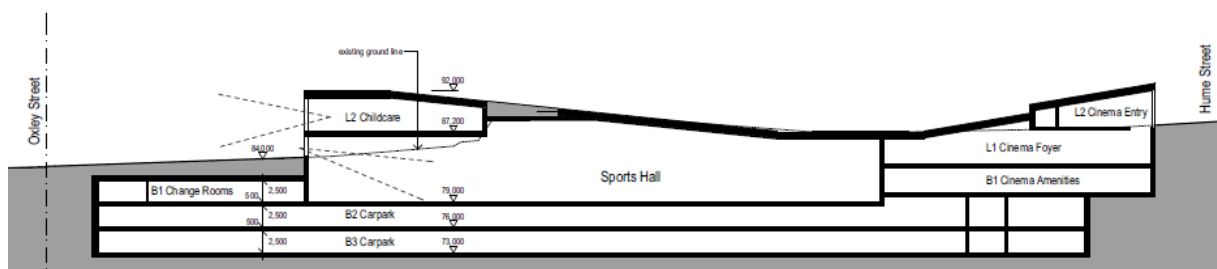


Figure 7 - Option 3 architectural section



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Figure 8 - Option 3 perspective from corner of Clarke St and Hume St



Figure 9 - Option 3 perspective from corner of Oxley St and Pole Ln

### 3. Options assessment

A detailed assessment of the three concept design options can be seen in detail in the

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consultant outputs (see Attachment 1). The tables below summarise the assessment.

Criteria		Existing	Option 1	Option2	Option 3
Areas	Open space	2,925m <sup>2</sup>	6,115m <sup>2</sup> (209%)	6,252m <sup>2</sup> (213%)	8,242m <sup>2</sup> (282%)
	Retail	393m <sup>2</sup>	776m <sup>2</sup>	653m <sup>2</sup>	210m <sup>2</sup>
	Retail incubator	-	345m <sup>2</sup>	364m <sup>2</sup>	-
	Cinema / other	-	-	-	3,035m <sup>2</sup>
	Office / residential	-	3,744m <sup>2</sup>	810m <sup>2</sup>	810m <sup>2</sup>
	Indoor sports	3,690m <sup>2</sup>	4,008m <sup>2</sup>	3,757m <sup>2</sup>	5,745m <sup>2</sup>
	Land acquisition	n/a	2,424m <sup>2</sup>	1,217m <sup>2</sup>	1,275m <sup>2</sup>

Table 1 - Broad land use provisions by option

Criteria	Strategy	Option 1	Option2	Option 3
Open space	Open Space Provision Strategy; Planning Study – Precinct 1	Good – 3,190m <sup>2</sup> additional	Good – 3,327m <sup>2</sup> additional	Excellent – 5,317 additional
Child care	Planning Study – Precinct 1	Good	Poor*	Excellent
Indoor recreation	Recreation Need Study	No increase; improved facilities	No increase; improved facilities	Significant increase; improved facilities
Outdoor recreation	Open Space Provision Strategy; Recreation Need Study	Limited variety	Limited variety	Multiple zones, high variety
Playground	Recreation Need Study; Children’s Services Strategic Plan	Good size; Overshadowed; Close to road	Good size; Overshadowed; Close to road	Excellent size; Good solar access; Away from road

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Car parking	CSP; DCP2013	Marginal change	Marginal change	Potential increase / flexibility
Place making	CSP; DCP2013	Good	Good	Excellent

Table 2 - Assessment against Council policy

\* Council's Community Services Department does not support the proposed location of the child care centre in concept design Option 2 (see Attachment 5)

#### 4. Staging plans

The consultant team has developed staging plans for the three concept design options. Stages 1 and 2 are common to all options which creates the flexibility for Council to pursue any option even after works have commenced. These initial stages represent the following works:

- Stage 1:
  - Closing Hume Street between Pole Lane and Clarke Street;
  - A plaza and pedestrian link between Hume Street and Willoughby Road;
- Stage 2:
  - Widening of verges on western side of Clarke and Oxley Streets;
  - Streetscape upgrades.

The timing of Stage 3 onwards is dependent on various factors such as the timing of additional land acquisitions (as in Option 1), the life span of the existing parking facility (which is proposed to be demolished in Option 3), and the availability of funds. It should be noted that the timelines identified are indicative and will be subject to these variables as well as the outcomes of detailed design and costing considerations.



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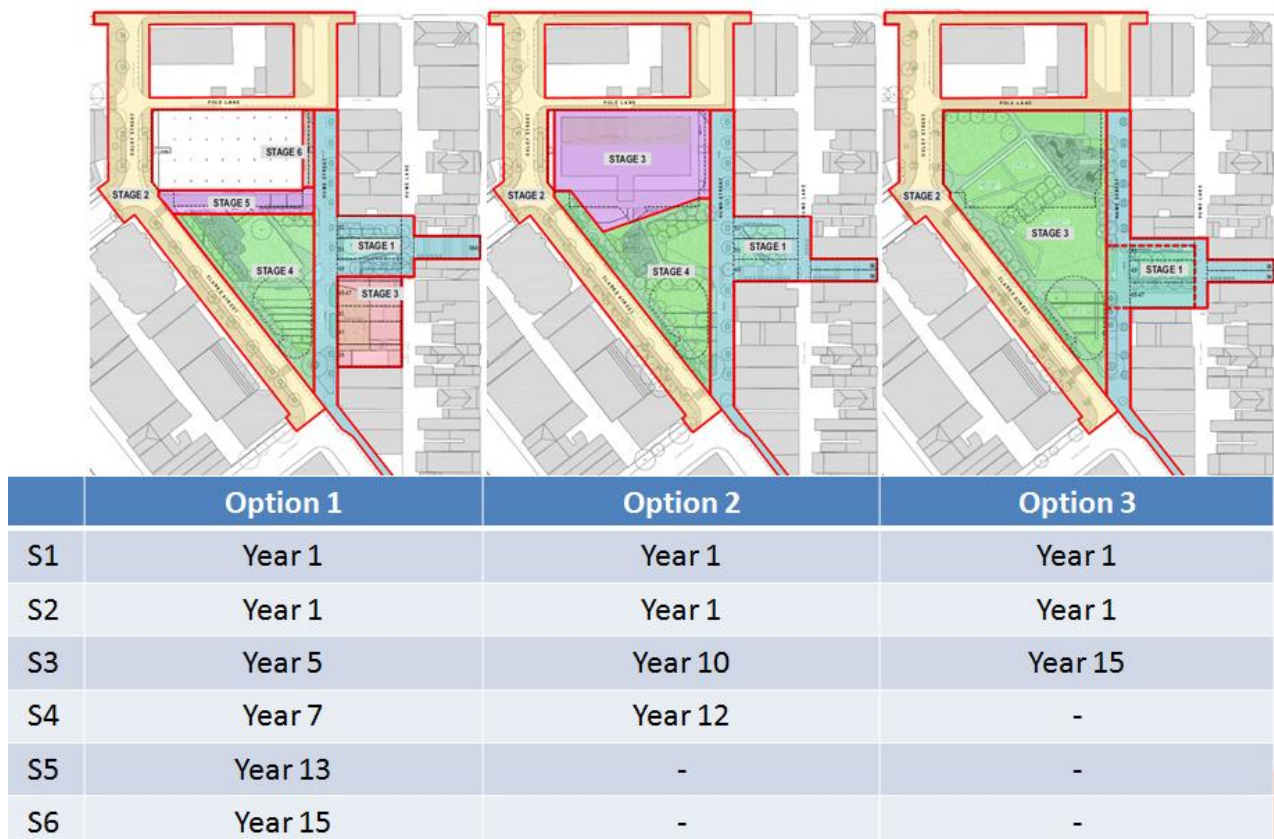


Figure 10 - Indicative staging of works (Note: Year 1 represents first year of construction after detailed design and approvals obtained)

### 5. Indicative costs

The indicative costs associated with this project are summarised in table 3 below. Detailed costings will be prepared at the detailed design stage of the project once Council has had the benefit of community input and decided which option it wishes to pursue.

The analysis below includes the cost of replacing the existing Hume Street car park and sports centre structure. These figures acknowledge that this structure has a finite lifespan and will need to be replaced in the future.

