

**DECISION OF 3674th COUNCIL MEETING
HELD ON 7 DECEMBER 2015**

472. CiS01: Planning Proposal - Hume Street Park

Report of Alex Williams, Team Leader - Policy

On 21 September 2015, Council considered a post-exhibition report regarding the concept designs for the expansion of Hume Street Park. Council resolved (in part):
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.

A Planning Proposal has been prepared (Attachment 1) to facilitate the redevelopment of Hume Street Park consistent with the concept design option endorsed by Council. In particular, the proposed amendments seek 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.

Similarly the proposed amendments to North Sydney Development Control Plan 2013 (Attachment 2) seek to facilitate the expansion of Hume Street Park and protect its future function as high amenity open space.

Identification of 90 Willoughby Road on the Land Reservation Acquisition map may trigger acquisition obligations consistent with expectations as per implementation of St Leonards/Crows Nest Planning Study - Precinct 1.

Recommending:

1. THAT Council adopt the attached Planning Proposal and forward it to the Minister for Planning in order to receive a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.

2.THAT the proposed DCP amendments be exhibited concurrently with the subject Planning Proposal conditional upon receiving a Gateway Determination.

3. THAT following acquisition of 90 Willoughby Road, Crows Nest, a report be sent to Council regarding the appropriate classification of that land under the Local Government Act 1993.

A Motion was moved by Councillor Baker and seconded by Councillor Morris.

1. **THAT** Council adopt the attached Planning Proposal and forward it to the Minister for Planning in order to receive a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.
2. **THAT** the proposed DCP amendments be exhibited concurrently with the subject Planning Proposal conditional upon receiving a Gateway Determination.
3. **THAT** following acquisition of 90 Willoughby Road, Crows Nest, a report be sent to Council regarding the appropriate classification of that land under the Local Government Act 1993.
4. **THAT** Council forward the Planning Proposal to TfNSW.
5. **THAT** Council acknowledge and thank Council's Strategic Planning staff for their continued excellent work on this precinct.

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 the attached Planning Proposal and forward it to the Minister for Planning in order to receive a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.
2. **THAT** the proposed DCP amendments be exhibited concurrently with the subject Planning Proposal conditional upon receiving a Gateway Determination.
3. **THAT** following acquisition of 90 Willoughby Road, Crows Nest, a report be sent to Council regarding the appropriate classification of that land under the Local Government Act 1993.
4. **THAT** Council forward the Planning Proposal to TfNSW.
5. **THAT** Council acknowledge and thank Council's Strategic Planning staff for their continued excellent work on this precinct.



Report to General Manager

Attachments:

1. Planning Proposal - Hume Street Park
2. North Sydney Development Control Plan - Proposed Amendment

SUBJECT: Planning Proposal - Hume Street Park

AUTHOR: Alex Williams, Team Leader - Policy

ENDORSED BY: Joseph Hill, Director City Strategy

EXECUTIVE SUMMARY:

On 21 September 2015, Council considered a post-exhibition report regarding the concept designs for the expansion of Hume Street Park. Council resolved (in part):

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.

A Planning Proposal has been prepared (Attachment 1) to facilitate the redevelopment of Hume Street Park consistent with the concept design option endorsed by Council. In particular, the proposed amendments seek 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.

Similarly the proposed amendments to North Sydney Development Control Plan 2013 (Attachment 2) seek to facilitate the expansion of Hume Street Park and protect its future function as high amenity open space.

FINANCIAL IMPLICATIONS:

Identification of 90 Willoughby Road on the Land Reservation Acquisition map may trigger

acquisition obligations consistent with expectations as per implementation of St Leonards/Crows Nest Planning Study - Precinct 1.

RECOMMENDATION:

1. **THAT** Council adopt the attached Planning Proposal and forward it to the Minister for Planning in order to receive a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.
2. **THAT** the proposed DCP amendments be exhibited concurrently with the subject Planning Proposal conditional upon receiving a Gateway Determination.
3. **THAT** following acquisition of 90 Willoughby Road, Crows Nest, a report be sent to Council regarding the appropriate classification of that land under the Local Government Act 1993.

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 Willoughby Road. Concept design options 1 and 2 proposed different locations for a relocated Kelly's Place Children's Centre but each included over 3000m² of additional open space (over 6,000m² in total). Concept design option 3 represented a whole of block redevelopment outcome that includes over 5,000m² of new open space (over 8,000m² 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 (in part):

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.

This report deals with dot point 2 of Council's resolution above. Other aspects of the resolution are being separately considered and will be reported in due course.

