

Item: ENV022-18 **Planning Proposal - 9 Gloucester Road, Hurstville**

Author: Strategic Planner and Coordinator Strategic Planning

Directorate: Environment and Planning

Matter Type: Committee Reports

Recommendation:

- (a) That Council endorse the Planning Proposal to amend *Hurstville Local Environmental Plan 2012* as follows, in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238):
 - i) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and
 - ii) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m.
- (b) That Council endorse the Planning Proposal to be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- (c) That the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment.
- (d) That Council endorse the preparation of an amendment to the *Hurstville Development Control Plan No.2 – Hurstville City Centre* (“HDCP No.2”) to run concurrently with an amendment to the *Hurstville Local Environmental Plan 2012* (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent’s cost.

Executive Summary

- 1. GTB Hurstville Pty Ltd submitted a Planning Proposal request (PP2015/0005) on 9 October 2015 that seeks to amend the *Hurstville Local Environmental Plan 2012* (“HLEP 2012”) in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238).
- 2. The Planning Proposal was subsequently amended a number of times with variations to the requested floor space ratio (“FSR”) and in particular the quantum of retail / commercial and residential gross floor area. The detailed chronology of the events leading up to this report on the revised Planning Proposal is provided in **Table 1** of this report.
- 3. The revised Planning Proposal request which is the subject of this report was submitted by the applicant on 30 May 2018 and was considered by the Georges River Local Planning Panel (“LPP”) at its meeting dated 21 June 2018.
- 4. The LPP supported the subject Planning Proposal request and made the following recommendations:
 - a) *THAT the Georges River LPP recommends to Council that the Planning Proposal to amend Hurstville Local Environmental Plan 2012 as follows, in relation to 9*

Gloucester Road, Hurstville (Lot 30 DP785238), be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979:


- i) *To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and*
 - ii) *To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m.*
 - b) *THAT the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment.*
 - c) *THAT the LPP recommends to Council to prepare an amendment to the Hurstville Development Control Plan No.2 – Hurstville City Centre (“HDCP No.2”) to run concurrently with an amendment to the Hurstville Local Environmental Plan 2012 (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent’s cost.*
 - d) *THAT a report to Council be prepared by Council staff to advise of the LPP recommendations.*
5. Refer to Attachment 1 for a copy of the LPP meeting minutes including the Statement of Reasons for the Panel’s decision regarding this Planning Proposal.
 6. This report recommends that Council support the LPP recommendations and endorse this Planning Proposal to be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination.

1 INTRODUCTION

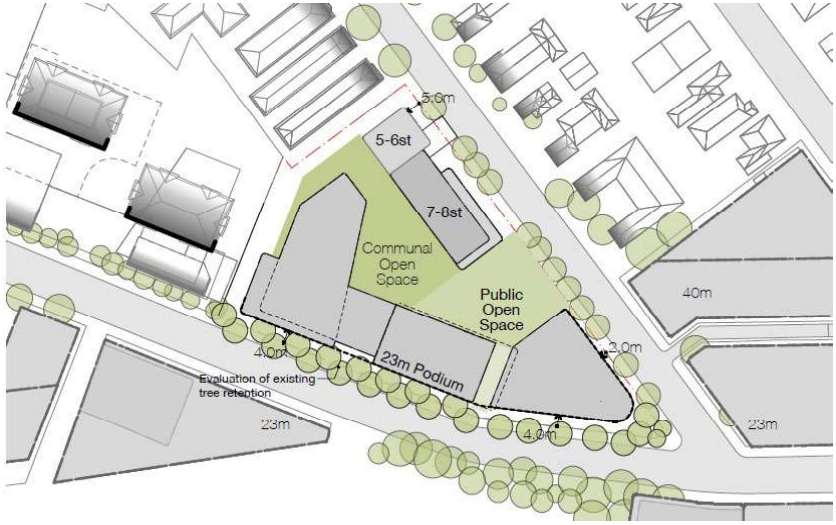
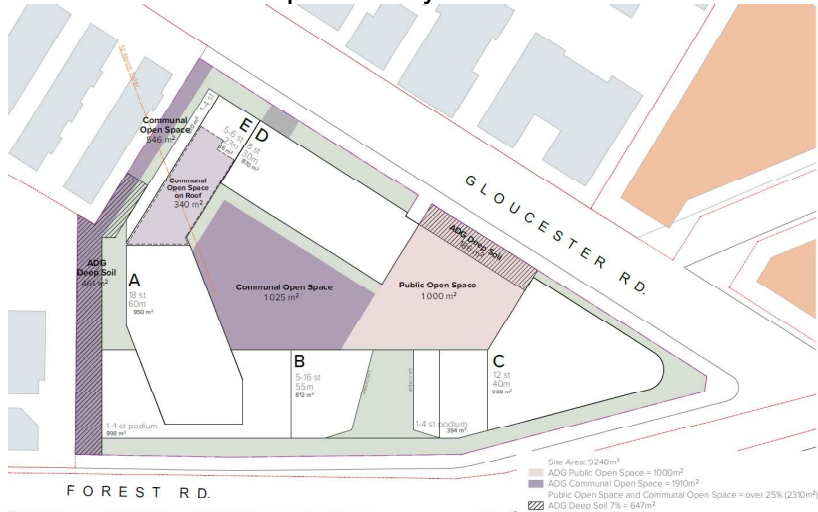
7. GTB Hurstville Pty Ltd submitted a Planning Proposal request (PP2015/0005) on 9 October 2015 that seeks to amend the *Hurstville Local Environmental Plan 2012* (“HLEP 2012”) in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238).
8. **Table 1** below provides a chronology of the events leading up to this report on the revised Planning Proposal.

Table 1 – Summary of Key Events and Amendments

Date	Details
15 June 2015	Meeting between the applicant and Council staff to discuss a potential Planning Proposal. A preliminary concept scheme was presented, featuring: <ul style="list-style-type: none"> • 20 to 60m height (5-18 storeys); • 4.5:1 FSR; • 481 residential apartments; and • 1,600sqm commercial/retail floor space.
9 October 2015	Planning Proposal lodged (PP2015/0005). No VPA offer was submitted but references to a future offer were provided in the applicant’s Planning Proposal Report. The concept scheme featured:

	<ul style="list-style-type: none"> • 23 to 60m height (5-18 storeys); • 4.5:1 FSR; • 450-475 residential apartments; • 1,700sqm commercial/retail floor space; • 300sqm community facility (subject to a future VPA offer); • 1,000sqm publicly accessible park (subject to a future VPA offer); and • Public through-site link (subject to a future VPA offer). 
19 November 2015	Planning Proposal was referred to the St George Design Review Panel ("DRP"). The Panel did not support the proposal and requested that the proposal be amended and referred to the Panel for further consideration.
20 January 2016	<p>Revision no.1 was submitted in response to the DRP minutes:</p> <ul style="list-style-type: none"> • 23 to 60m height (5-18 storeys); • 4.5:1 FSR; • Minimum 1:1 commercial FSR (approx. 9,250sqm); • 347 residential apartments; • 300sqm community facility (subject to a future VPA offer); • 1,000sqm publicly accessible park (subject to a future VPA offer); and • Public through-site link (subject to a future VPA offer).
18 February 2016	Revision no.1 was referred to the DRP for consideration. The DRP supported the proposed density subject to the provision of sufficient deep soil and landscaping, and the preparation of a site-specific DCP to regulate future development.
11 March 2016	A revised Planning Proposal was lodged which formalises the amendments proposed as part of revision no.1 .
March 2016 to May 2017	A draft VPA offer was submitted by the applicant to accompany the Planning Proposal. A series of correspondences occurred between Council staff and the applicants with regards to the proposed public benefits in the VPA offer and the method of calculating the uplift. The VPA offer is reported separately to the Environment and

	Planning Committee, and Council.
18 May 2017	<p>An amended Planning Proposal (revision no.2) was submitted by the applicant featuring an increased residential dwelling yield by increasing the area of 60m building height by 415sqm. The scheme featured:</p> <ul style="list-style-type: none"> • 23 to 60m height (5-18 storeys); • 4.5:1 FSR; • Minimum 1:1 commercial FSR (approx. 9,250sqm); • Approx. 400 residential apartments; • Provision of a publicly accessible open space which is 800 to 1,000sqm in area; • Provision of a public through-site link; and • Public domain improvements to be provided via the VPA.
26 May 2017	<p>Council staff conducted a preliminary assessment of revision no.2 and requested additional information from the applicant to justify the increase in the residential yield by 53 units (from revision no.1 to no.2) whilst the FSR sought remained at 4.5:1. Furthermore, the applicant was advised of Council's concern regarding the viability of the 1:1 commercial FSR requirement due to the site's location away from the B3 Commercial Core.</p>
13 July 2017	<p>The applicant provided three development options with varying ratios of distribution between the residential and commercial/retail floor space. Option 3 below was identified by the applicant as their preferred option:</p> <ol style="list-style-type: none"> 1. 3.5:1 residential FSR and 1:1 commercial/retail FSR 2. 4:1 residential FSR and 0.5:1 commercial/retail FSR 3. 4.2:1 residential FSR and 0.3:1 commercial/retail FSR
2 August 2017	<p>The applicant was advised that Council supports in principle a minimum 0.3:1 commercial/retail FSR on the site.</p>
5 September 2017	<p>A letter from Council was provided to the applicant agreeing to the following:</p> <ul style="list-style-type: none"> • An increase in the maximum FSR for the whole site from 3.5:1 to 4.5:1, with the FSR being based on the following breakup: <ul style="list-style-type: none"> - 4.2:1 being the maximum residential floor space; and - 0.3:1 being the minimum non-residential floor space.
8 September 2017	<p>In response to Council's letter, an amended Planning Proposal (revision no.3) was submitted by the applicant featuring a reduced commercial/retail FSR and increased residential dwelling yield. The scheme featured:</p> <ul style="list-style-type: none"> • 23 to 60m height (5-18 storeys); • 4.5:1 FSR; • Minimum 0.3:1 commercial FSR (approx. 2,775sqm); • 476 residential apartments;

	<ul style="list-style-type: none"> • Provision of a publicly accessible open space which is 800 to 1,000sqm in area; • Provision of a public through-site link; and • Public domain improvements to be provided via the VPA. 
5 October 2017	<p>Revision no.3 was referred to the DRP for consideration. The Panel believed that insufficient information had been provided to support the increase in density and height, and requested that the proposal be amended and referred to the Panel for further consideration.</p>
12 February 2018	<p>An amended Planning Proposal (revision no.4) was submitted by the applicant featuring an extensive reconfiguration of the building envelope and footprint as well as the introduction of a 4 storey podium form on Forest Road. The reduction in building bulk resulted in a reduced FSR and apartment yield of 420 units.</p> 
1 March 2018	<p>Revision no.4 was referred to the DRP for consideration. The DRP recognised that the building form had been substantially modified in response to the comments of the Panel at its meeting dated 5 October 2017. As such, the proposed height and FSR were supported subject to the retention of existing significant trees.</p>
30 May 2018	<p>An amended Planning Proposal (revision no.5) was submitted by the applicant with consideration of the DRP</p>

	comments from its meeting dated 1 March 2018. This revision is the subject of this report.
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9. The revised Planning Proposal seeks:

- a) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and
- b) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m.

10. A Voluntary Planning Agreement (“VPA”) has been offered by the applicant. The details of the VPA and its associated Heads of Agreement (“HoA”) are provided in a separate report on this agenda (dated 13 August 2018).

2 SITE DESCRIPTION

2.1 Overview of the Site

11. This Planning Proposal applies to land known as 9 Gloucester Road, Hurstville (refer to **Figure 1** below). The site has a legal description of Lot 30 DP785238 and is wholly in the ownership of GTB Hurstville Pty Ltd.

Figure 1 – Subject site at 9 Gloucester Road, Hurstville



12. The site is triangular in shape and is bound by Gloucester and Forest Roads to its north and south. These roads intersect at the eastern point in a splayed corner. The site is bound by private properties on its irregular western boundary and is located at the transition threshold between the central and western areas of the Hurstville City Centre.

13. The site has a total area of 9,240sqm. It excludes a 4x6m area on Gloucester Road (refer **Figure 1** above) which is used as an electrical substation. A detailed site survey is provided by the applicant and the overall frontage lengths are summarised in **Table 2** below.

Table 2 – Site Boundary Dimensions

Boundary	Overall Frontage
Gloucester Road	Approx. 148.7m
Forest Road	Approx. 158.3m
Western boundary (adjacent to 438-452 Forest Road and 15 Gloucester Road)	Approx. 108.5m

14. The ground surface along the Forest Road frontage slopes gently downwards to the east and surface levels vary between about RL65.4 and RL61.4 relative to the Australian Height Datum ("AHD"). The ground surface level at the Gloucester Road frontage is relatively level between RL60.9 and RL61.4.
15. The site is currently occupied by three commercial buildings between 2 to 4 storeys with a FSR of approximately 1:1. The existing built form represents a 'suburban campus' or 'office park' style configuration with a partially exposed basement car park. The remainder of the site comprises controlled access to the basement car park from Gloucester Road, an irregular through-site link and hardstand areas.
16. There are four existing tenants occupying the three commercial buildings, namely Centrelink, Austbrokers Pty Ltd, Stockdale Personnel Pty Ltd and the ORS Group Pty Ltd. The Economic Impact Assessment specifies that there is currently an estimated total of 82 staff with an estimated vacancy rate of 77% (or 7,691sqm).
17. The site is characterised by large trees with dense canopies lining the Forest Road and Gloucester Road street frontages, complemented by stretches of significant understorey planting which positively contribute to the area's public domain. The highly landscaped appearance of the site, especially at the Forest and Gloucester Road corner, is particularly appreciated due to the relative lack of trees in the Hurstville City Centre. An assessment of existing tree specimens on site is provided by the Tree Study.
18. Views of the site are shown in **Figures 2-8**;

Figure 2 – View of Gloucester / Forest Road corner



Figure 3 – View of 4 storey building from Gloucester Road



Figure 4 – View of car parking entrance on Gloucester Road



Figure 5 – View of recessed entrance to building on Forest Road



Figure 6 – View of 4 storey building from Forest Road



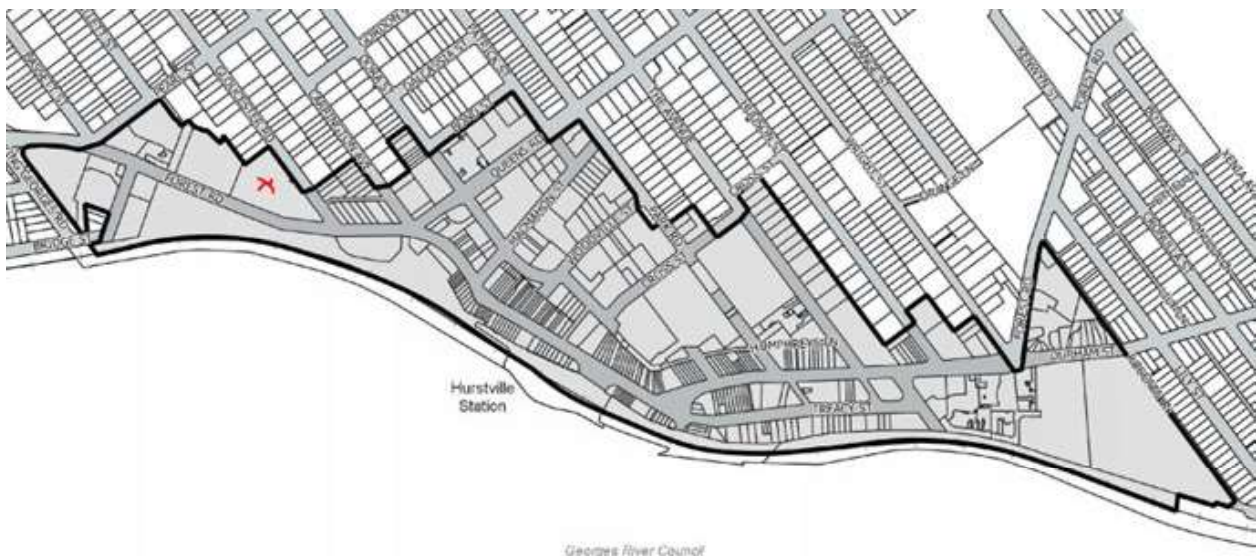
Figure 7 – View of pedestrian through-site link on Forest Road



Figure 8 – View of driveway at western boundary on Forest Road

2.2 Surrounding Land

19. The site is located towards the western edge of the Hurstville City Centre; refer to **Figure 9** below for the location of the site (marked by x) in relation to the extent of the Hurstville City Centre.

Figure 9 – Extent of Hurstville City Centre

20. Its immediate context comprises of an array of underutilised sites including an at-grade public car park, service station, single storey factory outlet, other commercial premises and

vacant railway land holdings. The site is isolated from other commercial use buildings. The primary interfaces of the site are described in **Table 3** below.