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	Option 1 (\$M)	Option 2 (\$M)	Option 3 (\$M)
Stage 1	15.80	16.00	16.30
Stage 2	4.40	4.50	4.40
Total Cost - Stages 1 & 2	20.20	20.50	20.70
Less Land Already Acquired	-4.75	-4.75	-4.75
<b>Funding Required - Stages 1 &amp; 2</b>	<b>15.45</b>	<b>15.75</b>	<b>15.95</b>
Stage 3	12.90	25.80	72.90
Stage 4	5.50	4.50	-
Stage 5	18.80	-	-
Stage 6	4.50	-	-
Future Cost (rebuild of Carpark and Indoor Sports Centre - 2033)	25.40	14.30	-
<b>Total Cost</b>	<b>82.05</b>	<b>60.35</b>	<b>88.85</b>
Cost p/m <sup>2</sup> of new open space	\$25,721	\$18,139	\$16,711

Table 3 - Indicative costs

## 6. Funding plan

The cost of each of the design options is clearly significant. Whilst there are funding shortfalls for each concept design option, the table below identifies existing potential funding sources, which are not insignificant. Existing sources of funds are potentially sufficient to provide for the implementation of stages 1 and 2 in the short term, which represents a significant improvement to the usability and accessibility of Hume Street Park. This could occur without committing to any of the options which provides the basis to defer any final decision regarding which option is preferred as design refinements are made and funding options become clearer.

Given the long-term nature of this project, identified long-term funding shortfalls should be compared to the unavoidable future cost of replacing the existing sports centre, which is estimated to be in the order of \$25 million (today's dollars).

Long-term funding options need to be the focus of a long-term funding plan, the preparation of which will be dependent on a preferred option being identified. Long term funding options to be investigated may include:

- Future s94 funds (2020 onwards);
- Council's income producing reserve;
- Voluntary Planning Agreements - Precincts 2, 3, 4;
- Borrowing;
- Municipal bonds;
- Public Private Partnerships;
- Special rates levy.

Further, a transformational project such as that represented by concept design option 3, may well attract State Government funding should the mooted Crows Nest Rapid Transit railway

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station, and associated requirements for increased density, come to fruition. The other important factor to consider is that whilst Stages 1 and 2 may be pursued in the relatively short term, the longer term timeframe for delivery of more fundamental changes to the park more comfortably accommodate longer term borrowing or savings plans to fund such infrastructure. It is envisaged that a broad suite of funding sources over the long term, will enable the desired infrastructure to be implemented.

A preferred option that is not fully funded could potentially be the subject of detailed design, whilst Stages 1 and 2 are implemented. In the meantime, Council will have a fully scoped and “shovel ready” project as funding options arise in future.

	Existing (\$M)	Option 1 (\$M)	Option 2 (\$M)	Option 3 (\$M)
Developer Contributions (S.94) - Committed	-	8.00	8.00	8.00
Developer Contributions (S.94) - 2015/16 & 2016/17	-	5.80	5.80	5.80
Developer Contributions (VPAs Precinct 1)	-	6.10	6.10	6.10
Developer Contributions (VPA 6-16 Atchison St) *	-	3.30	3.30	3.30
Income Producing Projects Reserve	-	2.00	2.00	2.00
<b>Total Potential Funds Available for Stages 1 &amp; 2</b>	-	<b>25.20</b>	<b>25.20</b>	<b>25.20</b>
Sale of Residential Air Rights	-	11.20	-	-
Borrowings (based on 50% Loan to Value Ratio)	-	7.90	7.90	11.70
Developer Contributions (S.94) – 2017/18 to 2019/20	-	9.50	9.50	9.50
<b>Total Potential Funds Available for Entire Project</b>	-	<b>53.80</b>	<b>42.60</b>	<b>46.40</b>
Total Cost	25.40	82.05	60.35	88.85
<b>Funding Shortfall</b>	<b>25.40</b>	<b>28.25</b>	<b>17.75</b>	<b>42.45</b>

Table 4 - Indicative funding plan

\*This contribution has been conditioned by the Department of Planning and Environment for potential allocation to a range of local projects in the St Leonards/Crows Nest Study Precincts 1, 2 and 3. The target for this expenditure is yet to be decided.

## 7. Consultant findings and recommendation

The findings and recommendation of the TZG+JMD consultancy team are as follows:

*“A large range of options were prepared and studied, which were summarised into three scenarios, representing a range of approaches from reusing existing facilities to a purpose built new facility with high quality public open space.*

*Based on the three scenarios, we make the following observations and recommendations.*

*The three scenarios have a common Stage 1 (Willoughby Road Plaza and Hume St upgrade), allowing Council to commence the project with a significant improvement to the immediate vicinity, without committing to the final outcome, which will undoubtedly be determined by Council finances.*

Report of Alex Williams, Strategic Planning Team Leader - Policy  
Re: Hume Street Park expansion - Concept and feasibility planning

(16)

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*Scenario 1 upgrades the existing park and provides some additional area with the removal of the existing day care centre. The Stage 3 development site which houses the day care centre on the ground floor will provide a commercial return to partially off set the capital expense.*

*Whilst Scenario 2 is the cheapest, it spends in the order of \$22m on top of a building that currently has a life expectancy of less than 20 years, representing a poor long term investment.*

*The upgraded parks, in both Scenarios 1 & 2, are compromised with a large building along its northern edge casting a deep shadow across the broadest expanse of the park in winter.*

*Of the three, Scenario 3 undoubtedly offers the best public open space in terms of area, solar access and an urban relationship to the surrounding streets. It offers the best day care in terms of north facing open space with a park view. It takes into account, that the existing sports centre and car park will require replacement within 20 years, and proposes a much improved naturally lit sports centre and Australian Standard compliant car park. In addition, the subterranean commercial space, which would ideally suit a cinema complex, increases the night time activity of the area and generates a commercial return.*

*If Scenario 2 is removed from the mix, and the 20 year rebuild of the sports centre and car park is factored into Scenario 1, the additional urban and community benefits of Scenario 3 will cost in the order of \$15m.*

*Possibly, the most important question to ask at the outset, is whether the project is a local park upgrade or is it a legacy project for Crows Nest, given that the residential density of the area will dramatically increase over the next few years."*

## **8. Way forward**

Following further stakeholder consultation, the consideration of submissions and in collaboration with Councillors, it is anticipated that a preferred option can be identified. This will allow for detailed design to be undertaken. Staging and funding plan details can also be finalised once a preferred option is identified.

---

## **APPENDIX 2**

*Hume Street Park - Site Map*



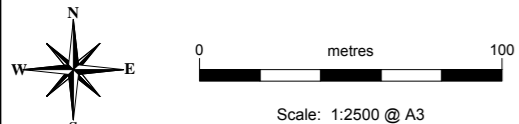
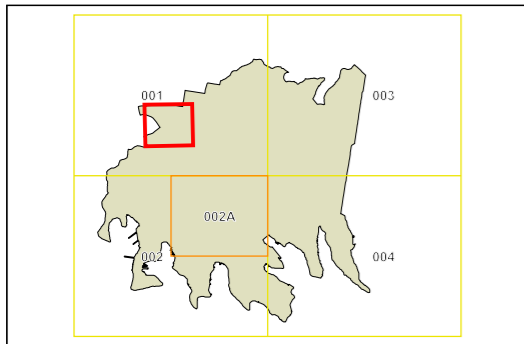
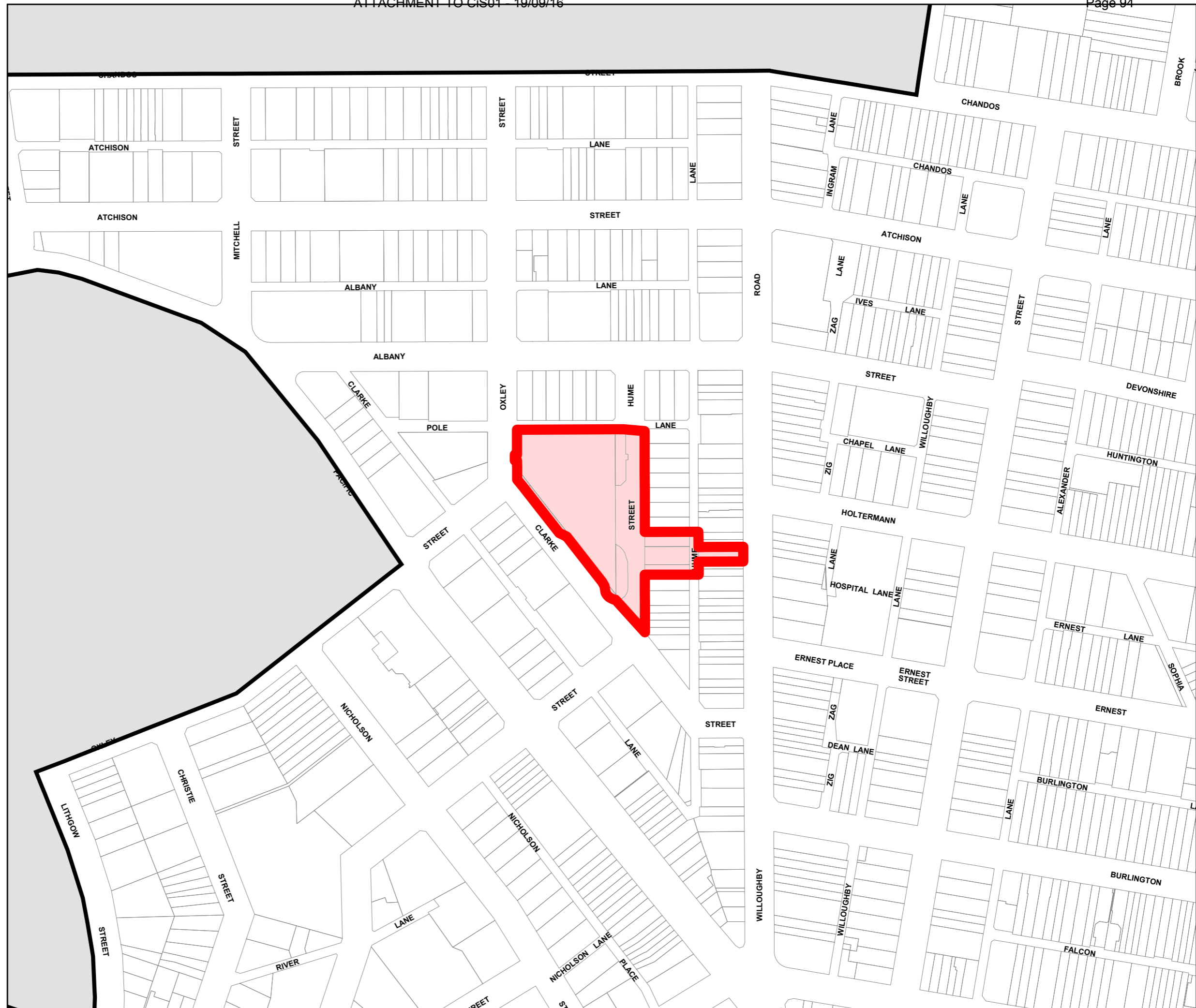
# North Sydney Local Environmental Plan 2013

