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## Submission to GD ref Draft LEP No.401.. Reclassification of Land at Huskisson

**The Community of Huskisson does NOT support the re-classification of the Owen Street Car Park to “operational” and the entry by Council into a Public Private partnership. The simple analysis that follows shows conclusively that any DA for development of the Owen Street Car Park plus including 78 public parking spaces is totally flawed and can NOT meet DCP54 requirements without substantial community subsidy.**

### Minimalist Consultation with Community

We appreciate the recent hearing chaired by GHD. It was the first time for many that there were people ready to listen to the community and then make an honest report to Council. That said, there is a real concern about the minimalist communication strategy carried out by SCC in as much as it could be misunderstood as aimed at limiting comment from the community.

- Invitations to the Wednesday 2 September public meeting were announced in the South Coast Register and Ulladulla Times. Community Consultative Bodies were advised of the Re-classification however NOT advised of the public meeting. Letters were sent from SCC to those who made submissions, the majority arriving on Monday 31 Aug. Apart from the notification placed on the HWCV web site and e-mails sent to members on Friday 28 Aug subsequent to an e-mail from SCC, there was insufficient warning given to enable all those who wished to attend to make arrangements to do so.
- There is concern as to the tone of the statement relating to the requirement for those making submissions to disclose all political donations. The Act requires all donations exceeding \$1,000 to be disclosed, however does not require every \$1 raffle ticket that may be deemed for a political cause to be declared. The statement used by the SCC is seen as particularly intimidating.

### Social aspects

Huskisson has three operating licensed premises and a recently approved Boutique Hotel. There is a problem with alcohol related anti-social activities causing damage and concern to locals and visitors alike.

- That the parking capacity (87 car spaces) of the current open air “Owen Street car Park” is proposed to be submerged under a commercial development is of real concern for the safety of people and property from alcohol related anti-social activities
- If the lack safety of such an underground public car park becomes a reality will SCC provide **24 hour security** and ensure the parking area is NOT closed off after dark and it continues to remain a free carpark so that there is no diminution of parking, especially in busy tourist, art and film festival times as well as normal parking requirements
- There is concern that such a public parking area will not have wheel chair access and impose an unreasonable difficulty in accessing the underground location.

### Car Park as an Asset

The existing open air Owen Street Car Park is an asset of Huskisson, a unique coastal village, as the gateway to Jervis Bay and a principal tourism precinct for the Shoalhaven.

This Car Park currently accommodates vehicles; that have roof racks carrying Kayaks and holiday equipment, towing trailers, with push bikes mounted on the rear of vehicles, towing boats. Any underground replacement will NOT admit such family-holiday vehicles. Equally the existing car Park has access from Owen and Morton Streets and can accommodate Motor homes and the Council Mobile Library.

The Owen Street Car Park is NOT merely 78 car spaces, but provides the future potential to develop a multi level parking facility should the Council and community agree on this in future. If the Car Park is sold to a developer this option is lost and the real value of the site has been lost to the village.

The SCC estimation of the land value at \$1,100/sq meter is well below market as indicated by the purchase price of the adjoining properties at \$1,842/sq meter. Add to this the recent Valuer General average increase of 19% in Huskisson and it strongly suggests that the SCC value is understated.

Council's media Release of 26 Nov 2007 indicated a sale price for the three blocks comprising the Owen Street car park at \$400,000 on the basis that the developer replaces the 78 spaces in an underground car park. Simple analysis of the development potential of the site will show that under DCP54 that is not commercially viable to meet this requirement, adding 87 additional car spaces will exacerbate the problem and significantly reduce the public car parking spaces in the village.

There is very limited parking capacity within the village as a whole and closer to the CBD the limited capacity has already shown signs of reducing business and deterring visitors from the area.

- Most of the street parking is time limited and a source of revenue to SCC. Locals are aware of the risks so it is visitors that are mostly subjected to this anti-tourism process. Particularly at risk are those who come to Huskisson to join a cruise on Jervis Bay, the duration of which is between 2 and 3 hours.
- There are 4 car parks within a reasonable walk from the retail centre of Huskisson
  - 78 spaces in the Owen Street Car Park .. a public car park under community title
  - 40 spaces in an unofficial parking area owned by the RSL. This space is likely to be removed once the RSL owned land is sold or developed.
  - 49 spaces adjacent to the Husky Pub. This is a public car under community title, however is principally used by patrons of the Husky Pub
  - SCC state that with resumption of land to form two service lanes that there will be an additional 96 street parking spaces within the commercial centre of Huskisson.