Table 3 – Surrounding Development

Aspect	Surrounding Development
North	<ul style="list-style-type: none"> Gloucester Road – zone R3 Medium Density Residential 3 to 5 storey walk-up style residential flat buildings
East	<ul style="list-style-type: none"> Gloucester Road, Forest Road and Queens Road Council owned car park on Gloucester Road Coles service station Various 2 storey commercial premises including Nara Lounge and Rivers
South	<ul style="list-style-type: none"> Railway track and vacant railway land Low-scale (2 storey) retail / commercial buildings with shop-top housing
West	<ul style="list-style-type: none"> Adjoining 15 Gloucester Road – 4 storey walk-up style residential flat buildings Adjoining 438-452 Forest Road – mixed use development with 2 storey podiums at street frontage and two towers (8 storeys and 16 storeys) towards the rear of the site 454-456 Forest Road – low-scale (2 storey) retail / commercial building with shop-top housing 458-460 Forest Road – ‘Toga’ mixed use development with tower forms of up to 60m

21. Views of the surrounding land are shown in **Figures 10-19** below.

Figure 10 – View of 2 storey premises on Forest Road



Figure 11 – View of Coles service station at corner of Gloucester and Forest Roads



Figure 12 – View of Council's car park on Gloucester Road



Figure 13 – View along Gloucester Road (northerly) from intersection with Forest Road



Figure 14 – View of walk-up flats on Gloucester Road



Figure 15 – View of side boundary adjacent to No.15 Gloucester Road



Figure 16 – View along Forest Road (westerly) from intersection with Gloucester Road



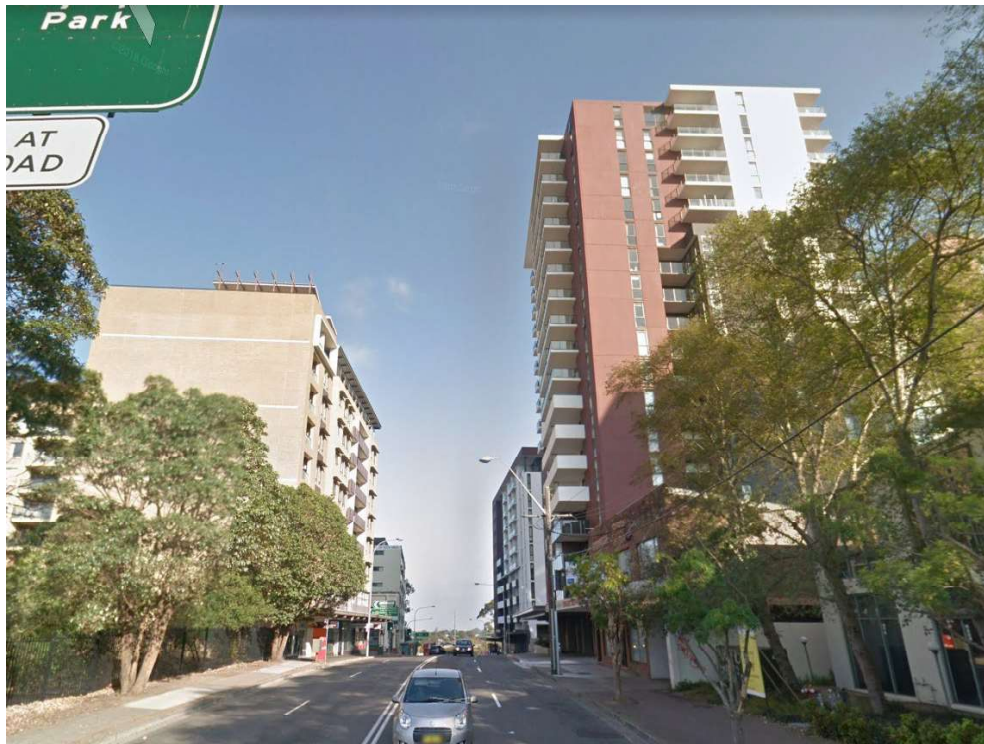
Figure 17 – View of side boundary adjacent to No.438-452 Forest Road



Figure 18 – View of development at No.438-452 Forest Road



Figure 19 – View of mixed use residential development on Forest Road (R: ‘Toga’ development)



22. The site has direct access to Forest Road, which is a major road with local and regional bus services and a high level of accessibility for pedestrians.
23. The site enjoys good access to Hurstville and Penshurst Railway Stations, being located within approx. 600m and 1,000m walking distance respectively, refer to **Figure 20** below.

Figure 20 – Map of Accessibility to Railway Stations



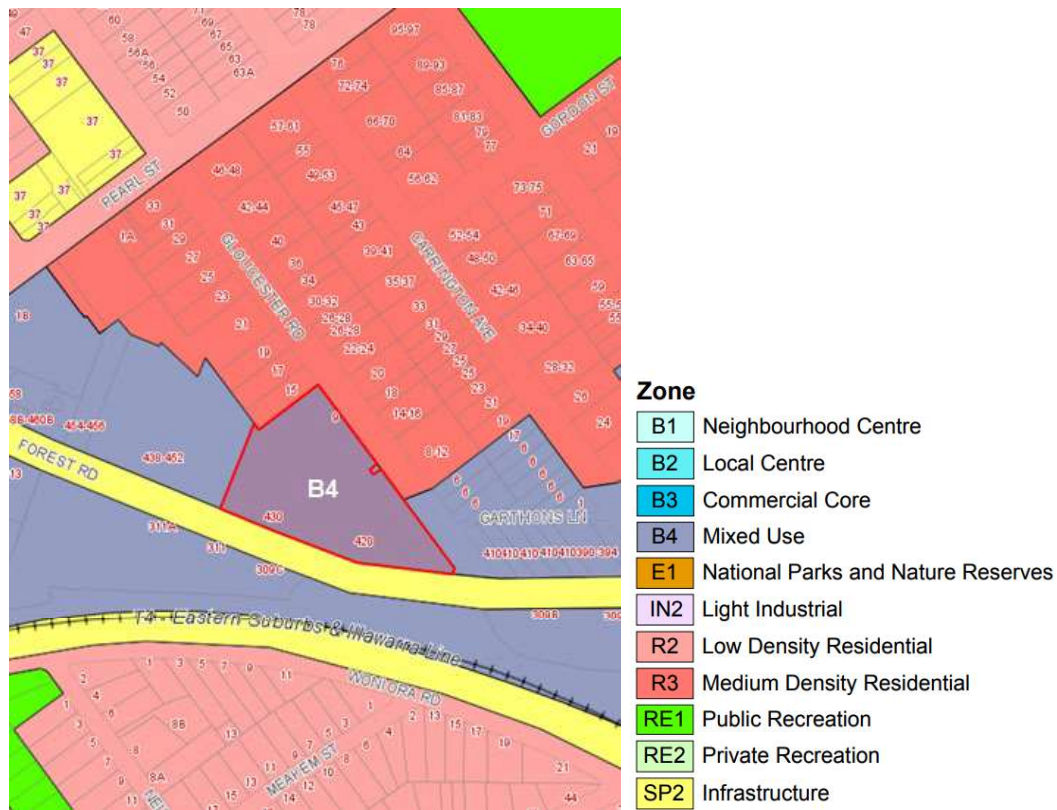
24. Three major parks are within walking distance, comprising the Hurstville Oval and Velodrome, Arrowsmith Park and Penshurst Park and Aquatic Centre that provide for a range of major recreational opportunities.

3 PLANNING STRATEGIES, POLICIES AND CONTROLS

3.1 Existing Planning Controls

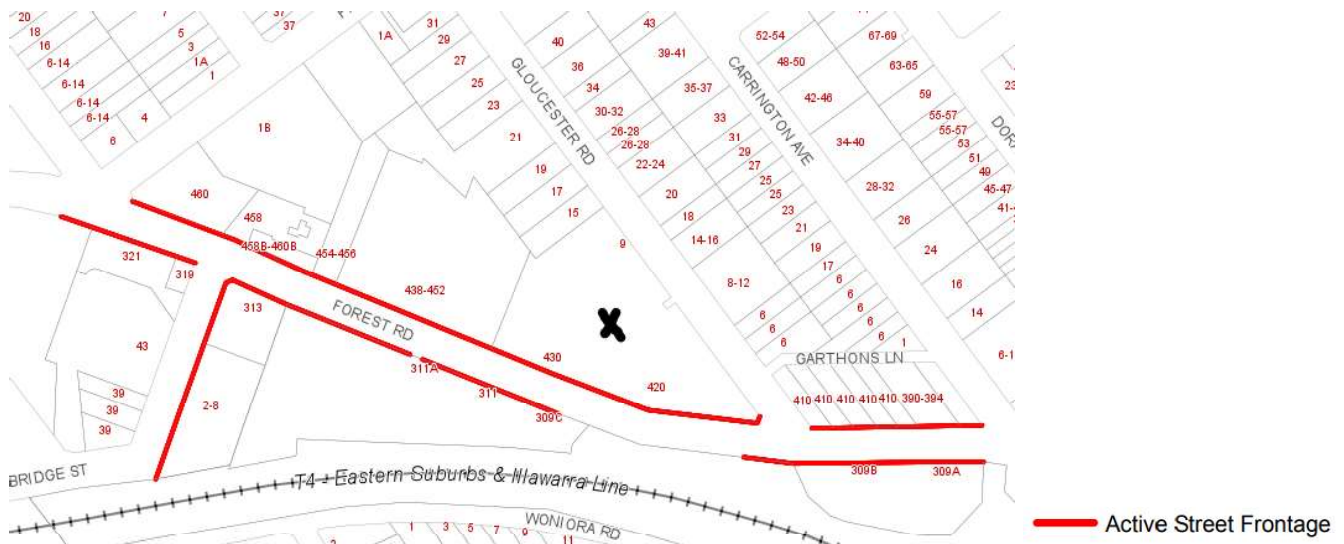
25. The site is currently zoned B4 Mixed Use under the *HLEP 2012* (refer to **Figure 21** below).

Figure 21 – HLEP 2012 Land Use Zoning Map



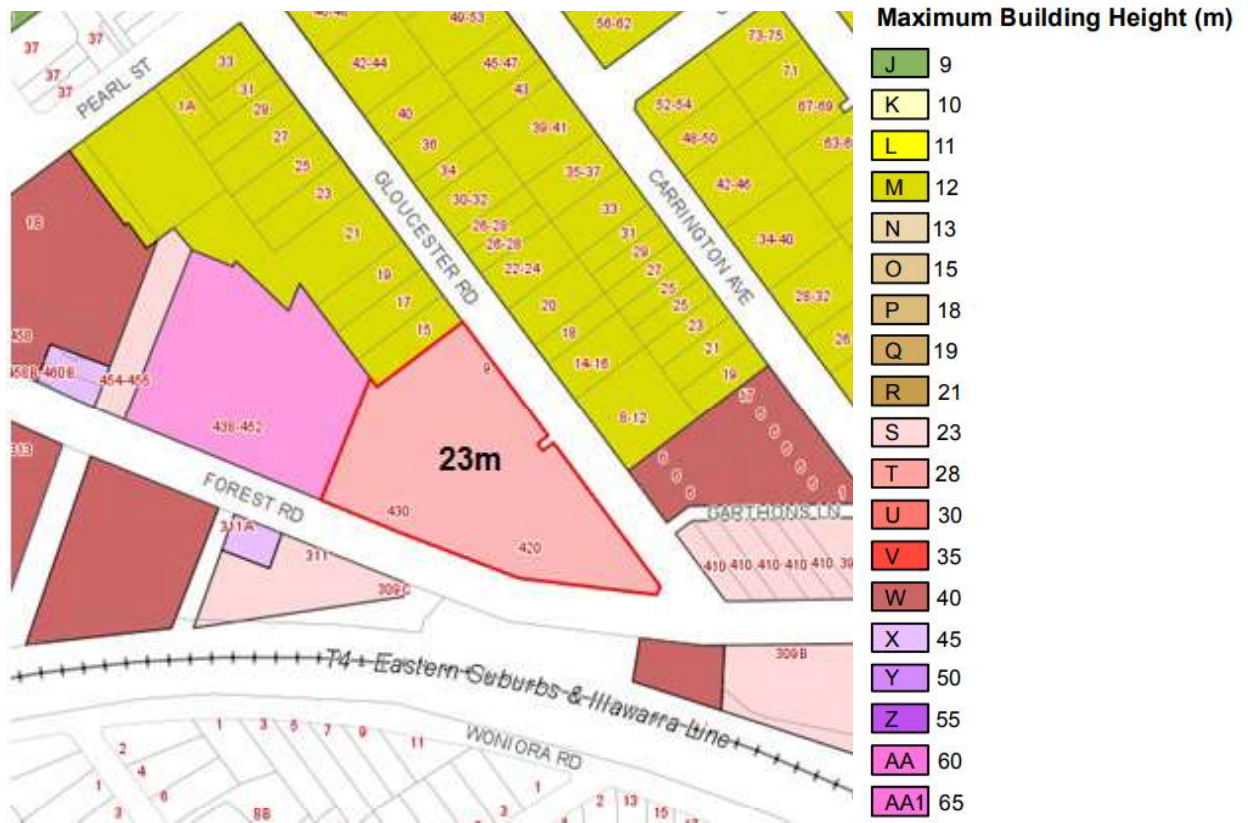
26. The site is identified as being affected by Active Street Frontages (“ASF”) under the *HLEP 2012*, refer to **Figure 22** below. The ASF is applied along the Forest Road frontage. Clause 6.6 Active street frontages applies to the site.

Figure 22 – HLEP 2012 Active Street Frontages Map



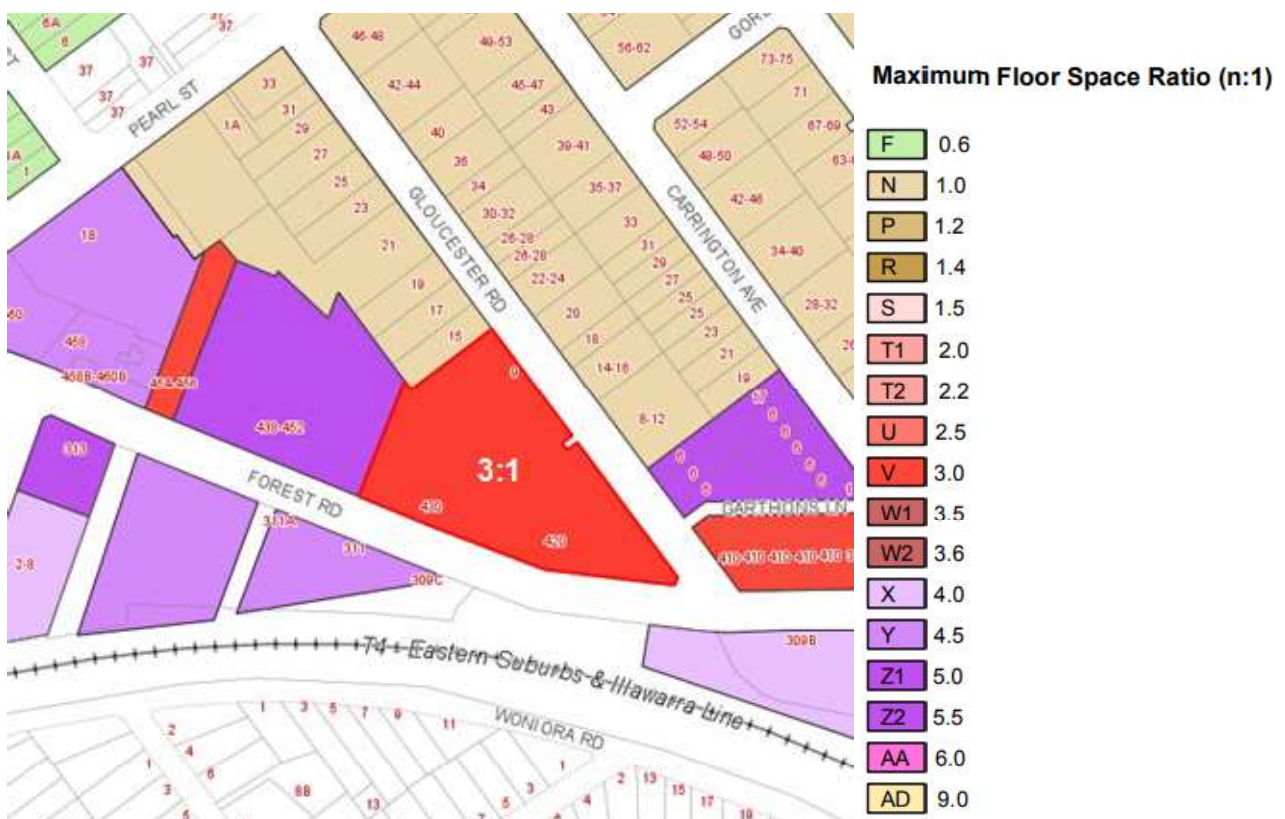
27. The site has a maximum building height of 23m under the *HLEP 2012*, refer to **Figure 23** below. Clause 4.3 Height of buildings is applicable to the site.

Figure 23 – HLEP 2012 Height of Buildings Map



28. The site has a maximum floor space ratio of 3:1 under the *HLEP 2012*, refer to **Figure 24** below. Clause 4.4 Floor space ratio is applicable to the site.