Site Identification Map  
Part of map tile:  
5950\_COM\_LZN\_001\_010\_20151123

Subject Land

### Cadastre

Cadastre 23/11/15 © North Sydney Council



Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_LZN\_001\_025\_20151123

# **APPENDIX 3**

*NSLEP 2013 Zoning Map - Current*





# North Sydney Local Environmental Plan 2013

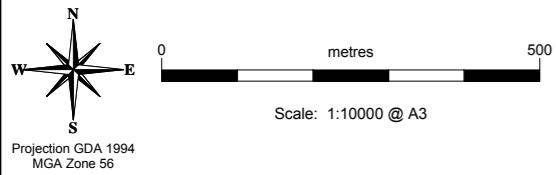
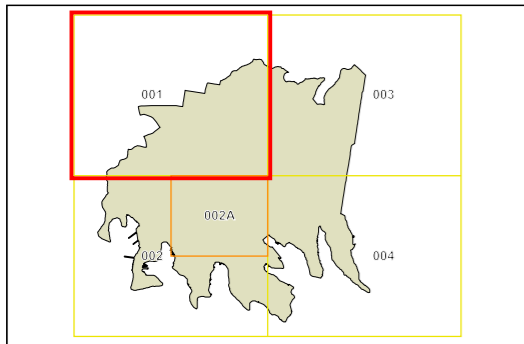
## Land Zoning Map - Sheet LZN\_001

### Zone

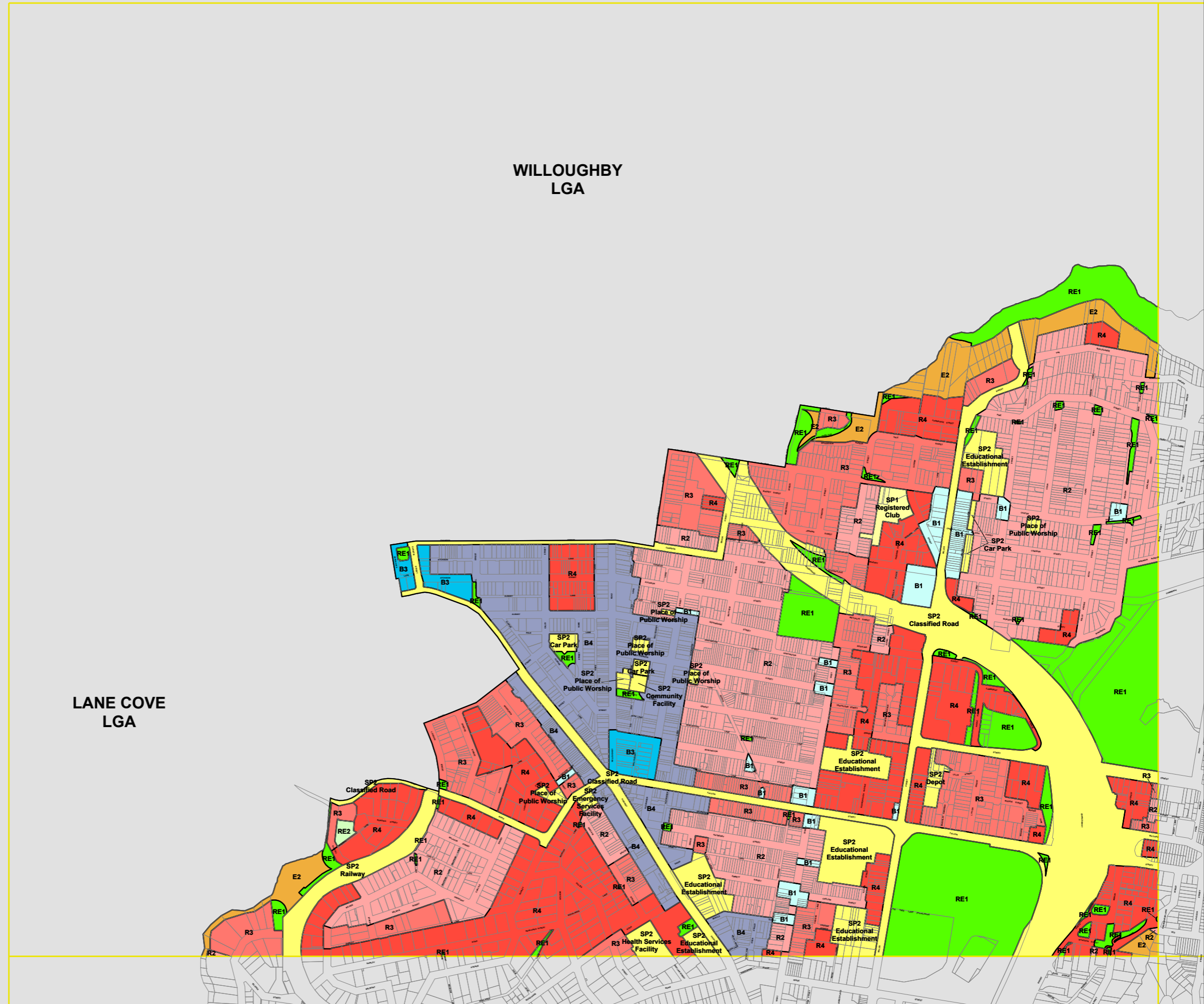
- B1 Neighbourhood Centre
- B3 Commercial Core
- B4 Mixed Use
- E2 Environmental Conservation
- E4 Environmental Living
- IN2 Light Industrial
- IN4 Working Waterfront
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- SP1 Special Activities
- SP2 Infrastructure
- UL Unzoned Land

### Cadastre

Cadastre 08/07/14 © North Sydney Council



Map identification number:  
5950\_COM\_LZN\_001\_010\_20140708





# **APPENDIX 4**

***NSLEP 2013 Zoning Map - Proposed***



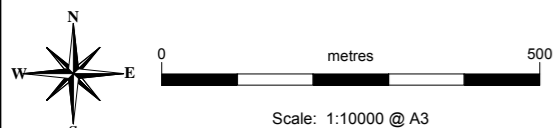
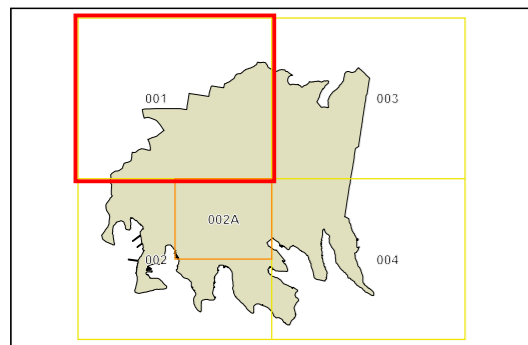
**Land Zoning Map**  
- Sheet LZN\_001