## **Precedent to DCP54**

- New developments in the Huskisson CBD are required under DCP54 (ref DCP18 and DCP71) to provide ON-SITE for all their parking requirements. The large developments as have recently been approved can not provide for their parking requirements on site and are allowed Section 94 Contribution payments in lieu and the overflow of vehicles goes into the street or public car parks.
  - Reference to the approval of the 54 Bed Hotel opposite the Owen Street Car Park and the fact that approval was given for a 4 Storey construction with less than the required on-site parking. 77 spaces were required for residential, retail, conference, manager parking while only 65 spaces are to be provided. The balance of 12 spaces will be covered by Section 94 contributions.
  - These 12 vehicles will seek parking in public parking spaces such as the Owen Street Car Park ... 12 of the 78 spaces are no longer available for locals or visitors.
  - Moreover, such underground parking as provided by the Hotel will NOT accommodate vehicles; that have roof racks carrying Kayaks and holiday equipment, towing trailers, with push bikes mounted on the rear of vehicles, towing boats. There is no provision for family holiday vehicle requirements.
- The combined area of the Owen Street Car Park + the two Huscorp blocks is 4,742 sq meters. DCP54 will allow a 5 storey building (5<sup>th</sup> storey at 50% of the ground floor foot print) on the site. There is every likelihood that this development will be "forgiven" a substantial level of its parking responsibility irrespective of the requirements of DCB18 or the Contributions Plan (No.10)
  - Based on the outcome for the 54 Room Hotel opposite (1512sq meters) that had a shortfall of 12 parking spaces, any development on this 4742 sq meter site is very likely to have a proportional shortfall, estimated at 40 car spaces. Add to this the 87 public car spaces and there is a shortfall of 127 spaces. It seems unreasonable to expect a developer to add a third level of parking without a substantial subsidy, hence the sale price for the land of \$400,000.
- Why must the community PAY twice for the Owen Street public car park?
  - Through Section 94 contributions, that every commercial development in the Village has been required to pay and has passed on to its customers, the Car Park has been paid for by the community. Of the \$527,008 cost for the Car Park, Sect 94 contributions have contributed \$429,862... a shortfall of \$97,146 on the cost.
  - And now in terms of subsidising a developer to provide an additional level of underground parking that will be INFERIOR to existing open air car park, the community is expected to pay a second time.

## Huscorp proposal

On the basis of re-classification of the car park to “operational” negotiations with Huscorp, owner of the two adjoining blocks facing Sydney Street, are likely to recommence and the proposed sale of the Owen Street Car Park will proceed at \$400,000 including the provision of 87 replacement public parking spaces. As has been shown already this strategy is set to dramatically reduce the parking capacity in Huskisson.

- Being aware that Huskisson is a coastal village of less than 1 sq Km and Owen Street is less than 400 meters in length; Why is Council so intent on handing to ONE developer an area of 4,742 sq meters to allow the construction of a 5 storey or >16 meter high building when the Draft Shoalhaven LEP 2009 has a maximum building height limit of 11 meters? .....
- Why does the Height of Building map for Huskisson allow 16 meter high development on this site?
- Why has Council decided to award such a singular benefit to a developer and give away the option for the existing public car park of 78 spaces to one day become a two storey construction with 154 spaces and capable of serving holiday vehicles .. increased height and access at the lower level and more conventional access on the upper level?

Comments made by SCC staff on the night when asked about the status and future of any agreement with Huscorp did NOT leave those attending the meeting with a clear understanding that Council was not simply carrying out due process in advance of preceding with its previously stated intent to sell the Car Park to Huscorp.

There is on Exhibition amendment No.10 of the Section 94 Contributions Plan for Huskisson as initiated by the adoption of Amendment No.4 of DCP54 that covers the commercial centre of Huskisson. This document and DCP54 presumes that the car park will form part of some extensive development as previously proposed by Huscorp and supported by the Council. Based on previous actions by Council in direct opposition to community concerns there is great apprehension that the Car Park will ultimately be handed to Huscorp and be subjected to an inappropriate and outsized development at the entry to Huskisson a coastal village plus the resultant loss of the Tourist-useful open air Owen Street Car Park.

## Master Plan for the future development of Huskisson

Council have recently announced their intent to create a **Master Plan for the future development of Nowra**, a sound and forward thinking decision. Why has Council refused for more than 5 years the many requests from the residents and broader business community of Huskisson for the same opportunity to develop a Master Plan for the future of the whole of Huskisson gateway to Jervis Bay a national asset? Such a Master Plan would address many issues relating to the growth of Huskisson as a Year Round Tourism Destination, one of which would be PARKING?

Contrary to community concerns expressed over the last six years, and advice from SCC professional Planning staff, Councillors have taken a pro-developer strategy in adopting DCP54 #4 and refused the communities continued cries for a master Plan for the Whole of Huskisson to be created.

- DCP54 amendment 4 will allow over-development of Huskisson as evidenced by the inability of a development to meet the parking requirements as instructed by DCP18
- Councillors are known to be willing to vary development policy to facilitate a non-conforming DA and in each such action they further compromise the parking capacity of the village
- Creation of a Master Plan for Huskisson would bring together the collective wisdom of all stakeholders

If there is further detail please do not hesitate to contact the undersigned

Sincerely



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Leslie Lockwood  
Co-Chairs  
Huskisson & Woollamia Community Voice