Figure 24 – HLEP 2012 Floor Space Ratio Map



3.2 Background – Amendment No.3 to the HLEP 2012

29. The *HLEP 2012* is a Standard Instrument LEP which requires the inclusion of maximum building heights and maximum FSRs as LEP development standards via maps and clauses.
30. At the date of its commencement on 7 December 2012, the *HLEP 2012* did not contain height and FSR development standards for the Hurstville City Centre. Instead, height and FSR provisions were prescribed by the *HDCP No.2*. The subject site at 9 Gloucester Road had a maximum permissible building height of 23m and a maximum permissible FSR of 5:1 under the *HDCP No.2*.
31. In 2014, the former Hurstville City Council prepared an amendment to the *HLEP 2012* (known as Amendment No.3) which identified maximum building heights and FSRs for properties within the Hurstville City Centre. In relation to the subject site, the draft amendment identified a maximum building height of 23m and a maximum FSR of 3:1.
32. During the public exhibition of draft Amendment No.3, a submission was received in relation to the subject site requesting a maximum FSR of 5:1 and maximum building heights “based on an urban design review of the appropriate redevelopment potential of the site”.
33. In consideration of the submission received, the former Hurstville Council’s planning staff made the following recommendation to not support the submission:

“It is not considered appropriate for the planning controls to be amended for this site or the site deferred from the draft LEP until such time as further planning investigations have been undertaken by the proponent and subject to a full assessment of their impact by Council”. [underlined added]
34. At its meeting dated 17 September 2014, the former Hurstville Council resolved to support the above recommendation. Amendment No.3 to the *HLEP 2012* was gazetted and came into effect on 24 July 2015 with the current planning controls for the subject site as outlined above in this report.
35. In response to Council’s recommendation, the applicant submitted the subject Planning Proposal request (PP2015/0005) which includes planning investigations, detailed urban design considerations and an assessment of impacts.

3.3 Hurstville Development Control Plan No. 2

36. This report recommends that an amendment to the *HDCP No.2* be prepared in the form of a site-specific chapter, to run concurrently with an amendment to the *HLEP 2012* (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent’s cost.

4 APPLICANT’S PLANNING PROPOSAL REQUEST

4.1 Background

37. A Planning Proposal request (PP2015/0005) for 9 Gloucester Road, Hurstville was lodged in October 2015 and since that time there have been five (5) amendments to the proposal.

38. **Table 1** above provides a summary of the key events and amendments received leading up to the revised Planning Proposal which is the subject of this report. It should be noted that all events relating to the VPA are excluded from **Table 1** as the VPA will be reported to Council in a separate report.

4.2 Summary of Planning Proposal Request

39. GTB Hurstville Pty Ltd submitted a Planning Proposal request (PP2015/0005) on 9 October 2015 that seeks to amend the *Hurstville Local Environmental Plan 2012* ("HLEP 2012") in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238).
40. A revised Planning Proposal request was submitted on 30 May 2018 and included the following amended documents which form the basis of the Planning Proposal request being considered in this report:
- i) Planning Proposal Report for Gateway (refer **Attachment 2**)
 - ii) Architectural Concept (refer **Attachment 3**)
 - iii) Urban Design Report
 - iv) Tree Retention and Replacement Study
 - v) Tree Canopy Study
 - vi) Economic Impact Assessment
 - vii) Transport Report
 - viii) Survey Plan
41. The Planning Proposal seeks to:
- a) Amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (as per **Figure 25** below), including a minimum non-residential FSR of 0.3:1 via an amendment to Clause 4.4A. The proposed clause wording is as follows:
4.4A Non-residential floor space ratios
(1C) Despite clause 4.4, development consent must not be granted for development on the following land unless the non-residential floor space ratio is at least 0.3:1:
(a) 9 Gloucester Road, Hurstville, being Lot 30, DP785238.
and
 - b) Amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m (as per **Figure 26** below).
42. The Planning Proposal does not seek to alter the land zoning and active street frontage provisions of the *HLEP 2012*.
43. It should be noted that although the precise dimension of the various maximum building heights will not be identified by the *HLEP 2012*, the maximum building envelope (in accordance with **Figure 27** below) will be regulated by the site specific *HDCP No.2* chapter which will accompany this Planning Proposal if Gateway approval is given by the Department of Planning and Environment. The DCP will contain prescriptive provisions including setback distances and building dimensions.

Figure 25 – Proposed Floor Space Ratio Map**Figure 26 – Proposed Height of Buildings Map**

4.3 Summary of Architectural Concept Scheme

44. This Planning Proposal is accompanied by an architectural concept scheme (Rev E dated 30 May 2018, refer to **Attachment 3**) prepared by Turner demonstrating the following:
- a) Building form with a variety of storeys ranging from 4 to 18 storeys:
 - i. Building A – 4 to 18 storeys (60m)
 - ii. Building B – 4 to 16 storeys (55m)
 - iii. Building C – 12 storeys (40m)
 - iv. Building D – 8 storeys (30m)
 - v. Building E – 4 to 6 storeys (23m)
 - b) Mixed use development featuring:
 - i. Approx. 2,770sqm retail / commercial floor space (0.3:1 FSR)
 - ii. Approx. 34,190sqm residential floor space (3.7:1 FSR)
 - c) 420 residential apartments comprising of:
 - i. 158 x one bedroom units

- ii. 209 x two bedroom units
 - iii. 53 x three bedroom units
 - d) Multi-level basement car parking
 - e) At grade communal open space adjacent to the publicly accessible open space
 - f) Rooftop communal open space on top of each building
 - g) Public pedestrian underpass through-site link in the undercroft of Building B
 - h) Publicly accessible open space of minimum 1,000sqm (identified as a VPA contribution)
45. The concept scheme was considered by the Design Review Panel (“DRP”) on 1 March 2018 and the Panel generally supported the height and FSR proposed for the Planning Proposal subject to the resolution of a range of matters, which are addressed below in this report.
46. Refer to **Figure 27** below for the maximum building envelope proposed by the concept scheme.

Figure 27 – Maximum Building Envelope



5 ASSESSMENT OF THE PLANNING PROPOSAL

5.1 Strategic Planning Context

47. Consideration of the Planning Proposal request in relation to the *Greater Sydney Region Plan (A Metropolis of Three Cities)* and the *South District Plan* is provided below.

Greater Sydney Region Plan (A Metropolis of Three Cities)

48. The *Greater Sydney Region Plan* was finalised and released by the Greater Sydney Commission in March 2018 and establishes the aspirations for the region over the next 40 years. The Region Plan is framed around 10 directions relating to infrastructure and collaboration, liveability, productivity and sustainability.
49. The applicant has provided their assessment of the Planning Proposal against the relevant Objectives of the Region Plan as below:

50. **Direction 4:** *Housing the city*

Objective 10: Greater housing supply

Objective 11: Housing is more diverse and affordable

The Planning Proposal will provide approximately 420 new apartment dwellings. The site is suitable for this increase in dwellings as it is located within the Hurstville Strategic Centre, close to jobs and public transport (Hurstville Railway Station and bus interchange) with frequent services capable of moving large numbers of people. Housing choice to suit different needs and lifestyles will be provided with a range of apartment sizes to satisfy the apartment mix, objectives and design guidance of the *Apartment Design Guide* and the apartment size mix in the *HDGP No.2*.

51. **Direction 5:** *A city of great places*

Objective 12: Great places that bring people together

The Planning Proposal facilitates the provision of a publicly accessible pocket park towards the centre of the site on Gloucester Road, as well as a public pedestrian underpass through-site link which connects Forest and Gloucester Roads. The pocket park will be activated by retail uses at ground level. The proposal intends to transform the existing underutilised office park into an attractive new community meeting space.

52. **Direction 6:** *A well-connected city*

Objective 14: *A Metropolis of Three Cities* – integrated land use and transport creates walkable and 30-minute cities

Housing in close proximity to a range of regional public transport services will assist in meeting the 30-minute job access target. It is noted that the site is located well within the walkable catchments of the following transport hubs:

- 400m walking distance from the Hurstville bus interchange (Woodville Street);
- 600m walking distance from the Hurstville Railway Station; and
- 1,000m walking distance from the Penshurst Railway Station.

Furthermore, the proposal does not preclude the development of the Hurstville CBD commercial core. Instead, it intends to generate additional demand for local services through the introduction of 420 new dwellings and provides contemporary street-based economic activity on Forest Road.

53. **Direction 7:** *Jobs and skills for the city*

Objective 22: Investment and business activity in centres

While the proposed redevelopment reduces the amount of commercial floor space offered by the existing development, the current office facilities are redundant with poor economic prospects as demonstrated by the existing 77% vacancy rate. Health, education, knowledge and professional services as well as tourism are recognised sectors of future employment growth. The site is outside the commercial core of the Hurstville CBD and is therefore better suited for personal and professional services with different and more flexible accommodation needs.

The Planning Proposal will allow for the feasible redevelopment of redundant office facilities on a highly accessible but underutilised site for the purpose of a mixed use development.

54. **Direction 8:** *A city in its landscape*

Objective 30: Urban tree canopy cover is increased

Objective 31: Public open space is accessible, protected and enhanced

The proposal aims to retain the distinctive landscaped character of the site through the retention of the Gloucester Road street trees and the existing clusters of mature trees on the Forest Road frontage. The green corridor and microclimate will also be enhanced by the proposed introduction of an additional row of street tree planting on Forest Road. As a result, the proposal features an increase in urban tree canopy cover.

As part of the associated VPA and future redevelopment, all remaining overhead electricity wiring and services will be buried underground along this segment of Forest Road. This will provide an overhead clearance for the unobstructed growth of street trees.

The provision of a publicly accessible pocket park with a children's playground in addition to the mandatory communal open space creates a new accessible open space which would enhance the amenity of the Hurstville City Centre.

South District Plan

55. The *South District Plan* was finalised and released by the Greater Sydney Commission in March 2018. The District Plan is a guide for implementing *A Metropolis of Three Cities* at the district level and proposes a 20-year vision by setting out aspirations and proposals for the South District.
56. The Planning Proposal is considered to be consistent with the following Planning Priorities of the *South District Plan*.

Direction	Planning Priorities relevant to the Planning Proposal
Housing the city	Planning Priority S5: Providing housing supply, choice and affordability, with access to jobs, services and public transport
A city of great places	Planning Priority S6: Creating and renewing great places and local centres, and respecting the District's heritage
Jobs and skills for the city	Planning Priority S9: Growing investment, business opportunities and jobs in strategic centres
A well connected city	Planning Priority S12: Delivering integrated land use and transport planning and a 30-minute city
A city in its landscape	Planning Priority S15: Increasing urban tree canopy cover and delivering Green Grid connections Planning Priority S16: Delivering high quality open space

57. The *South District Plan* also sets out Actions that would strengthen the Hurstville Strategic Centre. The applicant has identified that the Planning Proposal will assist in delivering the following Actions:
 - “encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy” and “recognise and support the role of Forest Road as a movement corridor and as an eat street” by providing contemporary commercial accommodation along the main Forest Road frontage suitable for a variety of purposes.
 - “encourage activation of secondary streets” by providing a pocket park and associated retail uses on Gloucester Street, which is considered to be a secondary street to Forest Road.

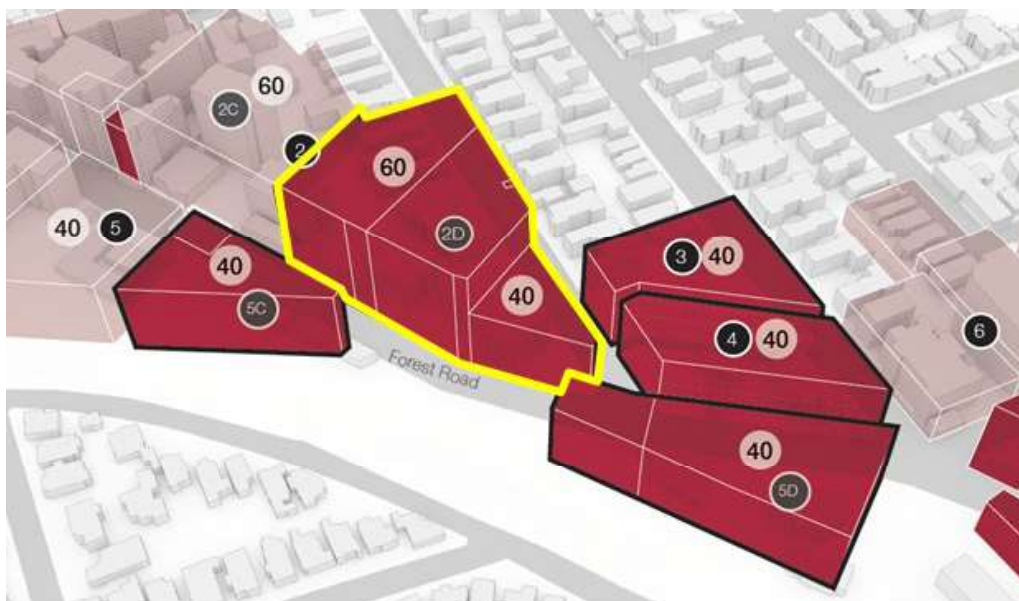
5.2 Council's Local Strategic Plans

58. Consideration of the Planning Proposal request in relation to Council's local strategic plans are provided below.

Hurstville City Centre Urban Design Strategy (2018)

59. The *Hurstville City Centre Urban Design Strategy* was endorsed by Council at its meeting dated 25 June 2018 as a strategic planning document which informs the review and update of existing development standards within the Hurstville City Centre.
60. The site is located in the City West Transition Area character precinct. The Strategy identifies that the area is well planted with mature street trees and creates a green gateway to the Centre when entering from King Georges Road.
61. The Strategy acknowledges that the site is subject to a current Planning Proposal and recommends that the *HLEP 2012* is amended to increase the height of the sub-block 2D (the subject site) from 23m to 60m at the western end of the site, stepping down to 40m at the eastern end, refer to **Figure 28** below.

Figure 28 – Recommended height for subject site at sub-block 2D



62. The Planning Proposal is consistent with the overall maximum building height identified by the Strategy and retains the existing landscaped character of the City West Transition Area character precinct.

5.3 State and Regional Statutory Framework

63. The Planning Proposal is consistent with the following relevant *State Environmental Planning Policies* (SEPPs) as assessed by the applicant below:

State Environmental Planning Policy No. 55 – Remediation of Land

64. *SEPP 55* aims to promote the remediation of contaminated land for the purpose of reducing risk and harm to human health or any other aspects of the environment.

65. The Planning Proposal does not contain provisions that will contradict or hinder the application of this SEPP. The applicant advises that the site's historical use was for commercial purposes and the proposed use will comprise of retail / commercial purposes with residential above.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

66. The proposed development will be subject to the provisions of *SEPP 65*, which aims to improve the quality of residential apartment design in NSW.
67. The applicant has advised that the concept scheme has been designed in accordance with *SEPP 65* and the *Apartment Design Guide* and any future DA will demonstrate compliance with the standards contained in this SEPP.

State Environmental Planning Policy (Infrastructure) 2007

68. The traffic-generating development provisions of the *SEPP (Infrastructure)* (Clause 104 and Schedule 3) require developments of a certain size or capacity to be referred to the Roads and Maritime Services ("RMS").
69. If the Planning Proposal is granted a Gateway Determination, it is anticipated that RMS will be included as a public authority to be consulted.

5.4 S9.1 Ministerial Directions

70. Ministerial Directions under Section 9.1 (formerly S117) of the *Environmental Planning and Assessment Act 1979* set out a range of matters to be considered when preparing an amendment to a Local Environmental Plan.
71. The Planning Proposal is consistent with all relevant Ministerial Directions as assessed by the applicant in **Table 4** below:

Table 4 – Consistency with S9.1 Ministerial Directions

S9.1 Direction	Assessment
1.1 Business and Industrial Zones	The proposal is consistent with the Direction as it will give effect to the objectives of this Direction by facilitating the redevelopment of a redundant underutilised business zoned site which has a 77% vacancy rate. The proposal provides the opportunity to renew commercial activity on a site that is located outside the commercial core of the Hurstville CBD with more suitable contemporary facilities that support the viability of Hurstville as a Strategic Centre.
3.1 Residential Zones	The Planning Proposal encourages a variety and choice of housing types to provide for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The proposal retains the landscaped character of the locality and demonstrates appropriate built form whilst minimising

	the impact on surrounding residential development.
3.4 Integrating Land Use and Transport	The Planning Proposal will enable retail and residential development in close proximity to jobs and services, thereby encouraging walking, cycling and use of public transport.
7.1 Implementation of A Plan for Growing Sydney	<i>A Plan for Growing Sydney</i> has been replaced by the Greater Sydney Commission's <i>Greater Sydney Region Plan (A Metropolis of Three Cities)</i> . The Planning Proposal is consistent with the Objectives of <i>A Metropolis of Three Cities</i> , as assessed by the applicant in Section 5.1 above.

5.5 Design Review Panel

72. The St George Design Review Panel ("DRP") first considered the Planning Proposal request at its meeting dated 19 November 2015. The Planning Proposal was subsequently referred to the DRP on multiple occasions, including 18 February 2016, 5 October 2017 and 1 March 2018 thereafter.
73. **Table 3** of this report provides a chronology of the events leading up to this report on the revised Planning Proposal including the outcome of each DRP referral.
74. At the latest meeting dated 1 March 2018, an amended proposal dated January 2018 was considered and generally supported by the DRP subject to the retention of existing significant trees and the preparation of a tree canopy cover study.
75. The architectural concept scheme dated May 2018 (refer **Attachment 3**) is an updated version of the proposal considered by the DRP on 1 March 2018 and does not present any amendments or modifications to the maximum building envelope and proposed density.
76. It should be noted that some of the DRP recommendations involve detailed design work that are beyond the scope and purpose of a Planning Proposal and would typically be resolved at the development application stage.
77. Comments provided by the DRP are summarised below with respect to the applicable Design Quality Principles set out in *SEPP 65*:

Context and neighbourhood character

78. **DRP Comment:** The FSR has now been reduced to 4:1 including minimum 0.3:1 for commercial, generally fronting the Forest Road and Gloucester Road corner and the east side of the public square. This is supported. The heights have also been modified with a maximum of 60m and are considered to be acceptable in principle.