**Zone**

- B1 Neighbourhood Centre
- B3 Commercial Core
- B4 Mixed Use
- E2 Environmental Conservation
- E4 Environmental Living
- IN2 Light Industrial
- IN4 Working Waterfront
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- SP1 Special Activities
- SP2 Infrastructure
- UL Unzoned Land

**Cadastre**

- Cadastre 23/11/15 © North Sydney Council

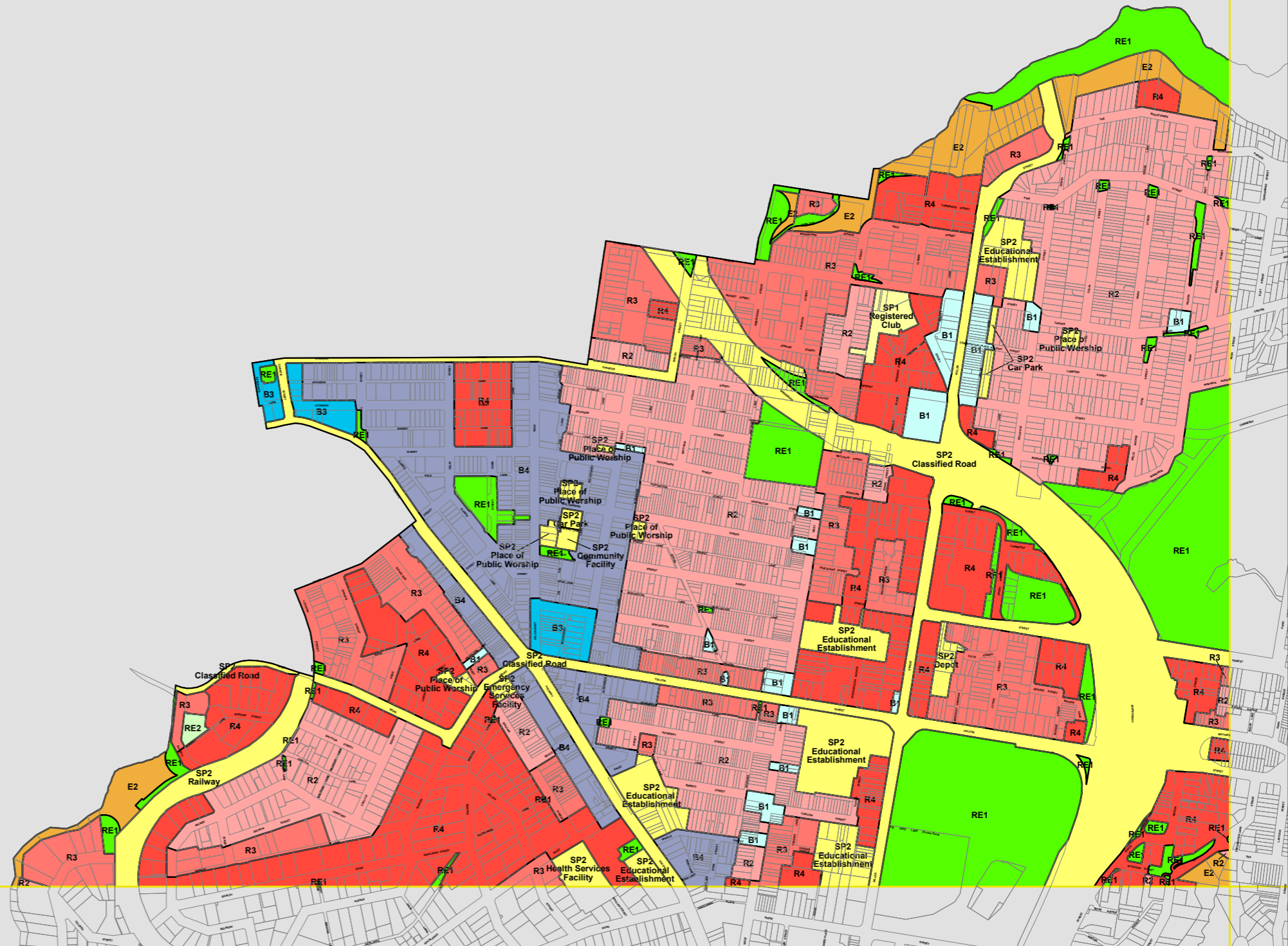


Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_LZN\_001\_010\_20151123

**WILLOUGHBY LGA**

**LANE COVE LGA**




## **APPENDIX 5**

***NSLEP 2013 Additional Permitted Uses Map – Current***




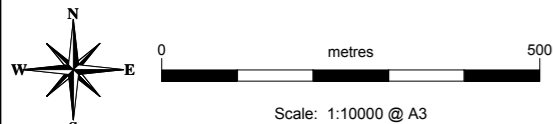
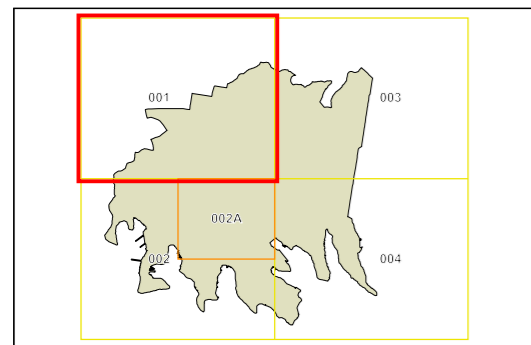
# North Sydney Local Environmental Plan 2013