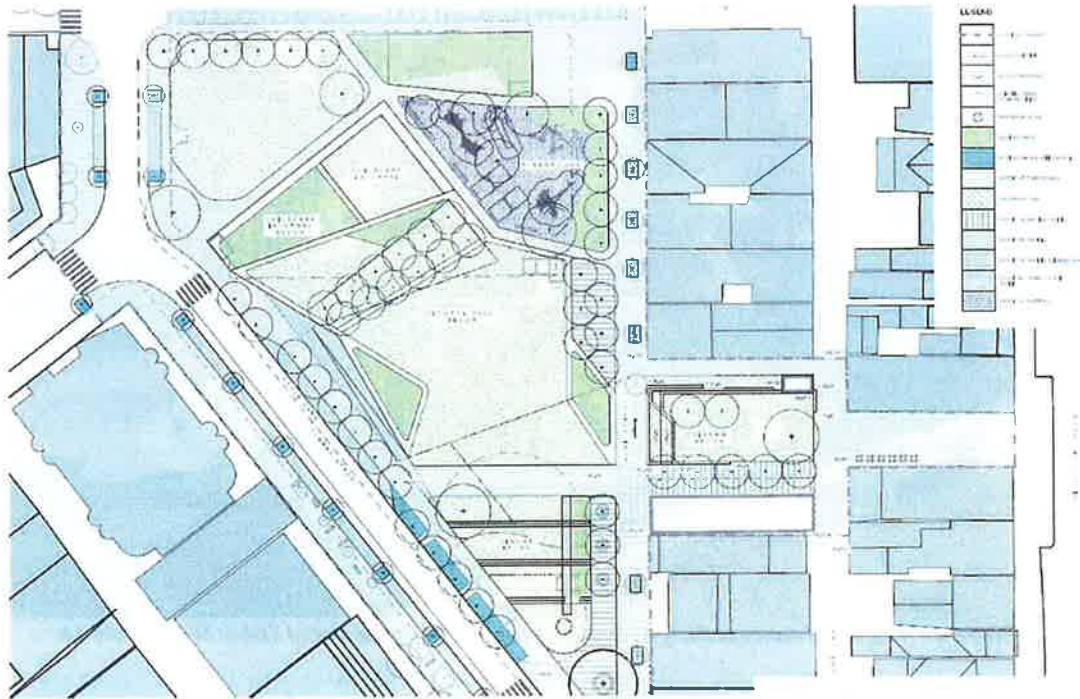


Figure 2 – Preferred concept design (option 3) landscape plan



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

CONSULTATION REQUIREMENTS

Should Council determine that the Planning Proposal and DCP amendments can proceed, community engagement will be undertaken in accordance with Council's Community Engagement Protocol and the requirements of any Gateway Determination issued in relation to the Planning Proposal.

SUSTAINABILITY STATEMENT

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

DETAIL

1. Proposed LEP Amendment

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.



Figure 5: Subject site

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

- 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 replacing Clause 11 in Schedule 1 of NSLEP 2013;
- 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 Section 4.2 of the Planning Proposal (Attachment 1).