Council Comment: The proposed FSR and building height are considered to be appropriate to the high density context of the subject site. This segment of Forest Road is characterised by high density mixed use developments with maximum building heights of up to 60m and FSRs of up to 5:1.

79. **DRP Comment:** Substantial tree planting is a critical and positive aspect of the site, forming a landscaped 'entry' into Hurstville from the south. The proponent has still not devised a satisfactory strategy towards the conservation of this landscaping.

Council Comment: The canopy cover and landscaping provided by the existing development establishes a desirable green gateway to the Hurstville City Centre. The applicant has nominated the retention of all existing street trees on Gloucester Road as well as significant clusters of existing mature trees on Forest Road in light of the DRP comment.

Furthermore, the green oasis character of the site will be enhanced by an additional row of street trees on Forest Road to create a tunnel-like canopy over the pedestrian footpath. The overall surplus of ground level canopy cover provided by the proposal is considered to be an appropriate response to the conservation of this landscaped entry into Hurstville and positively enhances the existing character of the locality. A detailed tree retention schedule will be incorporated into the site specific DCP which accompanies this Planning Proposal.

Built Form and Scale

80. **DRP Comment:** A complete clearance should be provided above the cluster of Evergreen Alder trees at the centre of the site's Forest Road frontage (location of proposed Building B) to ensure the retention and conservation of these trees.

Council Comment: The existing cluster of Evergreen Alder trees are located adjacent to the Forest Road boundary and the proposal includes a 4m wide setback in the maximum building envelope and basement footprint to assist in the preservation of these trees. Council may request that the 4m wide setback be increased as a result of detailed design at the development application stage. The pedestrian underpass through-site link has been deliberately positioned to accommodate this tree cluster which enables the provision of a four storey undercroft void for the ongoing growth of these trees.

However, it should be noted that the existing basement of the office park development currently encroaches into the Tree Protection Zones of the trees at the Forest Road frontage and the retention of these trees cannot be guaranteed due to proposed demolition of the existing basement.

For the above reasons, Council considers that this matter has been satisfactorily addressed for the purpose of the Planning Proposal and that further refinement of the building form will occur at the development application stage.

81. **DRP Comment:** Increase the proposed Gloucester Road setback of Building C from 2m to 4m to assist in the preservation of the existing London Plane trees and allow for an additional row of large tree planting.

Council Comment: The existing London Plane trees are located on Gloucester Road outside of the subject site and are required to be retained. Additional setback may be requested for this purpose subject to further detailed design.

Council recognises that the DRP request for an additional row of planting on Gloucester Road does indeed produce a more desirable outcome. However, this request is considered to be onerous in light of the surplus ground level canopy cover provided by the existing proposal. The concept scheme demonstrates the retention of Gloucester Road's existing landscaped amenity and this is considered to be acceptable. Furthermore,

additional large shade tree plantings on Gloucester Road are likely to reduce the solar access received by the publicly accessible open space.

Landscape

82. **DRP Comment:** There should be no building over the existing tree canopies and existing microclimatic conditions must be maintained. The Panel requests that the applicant quantify the existing area of canopy cover as well as forecast the area of canopy cover that would be achieved with the present proposal, and identify the time period required to achieve equal or greater coverage than presently exists.

Council Comment: The applicant has prepared a Tree Canopy Study which quantifies the existing ground level canopy cover and provides a comparison with the proposed estimated canopy cover. The time period required to achieve equal or greater coverage can only be determined if the size and species of the proposed tree plantings are known, which are a detailed design matter that will be considered at the development application stage. However, a list of preferred planting species and planting sizes will be considered in the preparation of the site specific DCP. For the purpose of this Planning Proposal, the applicant has committed to the provision of a surplus in ground level canopy cover.

83. **DRP Comment:** Roof gardens should be provided for each building on the roof of each building.

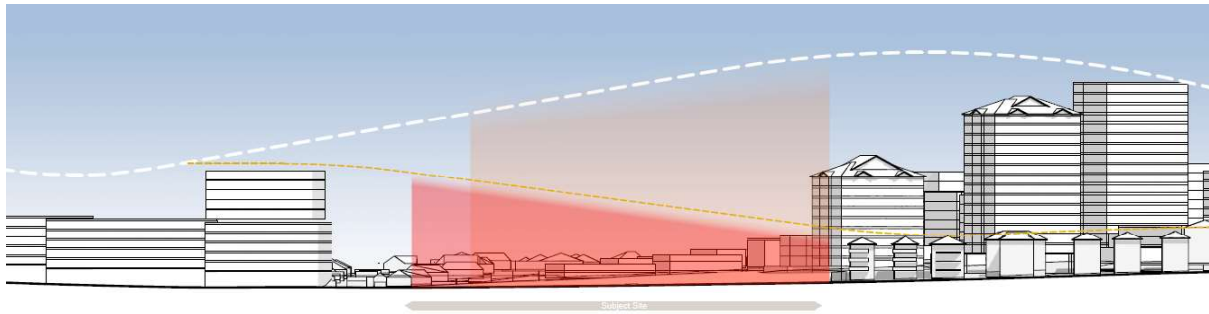
Council Comment: This has been satisfactorily demonstrated by the architectural concept scheme (refer **Attachment 3**).

5.6 Urban Design Analysis

84. Located in the western end of the Hurstville City Centre, the subject site and its surrounding B4 Mixed Use zoned land are characterised by high density *HLEP 2012* development controls that maximise redevelopment opportunities.
85. The western corner of the subject street block is defined by the 'Toga' development known as 458-460 Forest Road and 1B Pearl Street. This site has been recently developed with a height of 59.8m and FSR of 4.5:1 under the development approval 13/DA-35.
86. Immediately adjoining the western boundary of the site at 438-452 Forest Road is a 1990s mixed use development with approx. 130 residential units and comprised of two apartment towers of 16 and 8 storeys. Although this site has been granted a maximum building height of 60m and FSR of 5:1 under the *HLEP 2012*, redevelopment is not anticipated to occur in the immediate future due to the existing fragmented ownership.
87. The adjoining R3 Medium Density Residential zoned land towards the northern portion of the street block on Gloucester Road is predominately occupied by three storey walk-up flats. These sites currently have a maximum permissible height of 12m and FSR of 1:1. However, the *Hurstville City Centre Urban Design Strategy* has recommended that these areas be investigated for increases in height and FSR to 23m and 2:1-2.2:1 respectively.
88. Furthermore, the Strategy has recommended to increase the maximum building height to 40m for surrounding land to the east of the subject site (refer **Figure 28** above).
89. In light of the existing development controls and recommended uplifts to the surrounding locality, the subject site is located in a critical location which requires the proposed built form to perform as the transition between medium and high density developments.

90. **Figure 29** below illustrates the formal rhythm of the general adjoining built form as viewed from Gloucester Road. The darker red shading illustrates the heights required on the subject site to achieve an appropriate transition to the R3 zoned land on Gloucester Road, whilst the lighter pink shading represents the transitional form that responds to the higher density development on Forest Road to the rear.

Figure 29 – Gloucester Road Elevation showing Transition to Surrounding Context



91. The proposal is consistent with the above principle through the transitional heights of 23m, 30m and 40m proposed along the Gloucester Road frontage. The urban design strategy for the proposed envelope is outlined in the applicant's Urban Design Report.
92. The above principle is also applied to the Forest Road frontage where the maximum height increases from 40m at the Gloucester / Forest Road corner to 55m toward the centre of the site and 60m toward the western portion of the site. However, an additional 23m maximum building height (maximum 6 storeys) is applied at the western boundary adjoining 438-452 Forest Road to provide a low-scale buffer between the neighbouring 8 storey development and the proposed 18 storey (60m) tower.
93. To maintain the pedestrian amenity of Forest Road, a 4 storey podium is proposed along the Forest Road frontage to complement the active street frontages. This is further enhanced by the proposed tree plantings, provision of a 4 storey high pedestrian underpass through-site link and a publicly accessible pocket park in addition to the at grade communal open space.
94. The shadows cast from the proposed envelopes fall mainly on the vacant railway land to the south of the site.
95. The Planning Proposal and the accompanying architectural concept scheme demonstrate an appropriate urban design response to its urban context and it also satisfies the relevant *SEPP 65* Design Quality Principles. In this regard, the proposed density is considered to be suitable as the increased height and FSR does not compromise the amenity and design of any future development on site and the surrounding private and public spaces.

5.7 Economic Analysis

96. The Economic Impact Assessment ("EIA") submitted by the applicant concludes that although the Planning Proposal would lead to a net reduction in commercial floor space of approx. 7,230sqm, the number of jobs on the site compared to the 'do nothing' scenario is expected to increase by over 130 to reflect the improved use of space and amenity provided.
97. The existing campus style office park currently provides approx. 10,000sqm of commercial floor space. However, over 75% of the existing floor space is currently vacant. The EIA

states that leasing this space is difficult in the current and foreseeable market of high supply and low demand, resulting in a high vacancy rate of 23% across the Hurstville centre. The prevalent market conditions support the proposal and it would be consistent with current development activity in Hurstville.

98. As discussed earlier in this report, the subject site is located in close proximity to major public multi-modal transport interchanges, essential amenities and services. The Planning Proposal will assist in meeting the strong housing demand in the area. The additional residential population would stimulate retail demand and employment within Hurstville City Centre.
99. The proposal is consistent with the objectives of the B4 Mixed Use zoning by allowing residential development in the Hurstville City Centre whilst maintaining active retail, business and other non-residential uses at street level, and integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
100. Council recognises that commercial / office use demand on the subject site is limited due to its location on the outskirts of the Hurstville City Centre and subsequent separation from the B3 Commercial Core zoning in the centre of the CBD.
101. The reduction in commercial floor space is consistent with *HLEP 2012* (Amendment No. 9) which in part reduced the amount of non-residential floor space required for B1 Neighbourhood Centre and B2 Local Centre zones from 0.5:1 to 0.3:1 under Clause 4.4A (Non-residential floor space ratios). The purpose of the amendment which was gazetted on 17 November 2017 is to encourage an appropriate mix of residential and non-residential uses in order to ensure a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of the business zones.
102. Council is to note the approval of the 'Toga' development at 458-460 Forest Road and 1B Pearl Street which is located at the north-western corner of the subject street block. A total of 36,558sqm gross floor area was approved at 4.5:1 FSR with 563sqm allocated for retail premises. This equates to a FSR of less than 0.07:1 for non-residential land use within the 'Toga' development.
103. In comparison, the Planning Proposal will provide approx. 2,770sqm of non-residential floor space which equates to a 0.3:1 FSR. This is considered to be appropriate for the zoning and location of the site as the proposal will renew ageing offices.
104. It should be noted that the financial viability of the applicant's previous proposal which comprised of a 4.5:1 FSR (including minimum 1:1 non-residential FSR and 3.5:1 residential FSR) was peer reviewed by Council's own consultant in June 2017 as part of the VPA negotiation process. The applicant concluded that whilst a minimum 1:1 non-residential FSR clearly provides more employment space, the development feasibility is compromised as the end sale value of the commercial floor space is insufficient to cover costs.
105. Council's consultant advised that the market appraisal and conclusions made by the applicant are reasonable and that the proposed development with a minimum 1:1 non-residential FSR appears to be financially unviable even without the VPA payment, or marginal at best.
106. Given the vacancy rate of over 75% within the existing commercial building on site and an average vacancy rate of 23% across the Hurstville centre, a minimum non-residential FSR

above 0.3:1 is likely to result in a financially unviable development with a high vacancy rate and bulky building envelope. It is recognised that a minimum 0.3:1 non-residential FSR on the site is sufficient to meet the existing demand for commercial floor space in this location.

107. Council endorsed the minimum 0.3:1 non-residential FSR in a letter to the applicant dated 5 September 2017. It should be noted that since the date of the letter, further refinements to the building form have been made and that the maximum FSR sought has been reduced to 4:1 as a result, however, the minimum 0.3:1 non-residential FSR remains unchanged.
108. The proposed retail / commercial floor space is located at ground level along the Forest Road frontage in Building A and is extended to the Gloucester Road corner at both ground floor and first floor in Building C. An open floor plate of over 750sqm is provided at the first floor of Building C to cater for the existing demand for office floor space.

5.9 Traffic and Transport

109. The concept scheme demonstrates one vehicle access point for the proposal via Gloucester Road adjacent to Building E. All car parking and services will be located in the basement.
110. The Transport Report submitted by the applicant outlines the following key conclusions:
- a) Vehicle traffic generation from the proposed development will be similar to the approved *Hurstville City Centre Transport Management and Accessibility Plan 2013* ("TMAP") scheme; and an insignificant change from the existing site uses;
 - b) Traffic generated by the proposed development can be accommodated within acceptable levels of service without adversely affecting traffic efficiency on the existing road network. Intersections are maintained at existing acceptable levels of service;
 - c) The impacts of the additional residential and commercial floor space and associated accessibility, traffic and infrastructure issues generated as a result of an increased height and FSR for the subject site are considered acceptable;
 - d) Access points for pedestrians, cyclists, and vehicles are suitable and in accordance with TMAP and road hierarchy considerations. The proposed through-site link will improve pedestrian circulation, add route choices and reduce walking distances to bus stops and local services. The anticipated traffic can be appropriately managed with no significant impact on amenity;
 - e) The proposed single driveway off Gloucester Road is appropriately located near the location of the existing subject site driveway, will not affect neighbours, and leaves Forest Road unobstructed for main road traffic, buses and bus stops, pedestrians and the future strategic bus corridor supported by the TMAP; and
 - f) There will be no adverse effects on the safety of any road users including public transport, pedestrians and cyclists.
111. Parking provisions, car park layout and road safety issues were not reviewed in detail as these will be subject to a detailed assessment at the development application stage.

5.10 Councillor Workshop

112. A Councillor workshop outlining the Planning Proposal and the VPA for 9 Gloucester Road, Hurstville was held on 12 March 2018. The proposal was generally supported at the workshop.
113. Following the workshop, two issues were raised in relation to the Planning Proposal:

- a) Proposed building heights should be reduced at the western side boundary to ensure an appropriate transition to the adjoining development at 438-452 Forest Road; and
 - b) Building separation distances between Buildings A, B and C must be compliant with the requirements of the *Apartment Design Guide* (“ADG”) to achieve reasonable levels of visual privacy.
114. In response to the suggestion for a lower building height at the western side boundary, a 23m maximum building height (maximum 6 storeys) has been applied to the boundary adjoining 438-452 Forest Road to provide a low-scale buffer between the neighbouring 8 storey development and the proposed 18 storey (60m) tower. This is considered to be an appropriate outcome as discussed above in **Section 5.6**.
115. With regards to the provision of an adequate building separation distance to achieve reasonable visual privacy between the residential towers of Buildings A, B and C, this is a detailed design matter which is typically resolved at the development application stage.
116. Despite this, the applicant has provided additional information to clarify that in addition to a 12m separation between the towers for the purpose of building articulation, solid blank walls and solid ‘blinker walls’ are introduced to ensure visual privacy is achieved by directing the orientation of the primary outlook toward the communal and publicly accessible open spaces (refer **Figure 30** and **Figure 31** below). This design ensures that there is no direct line of sight between the windows and balconies of opposing apartments.
117. The provision of solid blank walls is compliant with Objective 3F-1 of the ADG which states: “No separation is required between blank walls”. Furthermore, the proposal achieves a minimum 12m separation distance between the habitable rooms and balconies of Building A and the solid blank wall of Building B, which is compliant with the ADG.
118. The minimum 12m separation distance between the residential towers of Buildings A and B, and Buildings B and C will be specified in the site specific DCP which accompanies this Planning Proposal together with other built form and design requirements.

Figure 30 – Visual privacy measure between Building A and Building B



Figure 31 – Visual privacy measure between Building B and Building C

6 OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT

119. The *Voluntary Planning Agreement Policy* was adopted by Council on 1 August 2016 and sets out Council's objectives and principles in relation to the use of planning agreements.
120. Clause 5.3 of the Policy states that where either a planning proposal is proposed, or development consent is sought, which will result in an exceedance of development standards, resulting in an inherent increase in value of the land or development, the concept of land value capture may be used to assess the appropriate contribution under a VPA.
121. Clause 5.13 of the Policy states through a formula, that Council capture fifty percent (50%) of the increase in the residual land value resulting from the planning uplift sought for a site via the Planning Proposal.
122. The Planning Proposal provides for uplift in the value of the land through the increase in FSR and height of buildings. The value of uplift prepared by the applicant has been independently assessed by Council's consultant.
123. A draft VPA offer was submitted in March 2016 by GTB Hurstville Pty Ltd ("the applicant") to accompany the Planning Proposal. Since this time a series of correspondences occurred between Council staff and the applicants with regards to the proposed public benefits in the VPA offer and the method of calculating the uplift.
124. On 19 June 2018, Council received a formal letter of offer to enter into a VPA from the applicant in association with the Planning Proposal.
125. The VPA offer and Heads of Agreement ("HoA") have been prepared in consultation with Council staff and set out a range of public benefits and terms for a VPA.

126. The VPA offer and HoA, in summary, provide for a range of public benefits as below:

- a) Monetary contribution for public domain works and public road infrastructure;
- b) Public access easement to a 1,000sqm open space area/pocket park on the site with embellishments (refer **Figure 32** below);
- c) Public access easement to and from and across the land and pocket park;
- d) Public art works; and
- e) Public domain improvements including the undergrounding of overhead powerlines outside the site.