## Additional Permitted Uses Map - Sheet APU\_001

 Additional Permitted Uses

### Cadastre

 Cadastre 07/06/13 © North Sydney Council

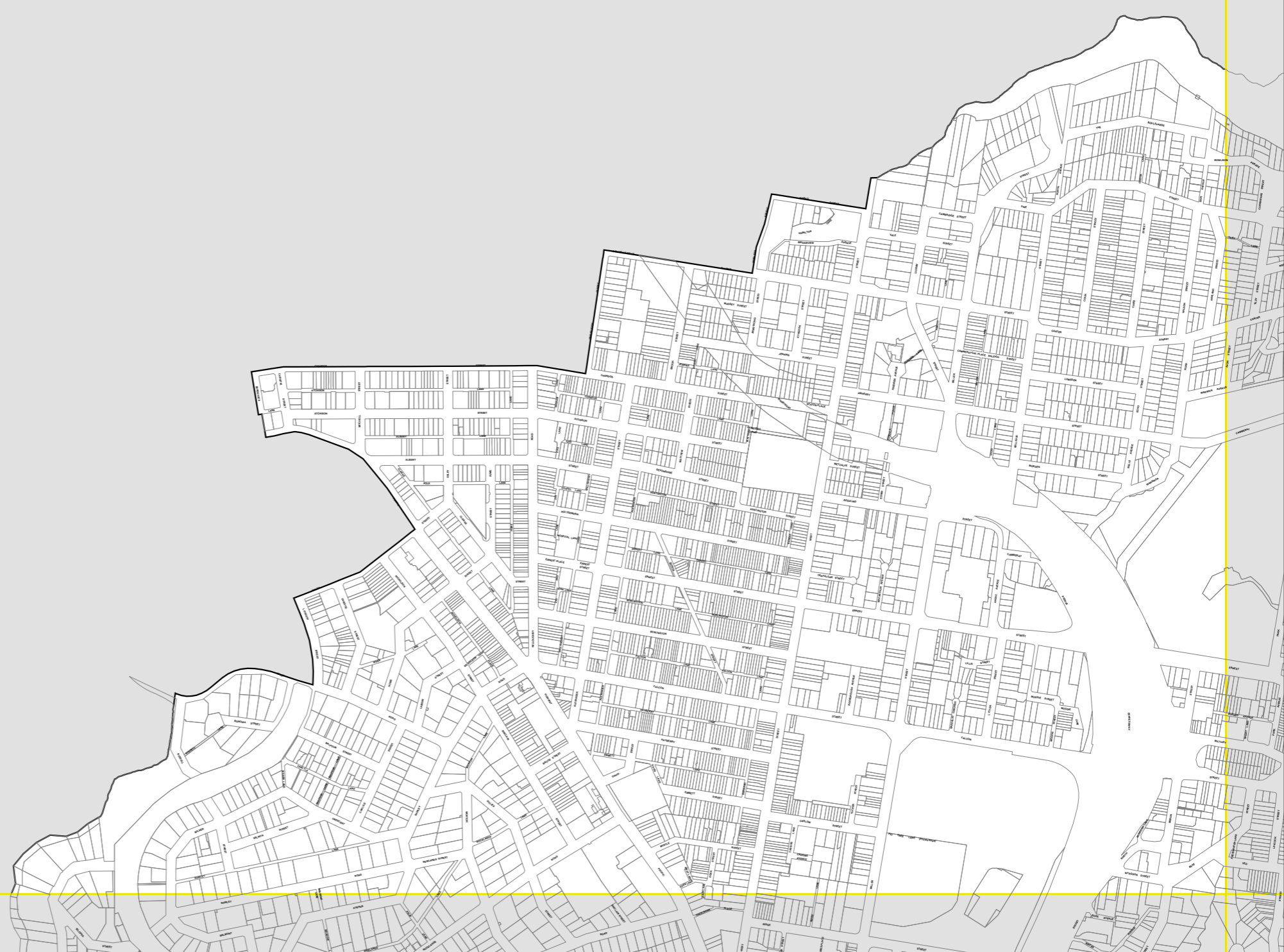


Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_APU\_001\_010\_20130906

**WILLOUGHBY  
LGA**

**LANE COVE  
LGA**



## **APPENDIX 6**


***NSLEP 2013 Additional Permitted Uses Map - Proposed***






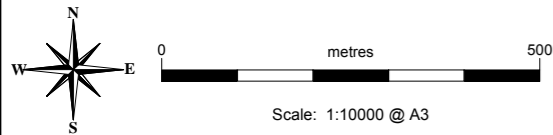
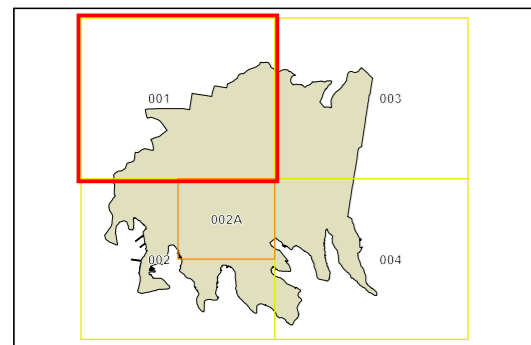
# North Sydney Local Environmental Plan 2013

## Additional Permitted Uses Map - Sheet APU\_001

 Additional Permitted Uses

### Cadastre

 Cadastre 23/11/15 © North Sydney Council

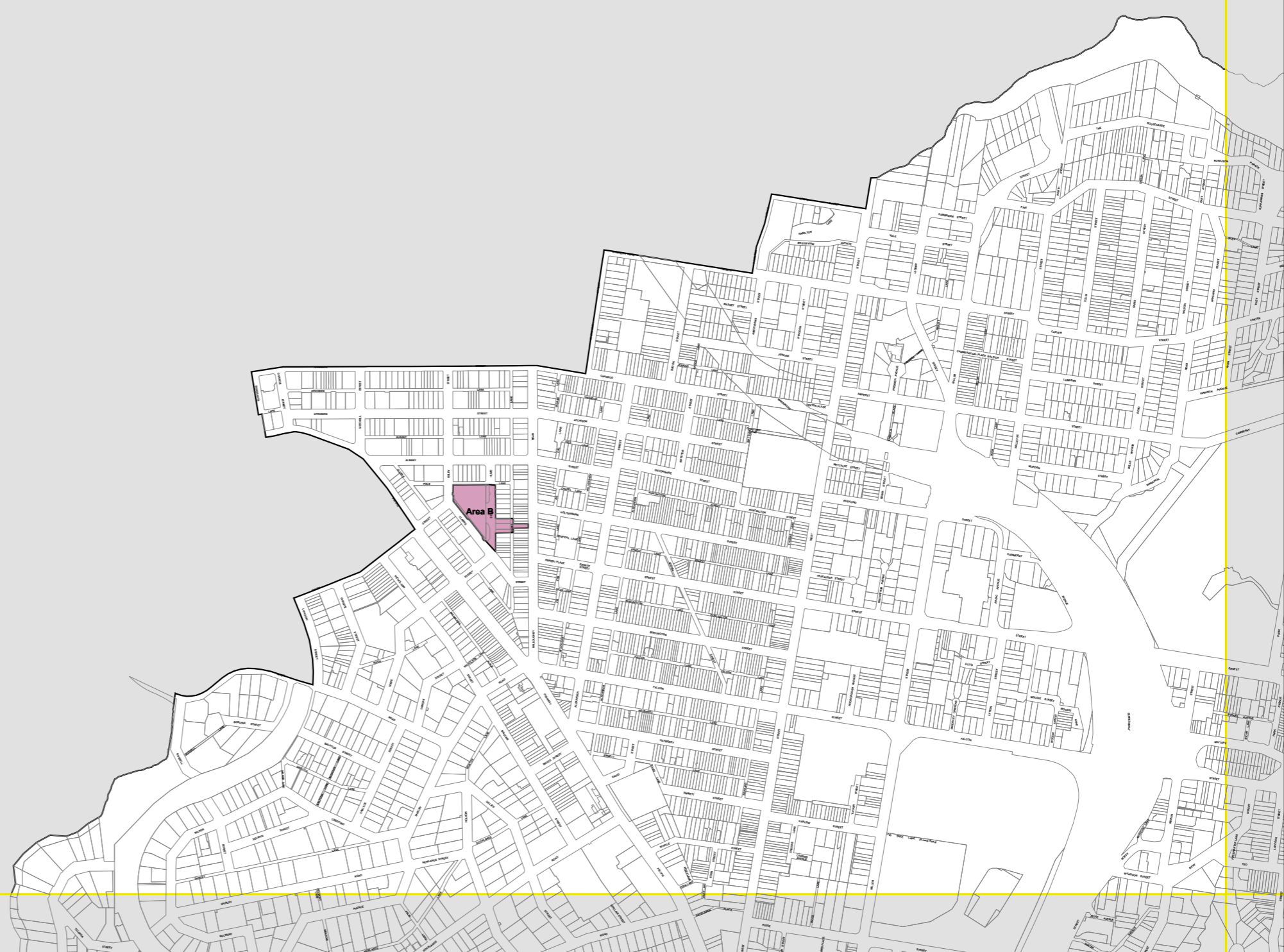


Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_APU\_001\_010\_20151123

LANE COVE  
LGA

WILLOUGHBY  
LGA



## **APPENDIX 7**

***NSLEP 2013 Building Height Map - Current***



# North Sydney Local Environmental Plan 2013

## Height of Buildings Map - Sheet HOB\_001

### Maximum Building Height (m)

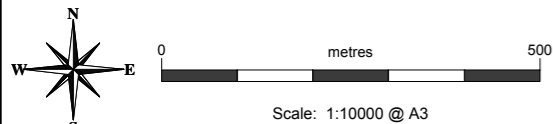
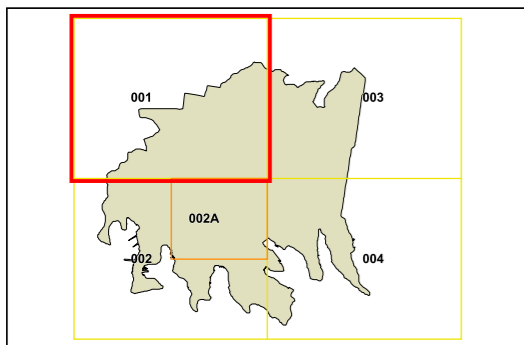
A	1	S	24
I	8.5	T1	25
K	10	T2	26
L	11	U1	30
M	12	U2	33
N	13	W1	40
O1	15	W2	42
O2	16	X	49
Q1	19.15	Y	50
Q2	20		

### Maximum Building Height (RL m)

[White]	0 - 20
[Light Grey]	21 - 40
[Medium-Light Grey]	41 - 60
[Medium Grey]	61 - 80
[Dark-Medium Grey]	81 - 100
[Dark Grey]	101 - 120
[Very Dark Grey]	121 - 140
[Black-White]	141 - 160
[Black]	161 - 180
[Dark Grey]	181 - 200