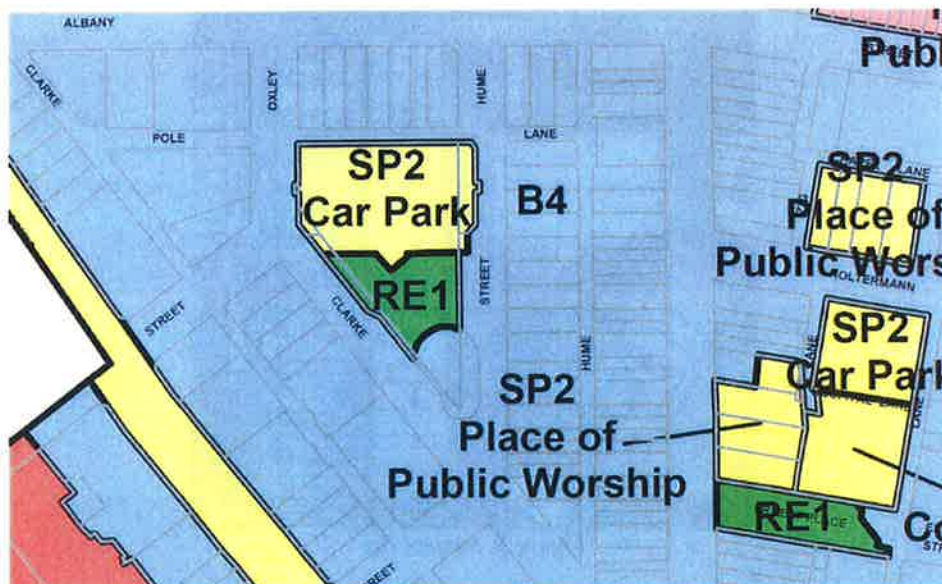


Figure 6: Existing extent of RE1 Public Recreation zoning

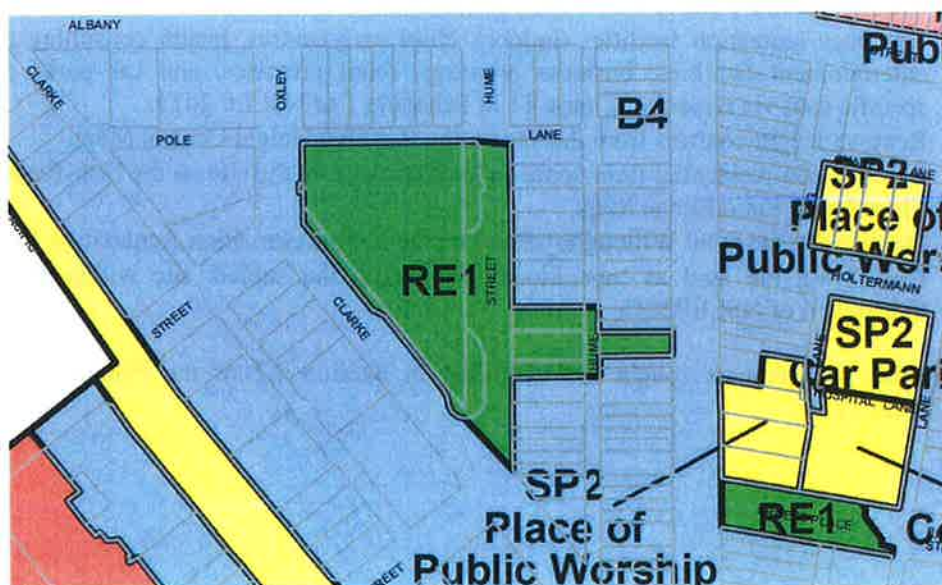


Figure 7: Proposed extent of RE1 Public Recreation zoning

2. Proposed NSDCP Amendment

The proposed amendments to North Sydney Development Control Plan 2013 seek to facilitate the expansion of Hume Street Park and protect its future function as high amenity open space.

It is proposed that the St Leonards/Crows Nest Planning Area Character Statement at Part C of NSDCP 2013 be amended to reinforce Council's primary intent for the land as expressed in the endorsed concept design option. Further, the amendments include restrictions on building height and massing to the north of the park to protect solar access, particularly in mid-winter

Refer to Attachment 2 for details.

3. Planning Proposal Structure

The Planning Proposal (refer to Attachment 1) is considered to be generally in accordance with the requirements under Section 55(2) of the Environmental Planning and Assessment Act 1979 and the Department of Planning and Environment's (DPE) *'A guide to preparing planning proposals'* (2012). In particular, the Planning Proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed local environmental plan;
- An explanation of the provisions that are to be included in the proposed local environmental plan;
- Justification for those objectives, outcomes and provisions and the process for their implementation; and
- Details of the community consultation that is to be undertaken on the Planning Proposal.

4. Justification of the Planning Proposal and DCP Amendments

The Planning Proposal and associated DCP amendments are a direct result of the strategic planning work undertaken by North Sydney Council, as endorsed in the St Leonards/Crows Nest Planning Study - Precinct 1, as well as the subsequent concept design work.

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.

This initiative is consistent with key directions and outcomes contained within Council's Community Strategic Plan as well as Sydney's Metropolitan Plan *"A Plan for Growing Sydney"*.

An expanded Hume Street Park will 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 long 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 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.

The proposed DCP amendments will reinforce Council's intent for the land as expressed in the endorsed concept design option. The DCP amendments will also protect the function of the park as high amenity open space by controlling overshadowing impacts of future development to the north.

5. Conclusion

The subject Planning Proposal and DCP amendments will help facilitate the expansion of Hume Street Park in accordance with the concept design endorsed by Council on 21 September 2015.

The relevant requirements under s.55 of the EP&A Act and the matters identified in the Department of Planning's '*A guide to preparing planning proposals*' (October 2012) have been adequately addressed in the Planning Proposal. The proposal is appropriate and is adequately justified.

It is therefore recommended that Council forward the Planning Proposal to the Department of Planning and Environment, seeking a Gateway Determination under s.56 of the EP&A Act 1979. It is also recommended that the proposed DCP amendment be exhibited concurrently with the Planning Proposal subject to it receiving a Gateway Determination.