Figure 32 – Location of VPA Works



7 SUMMARY OF ASSESSMENT / CONCLUSION

127. In summary, the Planning Proposal seeks to amend the *HLEP 2012* in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238):

- a) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and
- b) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m.

128. It is recommended that Council endorse the Planning Proposal for the following reasons:

- a) The Planning Proposal and the accompanying architectural concept scheme demonstrate an appropriate urban design response to its context and it also satisfies the relevant *SEPP 65* Design Quality Principles;
- b) The proposed maximum building envelope demonstrates an appropriate urban design outcome through the formal transition to adjacent developments;

- c) The proposed density is considered to be consistent with the mixed use development typology of recent developments in the vicinity of the site;
- d) The proposal retains clusters of existing significant trees on the site and street trees along Gloucester Road whilst introducing additional street tree planting on Forest Road to enhance the existing canopy cover of this vital green corridor;
- e) The proposal provides additional residential dwellings in an accessible location which is in close proximity to major public transport interchanges and other essential amenities and services;
- f) The proposed commercial / retail floor space will generate a mixture of active and dynamic land uses; and
- g) The Planning Proposal facilitates the creation of a publicly accessible pocket park and through-site link to enhance the quality of the public domain within the Hurstville City Centre by providing critical open space infrastructure.

8 COMMUNITY CONSULTATION

129. Should the Planning Proposal be supported it will be forwarded to the delegate of the Greater Sydney Commission requesting a Gateway Determination.
130. If a Gateway Determination (Approval) is issued, and subject to its conditions, it is anticipated that the Planning Proposal will be exhibited for a period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979* and *Regulation, 2000* and any requirements of the Gateway Determination.
131. Exhibition material, including explanatory information, land to which the Planning Proposal applies, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.
132. Notification of the public exhibition will be through:
- Newspaper advertisement in The Leader
 - Exhibition notice on Council's website
 - Notices in Council offices and libraries
 - Letters to State and Commonwealth Government agencies identified in the Gateway Determination (if required)
 - Letters to adjoining landowners (if required, in accordance with Council's Notification Procedures)
133. The anticipated project timeline for completion of the Planning Proposal is shown below:

Task	Anticipated Timeframe
Lodgement of Planning Proposal request	9 October 2015
Report to Georges River LPP on Planning Proposal	21 June 2018
Report to Environment and Planning Committee on Planning Proposal	13 August 2018 (this report)
Report to Council on Planning Proposal	27 August 2018
Anticipated commencement date (date of Gateway Determination)	October 2018

Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	November 2018
Commencement and completion dates for community consultation period	December 2018 - February 2019
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	February 2019
Report to Council on community consultation and finalisation	March 2019
Submission to the Department to finalise the LEP	April 2019
Anticipated date for notification	May 2019

134. It is noted that the project timeline will be assessed by the DPE and may be amended by the Gateway Determination.

9 NEXT STEPS

135. If the Planning Proposal is endorsed by Council it will be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

136. If Council resolves not to support the Planning Proposal, the applicant has the opportunity to request a pre-Gateway Review by the NSW Planning Panels under the delegation of the Greater Sydney Commission. An applicant has 40 days from the date of notification of Council's decision to request a review.

Financial Implications

137. No budget impact for this report.

Risk Implications

138. No risks identified.

File Reference

PP2015/0005 - D18/129234

ATTACHMENTS

Attachment 1 Local Planning Panel Meeting Minutes - 21 June 2018

Attachment 2 Planning Proposal Report - 9 Gloucester Rd Hurstville

Attachment 3 Architectural Concept Scheme dated May 2018

MINUTES OF MEETING

Monday, 27 August 2018

ENV022-18 Planning Proposal - 9 Gloucester Road, Hurstville

Resolved: Councillor Katris and Councillor Hindi

(a) That Council endorse the Planning Proposal to amend *Hurstville Local Environmental Plan 2012* as follows, in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238):

- i) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1); and
- ii) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m.

(b) That Council endorse the Planning Proposal to be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

(c) That the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment and demonstrating the provision of public benefit in accordance with the Council's VPA Policy.

(d) That Council endorse the preparation of an amendment to the *Hurstville Development Control Plan No.2 – Hurstville City Centre* ("HDCP No.2") to run concurrently with an amendment to the *Hurstville Local Environmental Plan 2012* (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent's cost.

Record of Voting:

For the Motion: The Mayor, Councillor Greene, Councillor Agius, Councillor Badalati, Councillor Elmir, Councillor Grekas, Councillor Hindi, Councillor Kastanias, Councillor Katris, Councillor Konjarski, Councillor Liu, Councillor Symington, Councillor Tegg and Councillor Wu

Against the Motion: Councillor Payor and Councillor Landsberry

REPORT TO GEORGES RIVER COUNCIL LPP MEETING OF THURSDAY, 21 JUNE 2018

LPP Report No	LPP023-18	Development Application No	PP2015/0005
Site Address & Ward Locality	Planning Proposal - 9 Gloucester Road, Hurstville Hurstville Ward		
Proposed Development	Planning Proposal to amend the Hurstville Local Environmental Plan 2012 as follows, in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238): a. To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and b. To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m.		
Owners	GTB Hurstville Pty Ltd		
Applicant	GTB Hurstville Pty Ltd		
Planner/Architect	Planner - Dowling Urban / Architect - Turner		
Date Of Lodgement	9/10/2015		
Submissions	N/A		
Cost of Works	N/A		
Local Planning Panel Criteria	Direction from the Minister for Planning under Section 9.1 of the Environmental Planning and Assessment Act 1979 and the Charter of the Georges River Council Local Planning Panel 2018 both specify that the Planning Proposal is to be referred to the Local Planning Panel before it is forwarded for Gateway Determination (approval).		
List of all relevant s.4.15 matters (formerly s79C(1)(a))	N/A – Planning Proposal		
List all documents submitted with this report for the Panel's consideration	Attachment 1 – Design Review Panel Minutes dated 1 March 2018; Attachment 2 – Planning Proposal Report prepared by Dowling Urban; Attachment 3 – Architecture Concept Scheme prepared by Turner; Attachment 4 – Urban Design Report prepared by Austin McFarland; Attachment 5 – Tree Retention and Replacement Study prepared by Sturt Noble; Attachment 6 – Tree Canopy Study prepared by Turner; Attachment 7 – Economic Impact Assessment prepared by HillPDA; Attachment 8 – Transport Report prepared by Henson Consulting; Attachment 9 – Site Survey prepared by SDG; Attachment 10 – Letter from Director Environment and Planning dated 5 September 2017		
Report prepared by	Strategic Planner and Coordinator Strategic Planning		

Recommendation	<ol style="list-style-type: none"> 1. THAT the Georges River LPP recommends to Council that the Planning Proposal to amend <i>Hurstville Local Environmental Plan 2012</i> as follows, in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238), be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>: <ol style="list-style-type: none"> a) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and b) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m. 2. THAT the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment. 3. THAT the LPP recommends to Council to prepare an amendment to the <i>Hurstville Development Control Plan No.2 – Hurstville City Centre</i> (“HDCP No.2”) to run concurrently with an amendment to the <i>Hurstville Local Environmental Plan 2012</i> (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent’s cost. 4. THAT a report to Council be prepared by Council staff to advise of the LPP recommendations.
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Figure 1 – Site Plan

Executive Summary

1. GTB Hurstville Pty Ltd submitted a Planning Proposal request (PP2015/0005) on 9 October 2015 that seeks to amend the *Hurstville Local Environmental Plan 2012* ("HLEP 2012") in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238).
2. The Planning Proposal seeks:
 - a) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and
 - b) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m.
3. The site is located within the Hurstville City Centre and contains a campus style office park that accommodates approx. 10,042sqm of employment floor space.
4. This Planning Proposal is accompanied by an architectural concept scheme (Rev E dated May 2018, refer to **Attachment 3**) prepared by Turner demonstrating the following:
 - a) Building form with a variety of storeys ranging from 4 to 18 storeys:
 - i. Building A – 4 to 18 storeys (60m)
 - ii. Building B – 4 to 16 storeys (55m)
 - iii. Building C – 12 storeys (40m)
 - iv. Building D – 8 storeys (30m)
 - v. Building E – 4 to 6 storeys (23m)

- b) Mixed use development featuring:
 - i. Approx. 2,770sqm retail / commercial floor space (0.3:1 FSR)
 - ii. Approx. 34,190sqm residential floor space (3.7:1 FSR)
 - c) 420 residential apartments comprising of:
 - i. 158 x one bedroom units
 - ii. 209 x two bedroom units
 - iii. 53 x three bedroom units
 - d) Multi-level basement car parking
 - e) At grade communal open space adjacent to public open space
 - f) Rooftop communal open space on top of each building
 - g) Public pedestrian underpass through-site link in the undercroft of Building B
 - h) Public open space of minimum 1,000sqm (identified as a Voluntary Planning Agreement contribution)
5. The concept scheme was considered by the Design Review Panel (“DRP”) on 1 March 2018 and the Panel generally supported the height and FSR proposed for the Planning Proposal subject to resolving a range of matters, which are addressed later in this report. A copy of the minutes is contained in **Attachment 1**.
6. The Planning Proposal is accompanied by an offer to enter into a Voluntary Planning Agreement (“VPA”) which is comprised of the following components:
- a) Monetary contribution for public domain works and public road infrastructure;
 - b) Public access easement to a 1,000sqm open space area/pocket park on the site with embellishments including a children’s play area (refer **Figure 31** below);
 - c) Public access easement to and from and across the land and pocket park;
 - d) Public art works; and
 - e) Public domain improvements including the undergrounding of electricity lines in front of 438-456 Forest Road (refer **Figure 31** below) in addition to those undertaken with the redevelopment of the subject site.
7. The VPA offer will be reported separately to the Environment and Planning Committee, and Council.
8. This report recommends that the LPP support the Planning Proposal to increase the FSR from 3:1 to 4:1 and increase the height from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m on the subject site and that the Planning Proposal be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
9. This report also recommends an amendment to the *Hurstville Development Control Plan No.2 – Hurstville City Centre* (“HDCP No.2”) be prepared, to run concurrently with an amendment to the *Hurstville LEP 2012* (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent’s cost.

1 INTRODUCTION

10. GTB Hurstville Pty Ltd submitted a Planning Proposal request (PP2015/0005) on 9 October 2015 that seeks to amend the *Hurstville Local Environmental Plan 2012* (“HLEP 2012”) in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238).
11. **Table 3** below provides a chronology of the events leading up to this report on the revised Planning Proposal.
12. The revised Planning Proposal seeks:
 - a) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and
 - b) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m.
13. A VPA has been offered by the applicant and will be reported to the Environment and Planning Committee, and Council as a separate report.

2 SITE DESCRIPTION

2.1 Overview of the Site

14. This Planning Proposal applies to land known as 9 Gloucester Road, Hurstville (refer to **Figure 2** below). The site has a legal description of Lot 30 DP785238 and is wholly in the ownership of GTB Hurstville Pty Ltd.

Figure 2 – Subject site at 9 Gloucester Road, Hurstville



15. The site is triangular in shape and is bound by Gloucester and Forest Roads to its north and south. These roads intersect at the eastern point in a splayed corner. The site is bound by private properties on its irregular western boundary and is located at the transition threshold between the central and western areas of the Hurstville City Centre.

16. The site has a total area of 9,240sqm. It excludes a 4x6m area on Gloucester Road (refer **Figure 2** above) which is used as an electrical substation. A detailed site survey is provided in **Attachment 9** and the overall frontage lengths are summarised in **Table 1** below.

Table 1 – Site Boundary Dimensions

Boundary	Overall Frontage
Gloucester Road	Approx. 148.7m
Forest Road	Approx. 158.3m
Western boundary (adjacent to 438-452 Forest Road and 15 Gloucester Road)	Approx. 108.5m

17. The ground surface along the Forest Road frontage slopes gently downwards to the east and surface levels vary between about RL65.4 and RL61.4 relative to the Australian Height Datum ("AHD"). The ground surface level at the Gloucester Road frontage is relatively level between RL60.9 and RL61.4.
18. The site is currently occupied by three commercial buildings between 2 to 4 storeys with a FSR of approximately 1:1 (refer **Figure 2** above). The existing built form represents a 'suburban campus' or 'office park' style configuration with a partially exposed basement car park. The remainder of the site comprises controlled access to the basement car park from Gloucester Road, an irregular through-site link and hardstand areas.
19. There are four existing tenants occupying the three commercial buildings, namely Centrelink, Austbrokers Pty Ltd, Stockdale Personnel Pty Ltd and the ORS Group Pty Ltd. The Economic Impact Assessment in **Attachment 7** specifies that there is currently an estimated total of 82 staff with an estimated vacancy rate of 77% (or 7,691sqm).
20. The site is characterised by large trees with dense canopies lining the Forest Road and Gloucester Road street frontages, complemented by stretches of significant understorey planting which positively contribute to the area's public domain. The highly landscaped appearance of the site, especially at the Forest and Gloucester Road corner, is particularly appreciated due to the relative lack of trees in the Hurstville City Centre. Refer to the Tree Study in **Attachment 5** for an assessment of existing tree specimens on site.
21. Views of the site are shown in **Figures 3-9** below.

Figure 3 – View of Gloucester / Forest Road corner



Figure 4 – View of 4 storey building from Gloucester Road



Figure 5 – View of car parking entrance on Gloucester Road



Figure 6 – View of recessed entrance to building on Forest Road



Figure 7 – View of 4 storey building from Forest Road



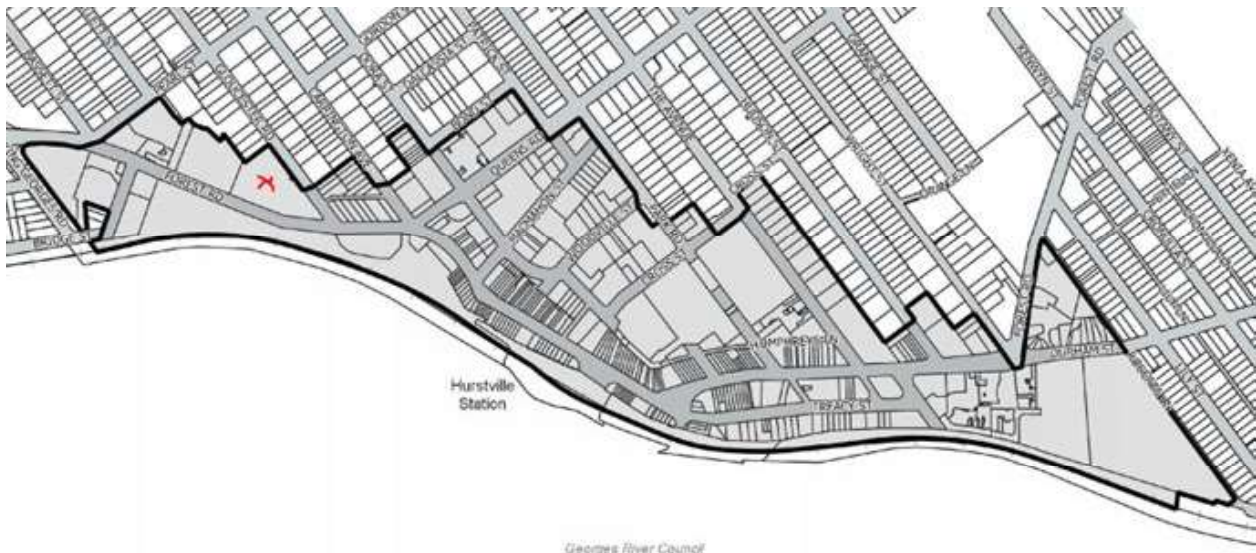
Figure 8 – View of pedestrian through-site link on Forest Road



Figure 9 – View of driveway at western boundary on Forest Road

2.2 Surrounding Land

22. The site is located towards the western edge of the Hurstville City Centre, refer to **Figure 10** below for the location of the site (marked by x) in relation to the extent of the Hurstville City Centre.

Figure 10 – Extent of Hurstville City Centre

23. Its immediate context comprises of an array of underutilised sites including an at-grade public car park, service station, single storey factory outlet, other commercial premises and vacant railway land holdings. The site is isolated from other commercial use buildings. The primary interfaces of the site are described in **Table 2** below.