### Cadastre

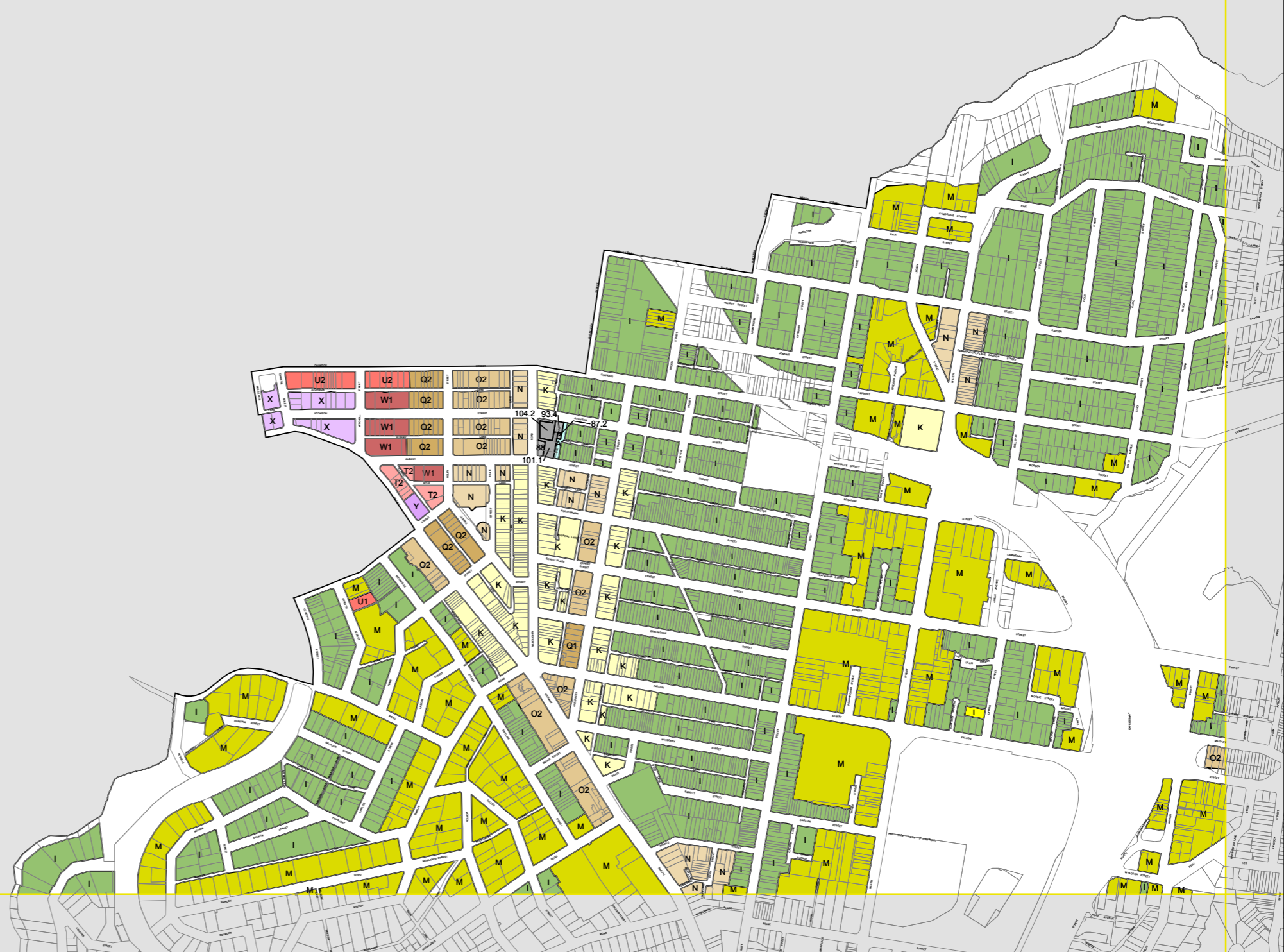
[White Box] Cadastre 27/10/14 ©North Sydney Council



Map identification number: 5950\_COM\_HOB\_001\_010\_20141024

## LANE COVE LGA

## WILLOUGHBY LGA





## **APPENDIX 8**

***NSLEP 2013 Building Height Map - Proposed***



# North Sydney Local Environmental Plan 2013

## Height of Buildings Map - Sheet HOB\_001

### Maximum Building Height (m)

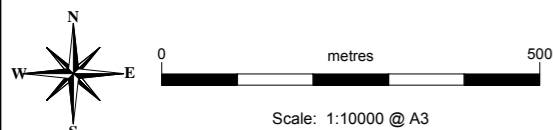
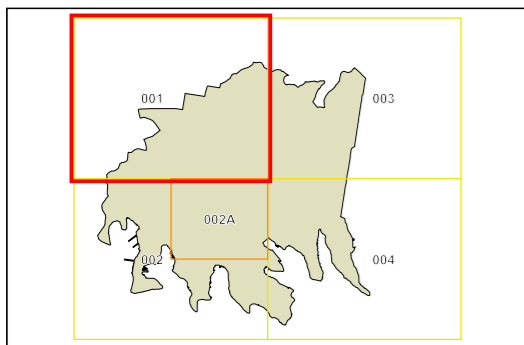
A	1	S	24
I	8.5	T1	25
K	10	T2	26
L	11	U1	30
M	12	U2	33
N	13	W1	40
O1	15	W2	42
O2	16	X	49
Q1	19.15	Y	50
Q2	20		

### Maximum Building Height (RL m)

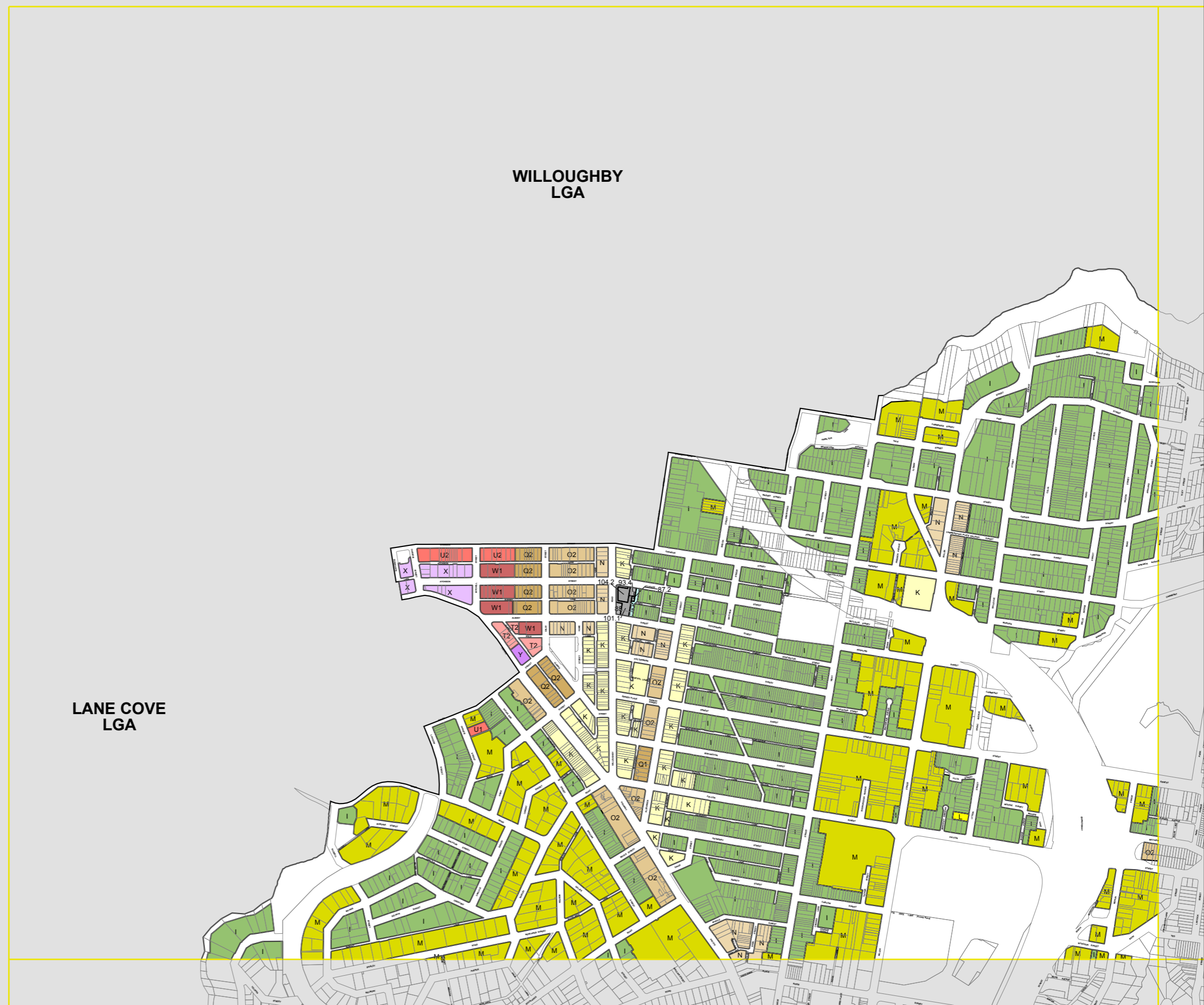
[White]	0 - 20
[Light Grey]	21 - 40
[Medium-Light Grey]	41 - 60
[Medium Grey]	61 - 80
[Dark-Medium Grey]	81 - 100
[Dark Grey]	101 - 120
[Very Dark Grey]	121 - 140
[Black-White]	141 - 160
[Black]	161 - 180
[Dark Grey]	181 - 200

### Cadastre

[White Box] Cadastre 23/11/15 © North Sydney Council



Map identification number: 5950\_COM\_HOB\_001\_010\_20151123



## **APPENDIX 9**

### ***NSLEP 2013 Non-Residential Floorspace Ratio Ranges Map - Current***



# North Sydney Local Environmental Plan 2013

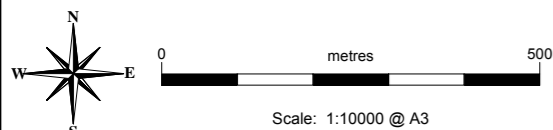
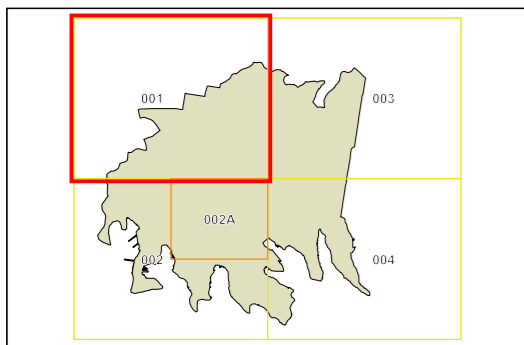
## Non-Residential Floor Space Ratio Range Map - Sheet LCL\_001

### Non-Residential Floor Space Ratio Range

- Area 1
- Area 2
- Area 3
- Area 4
- Area 5
- Area 6
- Area 7
- Area 8
- Area 9
- Area 10
- Area 11
- Area 12
- Area 13
- Area 14
- Area 15

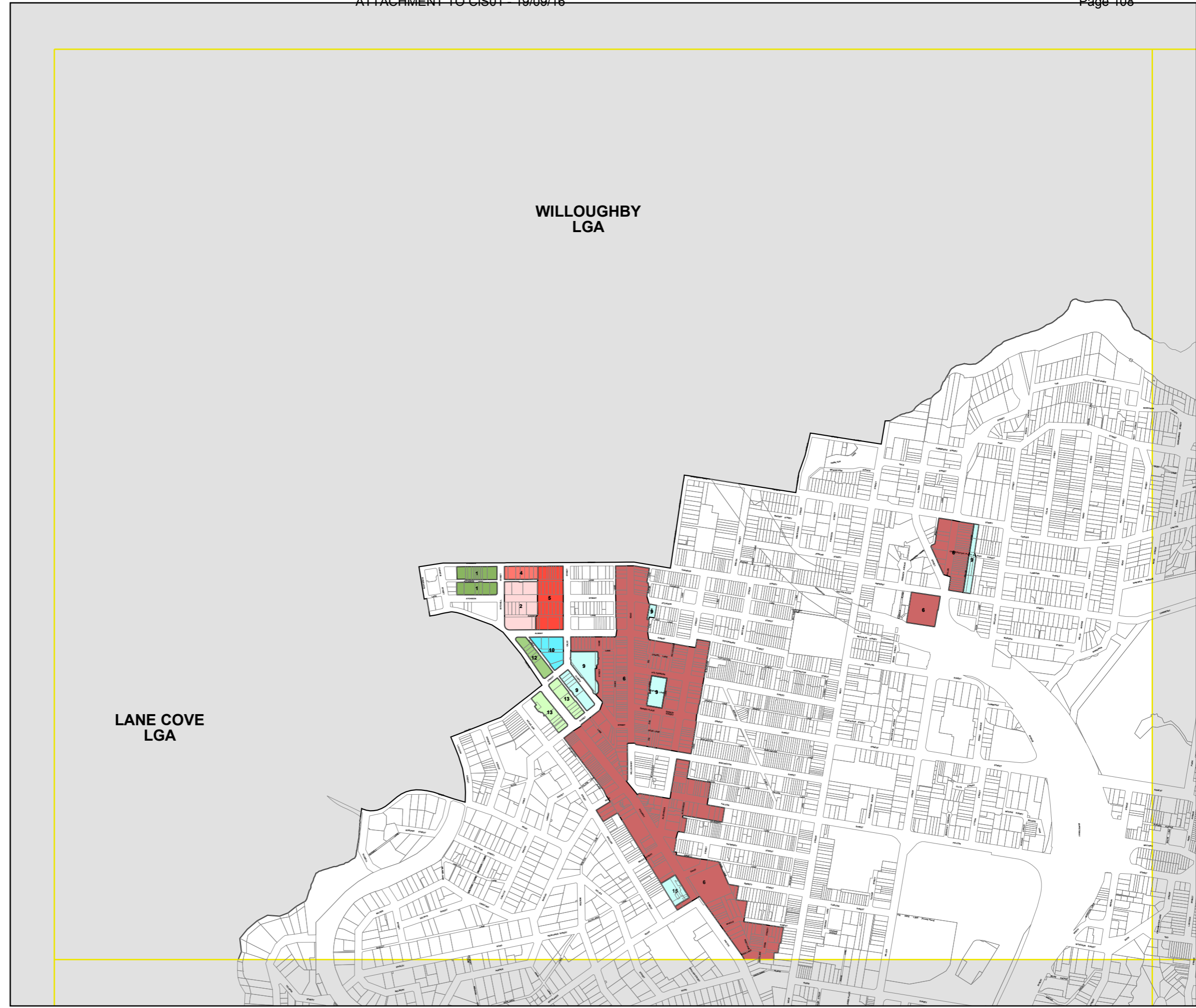
### Cadastre

Cadastre 12/11/15 © North Sydney Council



Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_LCL\_001\_010\_20150904



## **APPENDIX 10**

***NSLEP 2013 Non-Residential Floorspace Ratio Ranges Map - Proposed***





# North Sydney Local Environmental Plan 2013

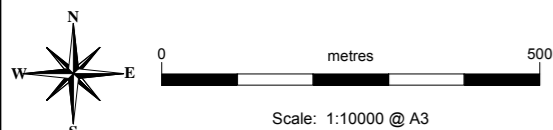
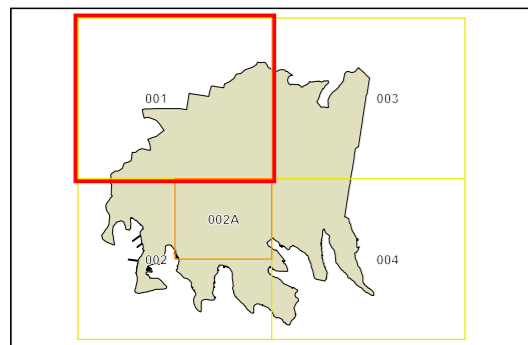
## Non-Residential Floor Space Ratio Range Map - Sheet LCL\_001

### Non-Residential Floor Space Ratio Range

- Area 1
- Area 2
- Area 3
- Area 4
- Area 5
- Area 6
- Area 7
- Area 8
- Area 9
- Area 10
- Area 11
- Area 12
- Area 13
- Area 14
- Area 15