Table 2 – Surrounding Development

Aspect	Surrounding Development
North	<ul style="list-style-type: none"> Gloucester Road – zone R3 Medium Density Residential 3 to 5 storey walk-up style residential flat buildings
East	<ul style="list-style-type: none"> Gloucester Road, Forest Road and Queens Road Council owned car park on Gloucester Road Coles service station Various 2 storey commercial premises including Nara Lounge and Rivers
South	<ul style="list-style-type: none"> Railway track and vacant railway land Low-scale (2 storey) retail / commercial buildings with shop-top housing
West	<ul style="list-style-type: none"> Adjoining 15 Gloucester Road – 4 storey walk-up style residential flat buildings Adjoining 438-452 Forest Road – mixed use development with 2 storey podiums at street frontage and two towers (8 storeys and 16 storeys) towards the rear of the site 454-456 Forest Road – low-scale (2 storey) retail / commercial building with shop-top housing 458-460 Forest Road – ‘Toga’ mixed use development with tower forms of up to 60m

24. Views of the surrounding land are shown in **Figures 11-20** below.

Figure 11 – View of 2 storey premises on Forest Road

Figure 12 – View of Coles service station at corner of Gloucester and Forest Roads



Figure 13 – View of Council's car park on Gloucester Road



Figure 14 – View along Gloucester Road (northerly) from intersection with Forest Road



Figure 15 – View of walk-up flats on Gloucester Road



Figure 16 – View of side boundary adjacent to No.15 Gloucester Road



Figure 17 – View along Forest Road (westerly) from intersection with Gloucester Road



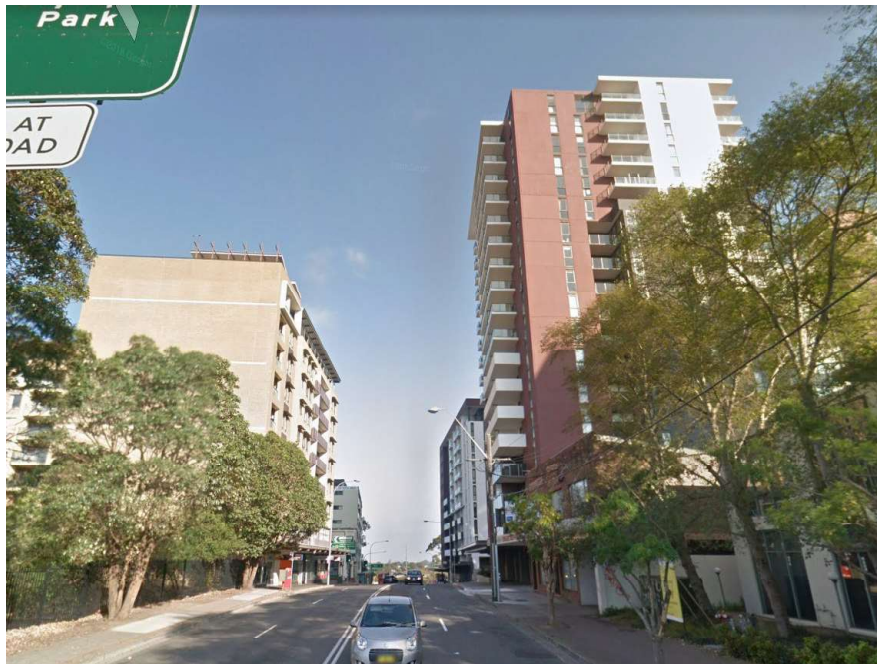
Figure 18 – View of side boundary adjacent to No.438-452 Forest Road



Figure 19 – View of development at No.438-452 Forest Road



Figure 20 – View of mixed use residential development on Forest Road (R: ‘Toga’ development)



25. The site has direct access to Forest Road, which is a major road with local and regional bus services and a high level of accessibility for pedestrians, allowing for lesser car reliance for travel.
26. The site enjoys good access to Hurstville and Penshurst Railway Stations, being located within approx. 600m and 1,000m walking distance respectively, refer to **Figure 21** below.

Figure 21 – Map of Accessibility to Railway Stations



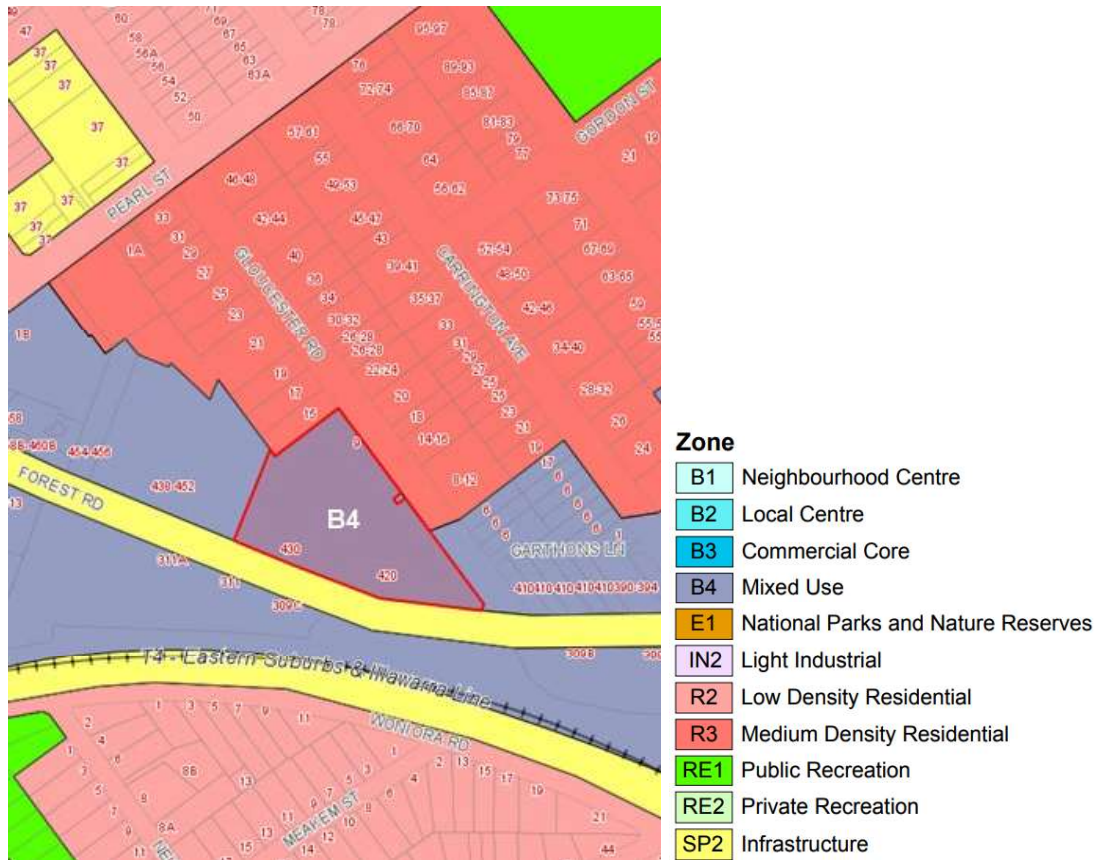
27. Three major parks are within walking distance, comprising the Hurstville Oval and Velodrome, Arrowsmith Park and Penshurst Park and Aquatic Centre that provide for a range of major recreational opportunities.

3 PLANNING STRATEGIES, POLICIES AND CONTROLS

3.1 Existing Planning Controls

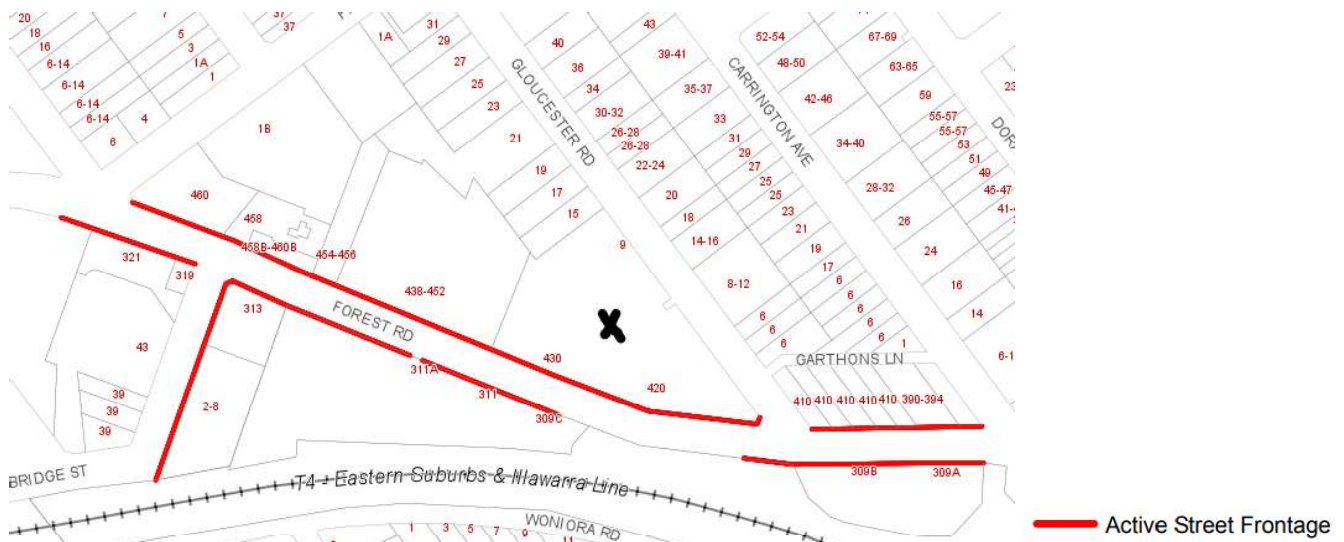
28. The site is currently zoned B4 Mixed Use under the *HLEP 2012* (refer to **Figure 22** below).

Figure 22 – HLEP 2012 Land Use Zoning Map

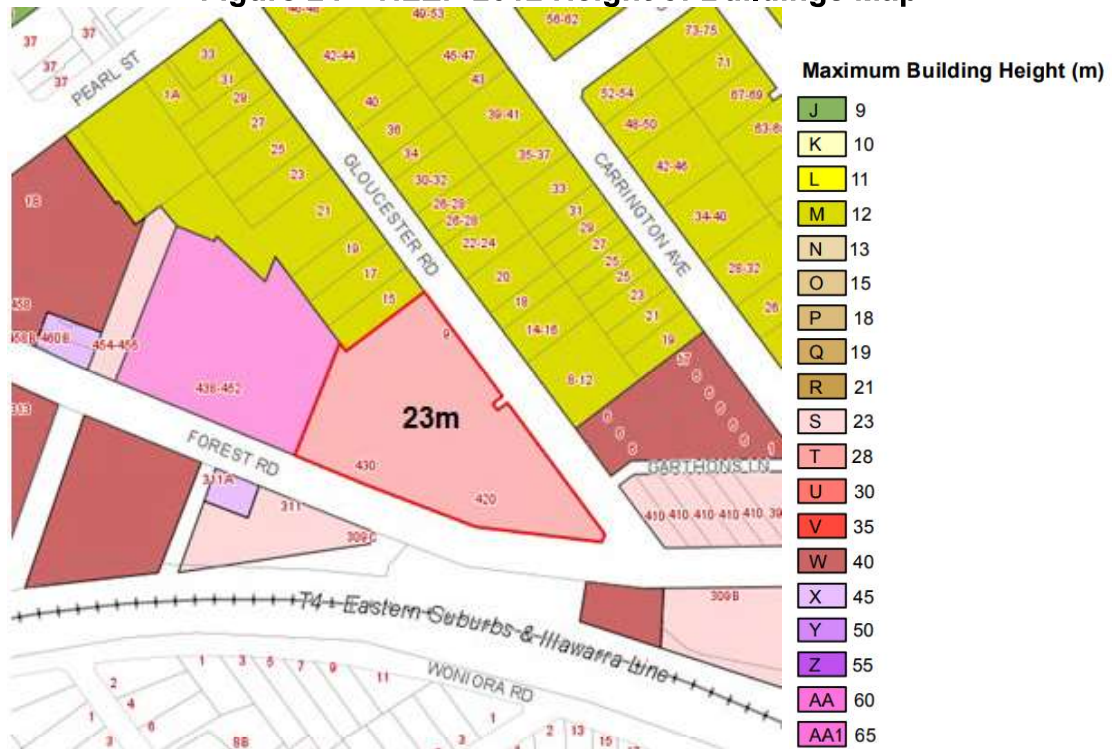


29. The site is identified as being affected by Active Street Frontages (“ASF”) under the *HLEP 2012*, refer to **Figure 23** below. The ASF is applied along the Forest Road frontage. Clause 6.6 Active street frontages applies to the site.

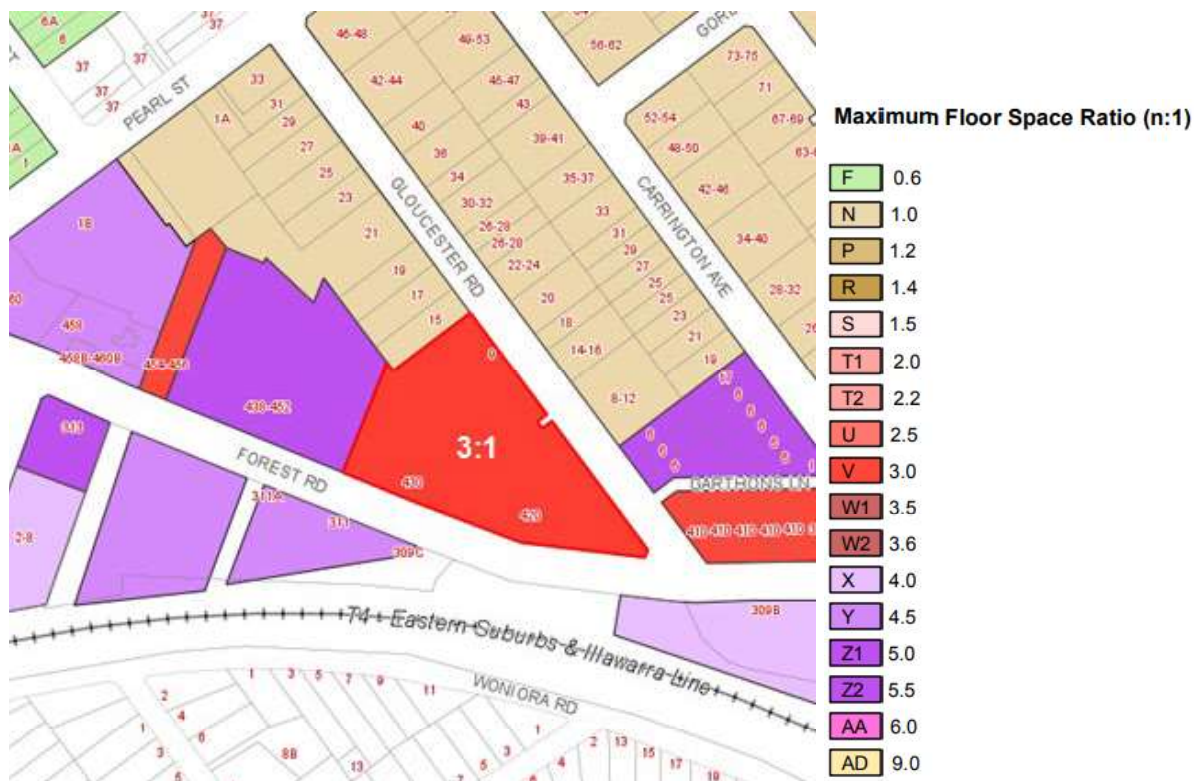
Figure 23 – HLEP 2012 Active Street Frontages Map



30. The site has a maximum building height of 23m under the *HLEP 2012*, refer to **Figure 24** below. Clause 4.3 Height of buildings is applicable to the site.

Figure 24 – HLEP 2012 Height of Buildings Map

31. The site has a maximum floor space ratio of 3:1 under the *HLEP 2012*, refer to **Figure 25** below. Clause 4.4 Floor space ratio is applicable to the site.

Figure 25 – HLEP 2012 Floor Space Ratio Map

3.2 Background – Amendment No.3 to the HLEP 2012

32. The *HLEP 2012* is a Standard Instrument LEP which requires the inclusion of maximum building heights and maximum FSRs as LEP development standards via maps and clauses.
33. At the date of its commencement on 7 December 2012, the *HLEP 2012* did not contain height and FSR development standards for the Hurstville City Centre. Instead, height and FSR provisions were prescribed by the *HDGP No.2*. The subject site at 9 Gloucester Road had a maximum permissible building height of 23m and a maximum permissible FSR of 5:1 under the *HDGP No.2*.
34. In 2014, the former Hurstville City Council prepared an amendment to the *HLEP 2012* (known as Amendment No.3) which identified maximum building heights and FSRs for properties within the Hurstville City Centre. In relation to the subject site, the draft amendment identified a maximum building height of 23m and a maximum FSR of 3:1.
35. During the public exhibition of draft Amendment No.3, a submission was received in relation to the subject site requesting a maximum FSR of 5:1 and maximum building heights “based on an urban design review of the appropriate redevelopment potential of the site”.
36. In consideration of the submission received, the former Hurstville Council’s planning staff made the following recommendation to not support the submission:

“It is not considered appropriate for the planning controls to be amended for this site or the site deferred from the draft LEP until such time as further planning investigations have been undertaken by the proponent and subject to a full assessment of their impact by Council”. [underlined added]
37. At its meeting dated 17 September 2014, the former Hurstville Council resolved to support the above recommendation. Amendment No.3 to the *HLEP 2012* was gazetted and came into effect on 24 July 2015 with the current planning controls for the subject site as outlined above in this report.
38. In response to Council’s recommendation, the applicant submitted the subject Planning Proposal request (PP2015/0005) which includes planning investigations, detailed urban design considerations and an assessment of impacts.

3.3 Hurstville Development Control Plan No. 2

39. This report recommends that an amendment to the *HDGP No.2* be prepared in the form of a site-specific chapter, to run concurrently with an amendment to the *HLEP 2012* (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent’s cost.