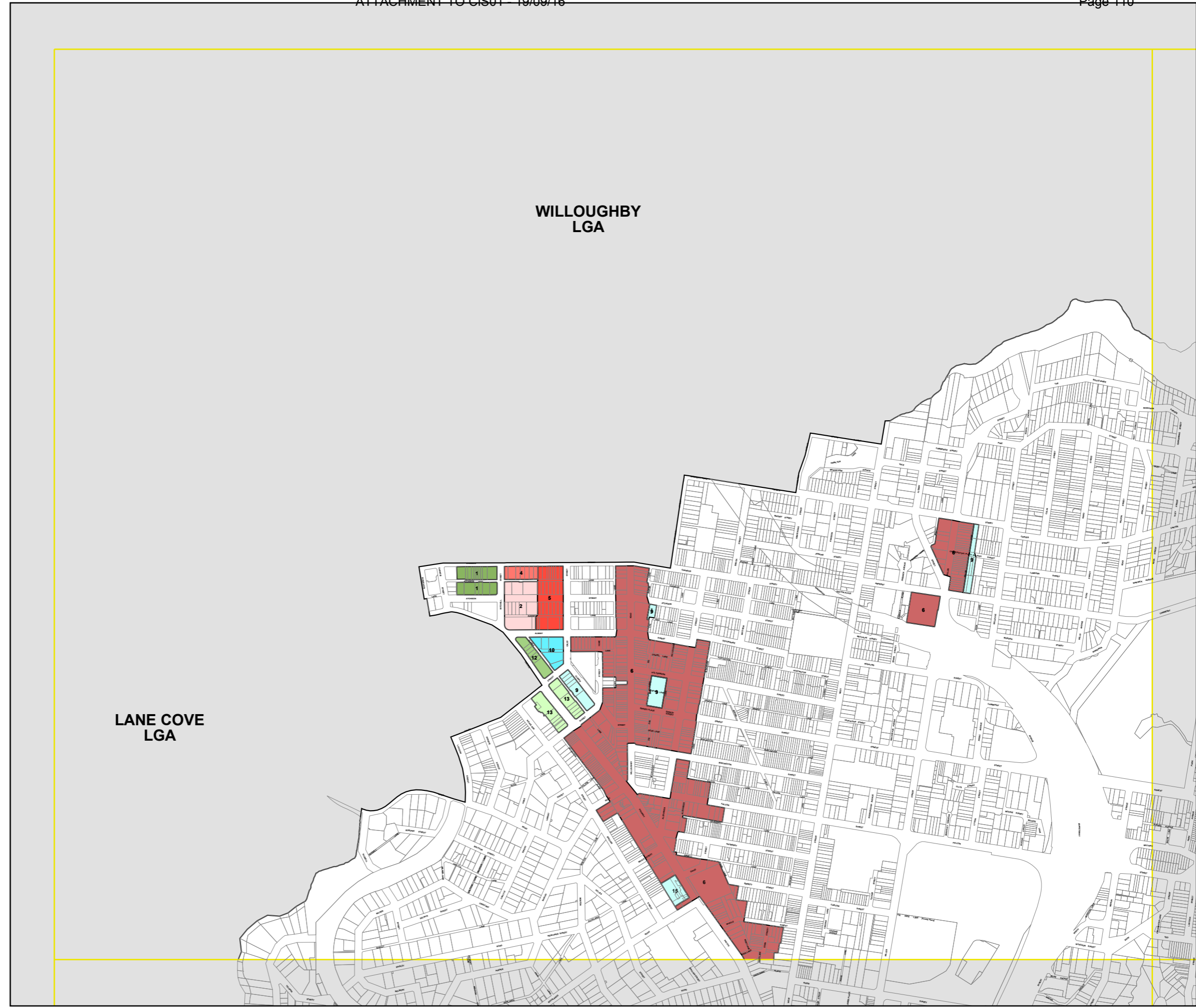
### Cadastre

Cadastre 23/11/15 © North Sydney Council



Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_LCL\_001\_010\_20151123





# **APPENDIX 11**

*NSLEP 2013 Land Reservation Acquisition Map - Current*




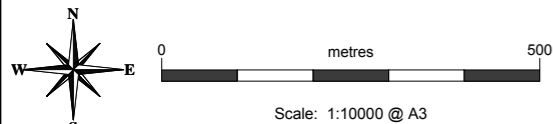
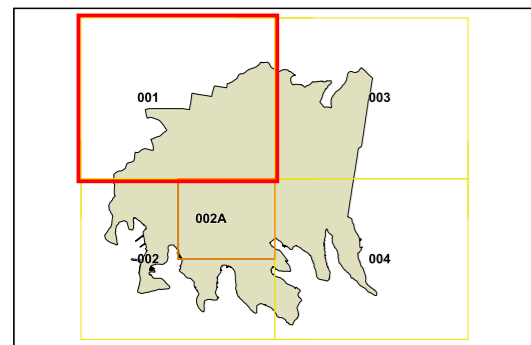
# North Sydney Local Environmental Plan 2013

## Land Reservation Acquisition Map - Sheet LRA\_001

-  Local Open Space (RE1)
-  Regional Open Space (RE1)
-  Local Open Space (E2)
-  Regional Open Space (E2)
-  Classified Road (SP2)

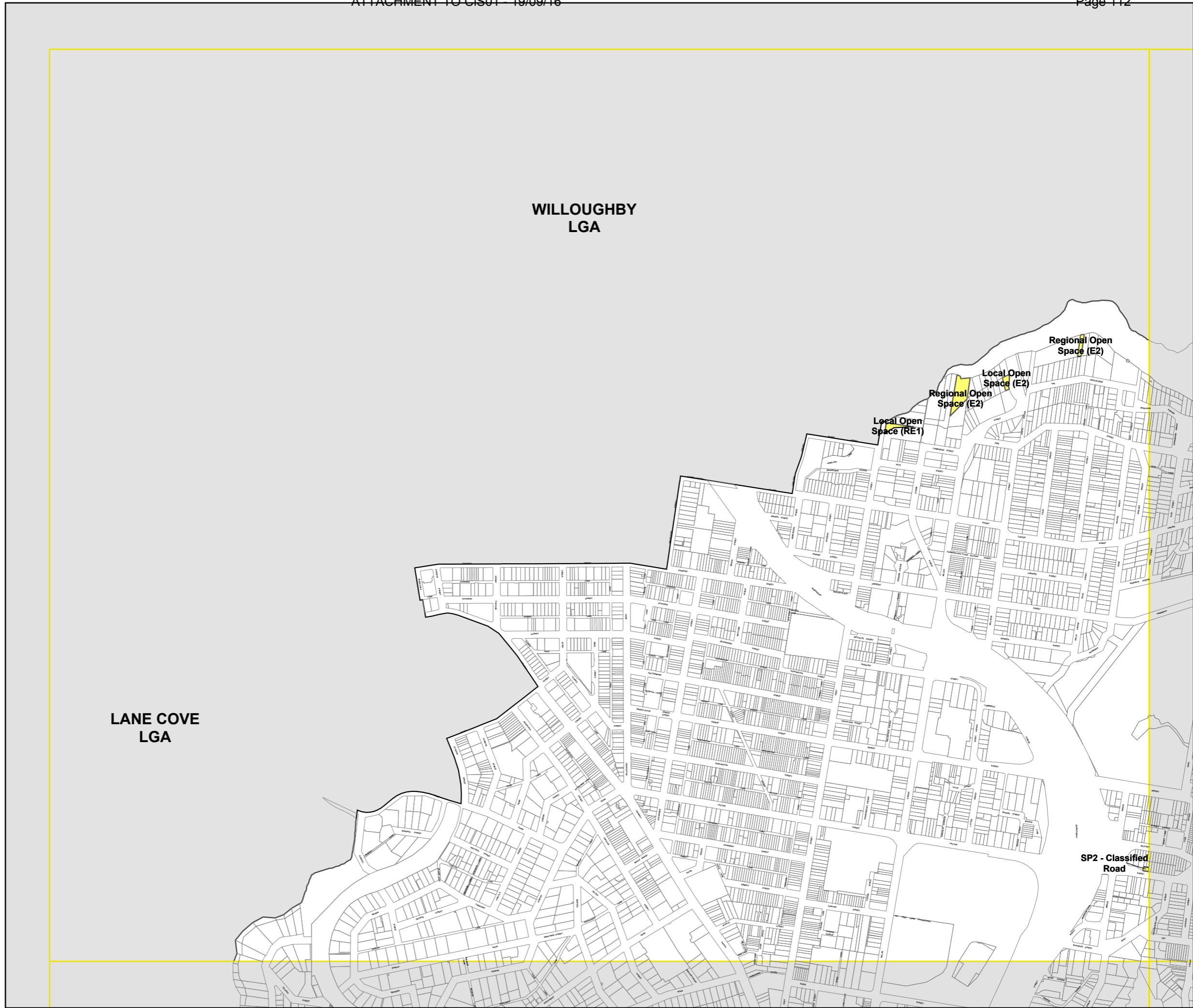
### Cadastre

-  Cadastre 07/06/13 © North Sydney Council



Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_LRA\_001\_010\_20130607










## **APPENDIX 12**

***NSLEP 2013 Land Reservation Acquisition Map - Proposed***




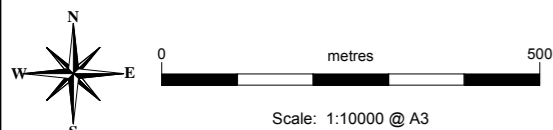
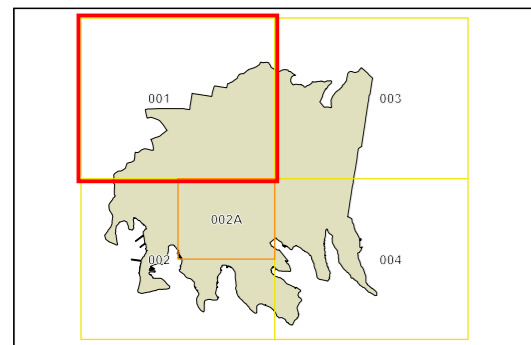
# North Sydney Local Environmental Plan 2013

## Land Reservation Acquisition Map - Sheet LRA\_001

-  Local Open Space (RE1)
-  Regional Open Space (RE1)
-  Local Open Space (E2)
-  Regional Open Space (E2)
-  Classified Road (SP2)

### Cadastre

-  Cadastre 23/11/15 © North Sydney Council



Projection GDA 1994  
MGA Zone 56

Map identification number:  
5950\_COM\_LRA\_001\_010\_20151123