4 APPLICANT’S PLANNING PROPOSAL REQUEST

4.1 Background

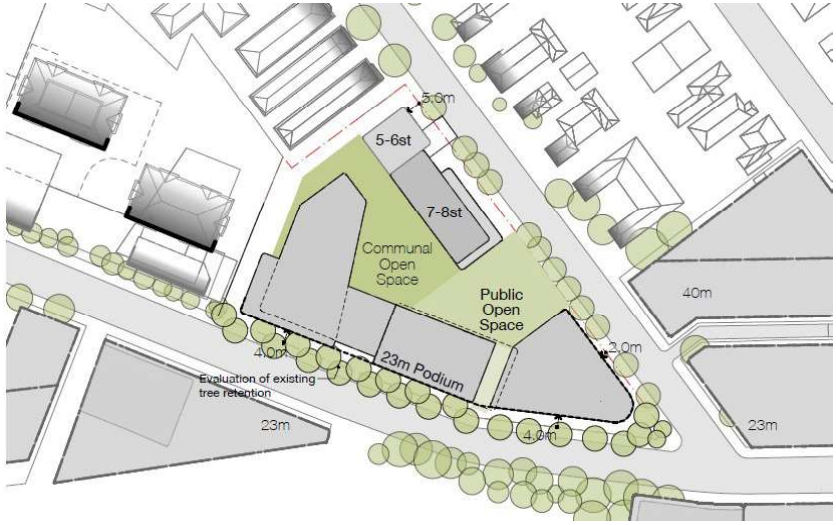
40. A Planning Proposal request (PP2015/0005) for 9 Gloucester Road, Hurstville was lodged in October 2015 and since that time there have been five (5) amendments to the proposal.

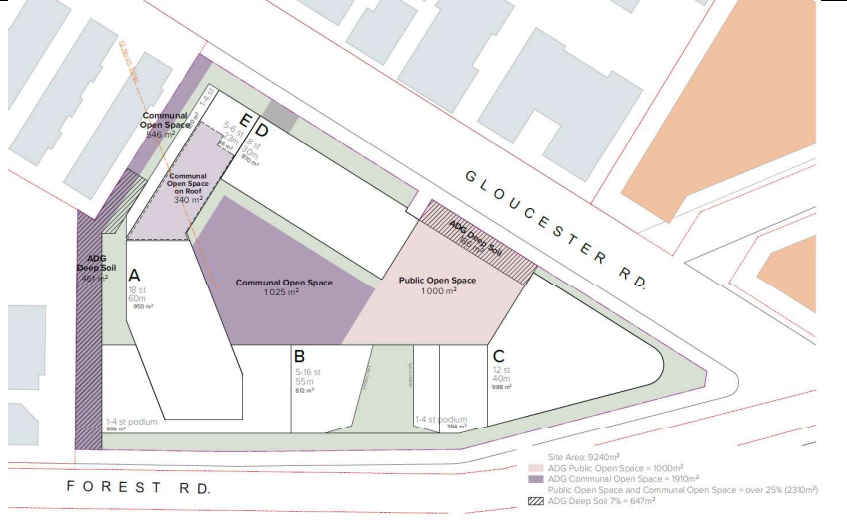
41. **Table 3** below provides a summary of the key events and amendments received leading up to the revised Planning Proposal which is the subject of this report. It should be noted that all events relating to the VPA are excluded from **Table 3** as the VPA will be reported to Council in a separate report.

Table 3 – Summary of Key Events and Amendments

Date	Details
15 June 2015	<p>Meeting between the applicant and Council staff to discuss a potential Planning Proposal. A preliminary concept scheme was presented, featuring:</p> <ul style="list-style-type: none"> • 20 to 60m height (5-18 storeys); • 4.5:1 FSR; • 481 residential apartments; and • 1,600sqm commercial/retail floor space.
9 October 2015	<p>Planning Proposal lodged (PP2015/0005). No VPA offer was submitted but references to a future offer were provided in the applicant's Planning Proposal Report. The concept scheme featured:</p> <ul style="list-style-type: none"> • 23 to 60m height (5-18 storeys); • 4.5:1 FSR; • 450-475 residential apartments; • 1,700sqm commercial/retail floor space; • 300sqm community facility (subject to a future VPA offer); • 1,000sqm public park (subject to a future VPA offer); and • Public through-site link (subject to a future VPA offer). 
19 November 2015	<p>Planning Proposal was referred to the St George Design Review Panel ("DRP"). The Panel did not support the proposal and requested that the proposal be amended and referred to the Panel for further consideration.</p>
20 January 2016	<p>Revision no.1 was submitted in response to the DRP minutes:</p> <ul style="list-style-type: none"> • 23 to 60m height (5-18 storeys); • 4.5:1 FSR; • Minimum 1:1 commercial FSR (approx. 9,250sqm);

	<ul style="list-style-type: none"> • 347 residential apartments; • 300sqm community facility (subject to a future VPA offer); • 1,000sqm public park (subject to a future VPA offer); and • Public through-site link (subject to a future VPA offer).
18 February 2016	Revision no.1 was referred to the DRP for consideration. The DRP supported the proposed density subject to the provision of sufficient deep soil and landscaping, and the preparation of a site-specific DCP to regulate future development.
11 March 2016	A revised Planning Proposal was lodged which formalises the amendments proposed as part of revision no.1 .
March 2016 to May 2017	A draft VPA offer was submitted by the applicant to accompany the Planning Proposal. A series of correspondences occurred between Council staff and the applicants with regards to the proposed public benefits in the VPA offer and the method of calculating the uplift. The VPA offer will be reported separately to the Environment and Planning Committee, and Council.
18 May 2017	<p>An amended Planning Proposal (revision no.2) was submitted by the applicant featuring an increased residential dwelling yield by increasing the area of 60m building height by 415sqm. The scheme featured:</p> <ul style="list-style-type: none"> • 23 to 60m height (5-18 storeys); • 4.5:1 FSR; • Minimum 1:1 commercial FSR (approx. 9,250sqm); • Approx. 400 residential apartments; • Provision of public open space which is 800 to 1,000sqm in area; • Provision of a public through-site link; and • Public domain improvements to be provided via the VPA.
26 May 2017	Council staff conducted a preliminary assessment of revision no.2 and requested additional information from the applicant to justify the increase in the residential yield by 53 units (from revision no.1 to no.2) whilst the FSR sought remained at 4.5:1. Furthermore, the applicant was advised of Council's concern regarding the viability of the 1:1 commercial FSR requirement due to the site's location away from the B3 Commercial Core.
13 July 2017	<p>The applicant provided three development options with varying ratios of distribution between the residential and commercial/retail floor space. Option 3 below was identified by the applicant as their preferred option:</p> <ol style="list-style-type: none"> 1. 3.5:1 residential FSR and 1:1 commercial/retail FSR 2. 4:1 residential FSR and 0.5:1 commercial/retail FSR 3. 4.2:1 residential FSR and 0.3:1 commercial/retail FSR
2 August 2017	The applicant was advised that Council supports in principle a minimum 0.3:1 commercial/retail FSR on the

	site.
5 September 2017	<p>A letter from Council's Director of Environment and Planning was provided to the applicant agreeing to the following (refer Attachment 10):</p> <ul style="list-style-type: none"> An increase in the maximum FSR for the whole site from 3.5:1 to 4.5:1, with the FSR being based on the following breakup: <ul style="list-style-type: none"> 4.2:1 being the maximum residential floor space; and 0.3:1 being the minimum non-residential floor space.
8 September 2017	<p>In response to Council's letter, an amended Planning Proposal (revision no.3) was submitted by the applicant featuring a reduced commercial/retail FSR and increased residential dwelling yield. The scheme featured:</p> <ul style="list-style-type: none"> 23 to 60m height (5-18 storeys); 4.5:1 FSR; Minimum 0.3:1 commercial FSR (approx. 2,775sqm); Approx. 450-475 residential apartments; Provision of public open space which is 800 to 1,000sqm in area; Provision of a public through-site link; and Public domain improvements to be provided via the VPA. 
5 October 2017	<p>Revision no.3 was referred to the DRP for consideration. The Panel believed that insufficient information had been provided to support the increase in density and height, and requested that the proposal be amended and referred to the Panel for further consideration.</p>
12 February 2018	<p>An amended Planning Proposal (revision no.4) was submitted by the applicant featuring an extensive reconfiguration of the building envelope and footprint as well as the introduction of a 4 storey podium form on Forest Road. The reduction in building bulk resulted in a reduced FSR.</p>

	
1 March 2018	<p>Revision no.4 was referred to the DRP for consideration. The DRP recognised that the building form had been substantially modified in response to the comments of the Panel at its meeting dated 5 October 2017. As such, the proposed height and FSR were supported subject to the retention of existing significant trees.</p>
30 May 2018	<p>An amended Planning Proposal (revision no.5) was submitted by the applicant with consideration of the DRP comments from its meeting dated 1 March 2018. This revision is the subject of this report.</p>

4.2 Summary of Planning Proposal Request

42. GTB Hurstville Pty Ltd submitted a Planning Proposal request (PP2015/0005) on 9 October 2015 that seeks to amend the *Hurstville Local Environmental Plan 2012* ("HLEP 2012") in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238).
43. A revised Planning Proposal request was submitted on 30 May 2018 and included the following amended documents which form the basis of the Planning Proposal request being considered in this report:
 - i) Planning Proposal Report (refer **Attachment 2**)
 - ii) Architectural Concept (refer **Attachment 3**)
 - iii) Urban Design Report (refer **Attachment 4**)
 - iv) Tree Retention and Replacement Study (refer **Attachment 5**)
 - v) Tree Canopy Study (refer **Attachment 6**)
 - vi) Economic Impact Assessment (refer **Attachment 7**)
 - vii) Transport Report (refer **Attachment 8**)
 - viii) Survey Plan (refer **Attachment 9**)
44. The Planning Proposal seeks to:
 - a) Amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (as per **Figure 27** below), including a minimum non-residential FSR of 0.3:1 via an amendment to Clause 4.4A. The proposed clause wording is as follows:

4.4A Non-residential floor space ratios

(1C) Despite clause 4.4, development consent must not be granted for development on the following land unless the non-residential floor space ratio is at least 0.3:1:

(a) 9 Gloucester Road, Hurstville, being Lot 30, DP785238.

and

b) Amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m(as per **Figure 28** below).

45. The Planning Proposal does not seek to alter the land zoning and active street frontage provisions of the *HLEP 2012*.

Figure 27 – Proposed Floor Space Ratio Map



Figure 28 – Proposed Height of Buildings Map



4.3 Summary of Architectural Concept Scheme

46. This Planning Proposal is accompanied by an architectural concept scheme (Rev E dated 30 May 2018, refer to **Attachment 3**) prepared by Turner demonstrating the following:

- a) Building form with a variety of storeys ranging from 4 to 18 storeys:
 - i. Building A – 4 to 18 storeys (60m)
 - ii. Building B – 4 to 16 storeys (55m)
 - iii. Building C – 12 storeys (40m)
 - iv. Building D – 8 storeys (30m)
 - v. Building E – 4 to 6 storeys (23m)
 - b) Mixed use development featuring:
 - i. Approx. 2,770sqm retail / commercial floor space (0.3:1 FSR)
 - ii. Approx. 34,190sqm residential floor space (3.7:1 FSR)
 - c) 420 residential apartments comprising of:
 - i. 158 x one bedroom units
 - ii. 209 x two bedroom units
 - iii. 53 x three bedroom units
 - d) Multi-level basement car parking
 - e) At grade communal open space adjacent to public open space
 - f) Rooftop communal open space on top of each building
 - g) Public pedestrian underpass through-site link in the undercroft of Building B
 - h) Public open space of minimum 1,000sqm (identified as a VPA contribution)
47. The concept scheme was considered by the Design Review Panel (“DRP”) on 1 March 2018 and the Panel generally supported the height and FSR proposed for the Planning Proposal subject to the resolution of a range of matters, which are addressed below in this report. A copy of the minutes is contained in **Attachment 1**.

5 ASSESSMENT OF THE PLANNING PROPOSAL

5.1 Strategic Planning Context

48. Consideration of the Planning Proposal request in relation to the *Greater Sydney Region Plan (A Metropolis of Three Cities)* and the *South District Plan* are provided below.

Greater Sydney Region Plan (A Metropolis of Three Cities)

49. The *Greater Sydney Region Plan* was finalised and released by the Greater Sydney Commission in March 2018 and establishes the aspirations for the region over the next 40 years. The Region Plan is framed around 10 directions relating to infrastructure and collaboration, liveability, productivity and sustainability.
50. The applicant has provided their assessment of the Planning Proposal against the relevant Objectives of the Region Plan as below:
51. **Direction 4: Housing the city**
Objective 10: Greater housing supply
Objective 11: Housing is more diverse and affordable

The Planning Proposal will provide approximately 420 new apartment dwellings. The site is suitable for this increase in dwellings as it is located within the Hurstville Strategic Centre, close to jobs and public transport (Hurstville Railway Station and bus interchange) with frequent services capable of moving large numbers of people. Housing choice to suit different needs and lifestyles will be provided with a range of apartment sizes to satisfy the apartment mix, objectives and design guidance of the *Apartment Design Guide* and the apartment size mix in the *HDGP No.2*.

52. **Direction 5: A city of great places**

Objective 12: Great places that bring people together

The Planning Proposal facilitates the provision of a public pocket park towards the centre of the site on Gloucester Road, as well as a public pedestrian underpass through-site link which connects Forest and Gloucester Roads. The public open space will be activated by retail uses at ground level. The proposal intends to transform the existing underutilised office park into an attractive new community meeting space.

53. **Direction 6:** *A well-connected city*

Objective 14: *A Metropolis of Three Cities* – integrated land use and transport creates walkable and 30-minute cities

Housing in close proximity to a range of regional public transport services will assist in meeting the 30-minute job access target. It is noted that the site is located well within the walkable catchments of the following transport hubs:

- 400m walking distance from the Hurstville bus interchange (Woodville Street);
- 600m walking distance from the Hurstville Railway Station; and
- 1,000m walking distance from the Penshurst Railway Station.

Furthermore, the proposal does not preclude the development of the Hurstville CBD commercial core. Instead, it intends to generate additional demand for local services through the introduction of 420 new dwellings and provides contemporary street-based economic activity on Forest Road.

54. **Direction 7:** *Jobs and skills for the city*

Objective 22: Investment and business activity in centres

While the proposed redevelopment reduces the amount of commercial floor space offered by the existing development, the current office facilities are redundant with poor economic prospects as demonstrated by the existing 77% vacancy rate. Health, education, knowledge and professional services as well as tourism are recognised sectors of future employment growth. The site is outside the commercial core of the Hurstville CBD and is therefore better suited for personal and professional services with different and more flexible accommodation needs.

The Planning Proposal will allow for the feasible redevelopment of redundant office facilities on a highly accessible but underutilised site for the purpose of a mixed use development.

55. **Direction 8:** *A city in its landscape*

Objective 30: Urban tree canopy cover is increased

Objective 31: Public open space is accessible, protected and enhanced

The proposal aims to retain the distinctive landscaped character of the site through the retention of the Gloucester Road street trees and the existing clusters of mature trees on the Forest Road frontage. The green corridor and microclimate will also be enhanced by the proposed introduction of an additional row of street tree planting on Forest Road. As a result, the proposal features an increase in urban tree canopy cover (refer to Tree Canopy Study in **Attachment 6**).

As part of the associated VPA and future redevelopment, all remaining overhead electricity wiring and services will be buried underground along this segment of Forest Road. This will provide an overhead clearance for the unobstructed growth of street trees.

The provision of a public pocket park with a children's playground in addition to the mandatory communal open space creates a new accessible open space which would enhance the amenity of the Hurstville City Centre.

South District Plan

56. The *South District Plan* was finalised and released by the Greater Sydney Commission in March 2018. The District Plan is a guide for implementing *A Metropolis of Three Cities* at the district level and proposes a 20-year vision by setting out aspirations and proposals for the South District.
57. The Planning Proposal is considered to be consistent with the following Planning Priorities of the *South District Plan*.

Direction	Planning Priorities relevant to the Planning Proposal
Housing the city	Planning Priority S5: Providing housing supply, choice and affordability, with access to jobs, services and public transport
A city of great places	Planning Priority S6: Creating and renewing great places and local centres, and respecting the District's heritage
Jobs and skills for the city	Planning Priority S9: Growing investment, business opportunities and jobs in strategic centres
A well connected city	Planning Priority S12: Delivering integrated land use and transport planning and a 30-minute city
A city in its landscape	Planning Priority S15: Increasing urban tree canopy cover and delivering Green Grid connections Planning Priority S16: Delivering high quality open space

58. The *South District Plan* also sets out Actions that would strengthen the Hurstville Strategic Centre. The applicant has identified that the Planning Proposal will assist in delivering the following Actions:
- “encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy” and “recognise and support the role of Forest Road as a movement corridor and as an eat street” by providing contemporary commercial accommodation along the main Forest Road frontage suitable for a variety of purposes.
 - “encourage activation of secondary streets” by providing a pocket park and associated retail uses on Gloucester Street, which is considered to be a secondary street to Forest Road.

5.2 Council's Local Strategic Plans

59. Consideration of the Planning Proposal request in relation to Council's local strategic plans are provided below.

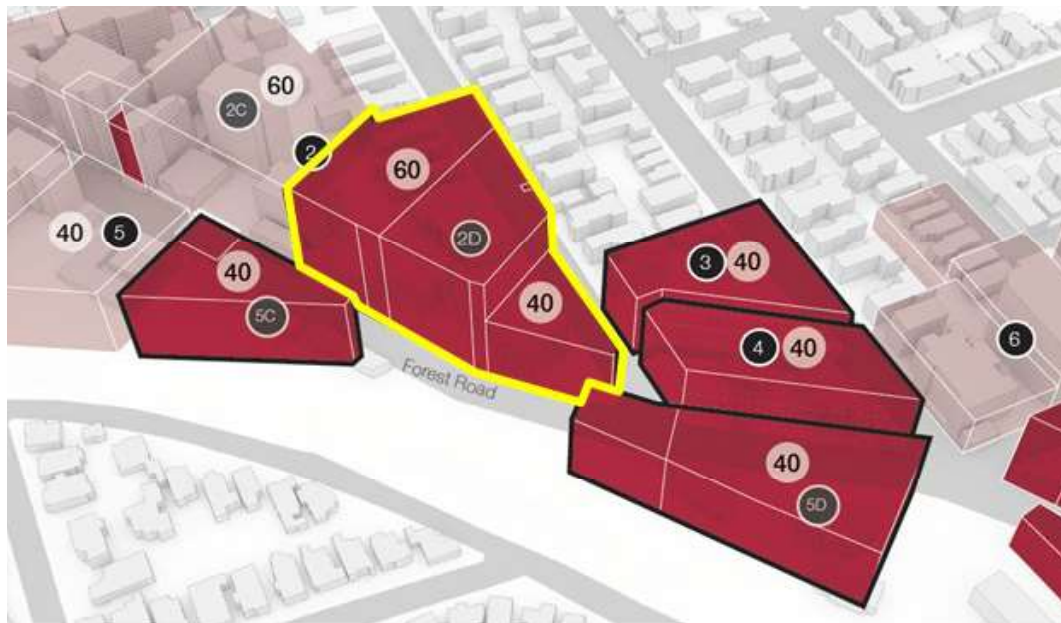
Draft Hurstville City Centre Urban Design Strategy (2018)

60. Georges River Council engaged SJB to prepare the *Hurstville City Centre Urban Design Strategy* which reviews and updates the existing development standards partly with the

aim to identify opportunities for additional housing capacity within the Hurstville City Centre.

61. The site is located in the City West Transition Area character precinct. The Strategy identifies that the area is well planted with mature street trees and creates a green gateway to the Centre when entering from King Georges Road.
62. The Strategy acknowledges that the site is subject to a current Planning Proposal and recommends that the *HLEP 2012* is amended to increase the height of the sub-block 2D (the subject site) from 23m to 60m at the western end of the site, stepping down to 40m at the eastern end, refer to **Figure 29** below.

Figure 29 – Recommended height for subject site at sub-block 2D



63. The Planning Proposal is consistent with the overall maximum building height identified by the Strategy and retains the existing landscaped character of the City West Transition Area character precinct.

5.3 State and Regional Statutory Framework

64. The Planning Proposal is consistent with the following relevant *State Environmental Planning Policies* (SEPPs) as assessed by the applicant below:

State Environmental Planning Policy No. 55 – Remediation of Land

65. *SEPP 55* aims to promote the remediation of contaminated land for the purpose of reducing risk and harm to human health or any other aspects of the environment.
66. The Planning Proposal does not contain provisions that will contradict or hinder the application of this SEPP. The applicant advises that the site's historical use was for commercial purposes and the proposed use will comprise of retail / commercial purposes with residential above.

State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

67. The proposed development will be subject to the provisions of *SEPP 65*, which aims to improve the quality of residential apartment design in NSW.
68. The applicant has advised that the concept scheme has been designed in accordance with *SEPP 65* and the *Apartment Design Guide* and any future DA will demonstrate compliance with the standards contained in this SEPP.

State Environmental Planning Policy (Infrastructure) 2007

69. The traffic-generating development provisions of the *SEPP (Infrastructure)* (Clause 104 and Schedule 3) require developments of a certain size or capacity to be referred to the Road and Maritime Services (“RMS”).
70. If the Planning Proposal is granted a Gateway Determination, it is anticipated that RMS will be included as a public authority to be consulted.

5.4 S9.1 Ministerial Directions

71. Ministerial Directions under Section 9.1 (formerly S117) of the *Environmental Planning and Assessment Act 1979* set out a range of matters to be considered when preparing an amendment to a Local Environmental Plan.
72. The Planning Proposal is consistent with all relevant Ministerial Directions as assessed by the applicant in **Table 4** below:

Table 4 – Consistency with S9.1 Ministerial Directions

S9.1 Direction	Assessment
1.1 Business and Industrial Zones	The proposal is consistent with the Direction as it will give effect to the objectives of this Direction by facilitating the redevelopment of a redundant underutilised business zoned site which has a 77% vacancy rate. The proposal provides the opportunity to renew commercial activity on a site that is located outside the commercial core of the Hurstville CBD with more suitable contemporary facilities that support the viability of Hurstville as a Strategic Centre.
3.1 Residential Zones	The Planning Proposal encourages a variety and choice of housing types to provide for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The proposal retains the landscaped character of the locality and demonstrates appropriate built form whilst minimising the impact on surrounding residential development.
3.4 Integrating Land Use and Transport	The Planning Proposal will enable retail and residential development in close proximity to jobs and services, thereby encouraging walking, cycling and use of public transport.
7.1 Implementation of A Plan for Growing	<i>A Plan for Growing Sydney</i> has been replaced by the Greater Sydney Commission’s <i>Greater Sydney</i>

Sydney	<i>Region Plan (A Metropolis of Three Cities)</i> . The Planning Proposal is consistent with the Objectives of <i>A Metropolis of Three Cities</i> , as assessed by the applicant in Section 5.1 above.
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5.5 Design Review Panel

73. The St George Design Review Panel (“DRP”) first considered the Planning Proposal request at its meeting dated 19 November 2015. The Planning Proposal was subsequently referred to the DRP on multiple occasions, including 18 February 2016, 5 October 2017 and 1 March 2018 thereafter.
74. **Table 3** of this report provides a chronology of the events leading up to this report on the revised Planning Proposal including the outcome of each DRP referral.
75. At the latest meeting dated 1 March 2018, an amended proposal dated January 2018 was considered and generally supported by the DRP subject to the retention of existing significant trees and the preparation of a tree canopy cover study. A copy of the DRP minutes is contained in **Attachment 1**.
76. The architectural concept scheme dated May 2018 (refer **Attachment 3**) is an updated version of the proposal considered by the DRP on 1 March 2018 and does not present any amendments or modifications to the maximum building envelope and proposed density.
77. It should be noted that some of the DRP recommendations involve detailed design work that are beyond the scope and purpose of a Planning Proposal and would typically be resolved at the development application stage.
78. Comments provided by the DRP are summarised below with respect to the applicable Design Quality Principles set out in *SEPP 65*:

Context and neighbourhood character

79. **DRP Comment:** The FSR has now been reduced to 4:1 including minimum 0.3:1 for commercial, generally fronting the Forest Road and Gloucester Road corner and the east side of the public square. This is supported. The heights have also been modified with a maximum of 60m and are considered to be acceptable in principle.

Council Comment: The proposed FSR and building height are considered to be appropriate to the high density context of the subject site. This segment of Forest Road is characterised by high density mixed use developments with maximum building heights of up to 60m and FSRs of up to 5:1.

80. **DRP Comment:** Substantial tree planting is a critical and positive aspect of the site, forming a landscaped ‘entry’ into Hurstville from the south. The proponent has still not devised a satisfactory strategy towards the conservation of this landscaping.

Council Comment: The canopy cover and landscaping provided by the existing development establishes a desirable green gateway to the Hurstville City Centre. The applicant has nominated the retention of all existing street trees on Gloucester Road as well as significant clusters of existing mature trees on Forest Road in light of the DRP comment.

Furthermore, the green oasis character of the site will be enhanced by an additional row of street trees on Forest Road to create a tunnel-like canopy over the pedestrian footpath. The overall surplus of ground level canopy cover (refer **Attachment 6**) provided by the proposal is considered to be an appropriate response to the conservation of this landscaped entry into Hurstville and positively enhances the existing character of the locality. A detailed tree retention schedule will be incorporated into the site specific DCP which accompanies this Planning Proposal.

Built Form and Scale

81. **DRP Comment:** A complete clearance should be provided above the cluster of Evergreen Alder trees at the centre of the site's Forest Road frontage (location of proposed Building B) to ensure the retention and conservation of these trees.

Council Comment: The existing cluster of Evergreen Alder trees are located adjacent to the Forest Road boundary and the proposal includes a 4m wide setback in the maximum building envelope and basement footprint to assist in the preservation of these trees. Council may request that the 4m wide setback be increased as a result of detailed design at the development application stage. The pedestrian underpass through-site link has been deliberately positioned to accommodate this tree cluster which enables the provision of a four storey undercroft void for the ongoing growth of these trees.

However, it should be noted that the existing basement of the office park development currently encroaches into the Tree Protection Zones of the trees at the Forest Road frontage (refer Tree Study in **Attachment 5**) and the retention of these trees cannot be guaranteed due to proposed demolition of the existing basement.

For the above reasons, Council considers that this matter has been satisfactorily addressed for the purpose of the Planning Proposal and that further refinement of the building form will occur at the development application stage.

82. **DRP Comment:** Increase the proposed Gloucester Road setback of Building C from 2m to 4m to assist in the preservation of the existing London Plane trees and allow for an additional row of large tree planting.

Council Comment: The existing London Plane trees are located on Gloucester Road outside of the subject site and are required to be retained. Additional setback may be requested for this purpose subject to further detailed design.

Council recognises that the DRP request for an additional row of planting on Gloucester Road does indeed produce a more desirable outcome. However, this request is considered to be onerous in light of the surplus ground level canopy cover provided by the existing proposal. The concept scheme demonstrates the retention of Gloucester Road's existing landscaped amenity and this is considered to be acceptable. Furthermore, additional large shade tree plantings on Gloucester Road are likely to reduce the solar access received by the public open space.

Landscape

83. **DRP Comment:** There should be no building over the existing tree canopies and existing microclimatic conditions must be maintained. The Panel requests that the applicant quantify the existing area of canopy cover as well as forecast the area of canopy cover

that would be achieved with the present proposal, and identify the time period required to achieve equal or greater coverage than presently exists.

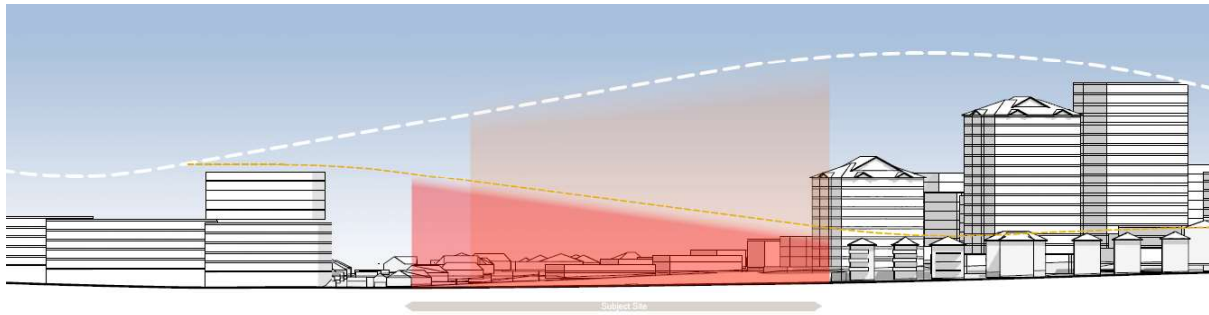
Council Comment: The applicant has prepared a Tree Canopy Study (refer **Attachment 6**) which quantifies the existing ground level canopy cover and provides a comparison with the proposed estimated canopy cover. The time period required to achieve equal or greater coverage can only be determined if the size and species of the proposed tree plantings are known, which are a detailed design matter that will be considered at the development application stage. However, a list of preferred planting species and planting sizes will be considered in the preparation of the site specific DCP. For the purpose of this Planning Proposal, the applicant has committed to the provision of a surplus in ground level canopy cover.

84. **DRP Comment:** Roof gardens should be provided for each building on the roof of each building.

Council Comment: This has been satisfactorily demonstrated by the architectural concept scheme (refer **Attachment 3**).

5.6 Urban Design Analysis

85. Located in the western end of the Hurstville City Centre, the subject site and its surrounding B4 Mixed Use zoned land are characterised by high density *HLEP 2012* development controls that maximise redevelopment opportunities.
86. The western corner of the subject street block is defined by the 'Toga' development known as 458-460 Forest Road and 1B Pearl Street. This site has been recently developed with a height of 59.8m and FSR of 4.5:1 under the development approval 13/DA-35.
87. Immediately adjoining the western boundary of the site at 436-452 Forest Road is a 1990s mixed use development with approx. 130 residential units and comprised of two apartment towers of 16 and 8 storeys. Although this site has been granted a maximum building height of 60m and FSR of 5:1 under the *HLEP 2012*, redevelopment is not anticipated to occur in the immediate future due to the existing fragmented ownership.
88. The adjoining R3 Medium Density Residential zoned land towards the northern portion of the street block on Gloucester Road is predominately occupied by three storey walk-up flats. These sites currently have a maximum permissible height of 12m and FSR of 1:1. However, the *Hurstville City Centre Urban Design Strategy* has recommended that these areas be investigated for increases in height and FSR to 23m and 2:1-2.2:1 respectively.
89. Furthermore, the Strategy has recommended to increase the maximum building height to 40m for surrounding land to the east of the subject site (refer **Figure 29** above).
90. In light of the existing development controls and recommended uplifts to the surrounding locality, the subject site is located in a critical location which requires the proposed built form to perform as the transition between medium and high density developments.
91. **Figure 30** below illustrates the formal rhythm of the general adjoining built form as viewed from Gloucester Road. The darker red shading illustrates the heights required on the subject site to achieve an appropriate transition to the R3 zoned land on Gloucester Road, whilst the lighter pink shading represents the transitional form that responds to the higher density development on Forest Road to the rear.

Figure 30 – Gloucester Road Elevation showing Transition to Surrounding Context

92. The proposal is consistent with the above principle through the transitional heights of 23m, 30m and 40m proposed along the Gloucester Road frontage. The urban design strategy for the proposed envelope is outlined in the applicant's Urban Design Report (refer **Attachment 4**).
93. The above principle is also applied to the Forest Road frontage where the maximum height increases from 40m at the Gloucester / Forest Road corner to 55m toward the centre of the site and 60m toward the western portion of the site. However, an additional 23m maximum building height (6 storeys) is applied at the western boundary adjoining 436-452 Forest Road to provide a low-scale buffer between the neighbouring 8 storey development and the proposed 18 storey (60m) tower.
94. To maintain the pedestrian amenity of Forest Road, a 4 storey podium is proposed along the Forest Road frontage to complement the active street frontages. This is further enhanced by the proposed tree plantings, provision of a 4 storey high pedestrian underpass through-site link and a public pocket park in addition to the at grade communal open space.
95. The shadows cast from the proposed envelopes fall mainly on the vacant railway land to the south of the site.
96. The Planning Proposal and the accompanying architectural concept scheme demonstrate an appropriate urban design response to its urban context and it also satisfies the relevant *SEPP 65* Design Quality Principles. In this regard, the proposed density is considered to be suitable as the increased height and FSR does not compromise the amenity and design of any future development on site and the surrounding private and public spaces.

5.7 Economic Analysis

97. The Economic Impact Assessment ("EIA", refer **Attachment 7**) submitted by the applicant concludes that although the Planning Proposal would lead to a net reduction in commercial floor space of approx. 7,230sqm, the number of jobs on the site compared to the 'do nothing' scenario is expected to increase by over 130 to reflect the improved use of space and amenity provided.
98. The existing campus style office park currently provides approx. 10,000sqm of commercial floor space. However, over 75% of the existing floor space is currently vacant. The EIA states that leasing this space is difficult in the current and foreseeable market of high supply and low demand, resulting in a high vacancy rate of 23% across the Hurstville centre. The prevalent market conditions support the proposal and it would be consistent with current development activity in Hurstville.

99. As discussed earlier in this report, the subject site is located in close proximity to major public multi-modal transport interchanges, essential amenities and services. The Planning Proposal will assist in meeting the strong housing demand in the area. The additional residential population would stimulate retail demand and employment within Hurstville City Centre.
100. The proposal is consistent with the objectives of the B4 Mixed Use zoning by allowing residential development in the Hurstville City Centre whilst maintaining active retail, business and other non-residential uses at street level, and integrating suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
101. Council recognises that commercial / office use demand on the subject site is limited due to its location on the outskirts of the Hurstville City Centre and subsequent separation from the B3 Commercial Core zoning in the centre of the CBD.
102. The reduction in commercial floor space is consistent with *HLEP 2012* (Amendment No. 9) which in part reduced the amount of non-residential floor space required for B1 Neighbourhood Centre and B2 Local Centre zones from 0.5:1 to 0.3:1 under Clause 4.4A (Non-residential floor space ratios). The purpose of the amendment which was gazetted on 17 November 2017 is to encourage an appropriate mix of residential and non-residential uses in order to ensure a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of the business zones.
103. A precedent was established by the approval of the 'Toga' development at 458-460 Forest Road and 1B Pearl Street which is located at the north-western corner of the subject street block. A total of 36,558sqm gross floor area was approved at 4.5:1 FSR with 563sqm allocated for retail premises. This equates to a FSR of less than 0.07:1 for non-residential land use within the 'Toga' development.
104. In comparison, the Planning Proposal will provide approx. 2,770sqm of non-residential floor space which equates to a 0.3:1 FSR. This is considered to be appropriate for the zoning and location of the site as the proposal will renew ageing offices.
105. Council's Director of Environment and Planning endorsed the minimum 0.3:1 non-residential FSR in a letter to the applicant dated 5 September 2017 (refer **Attachment 10**). It should be noted that since the date of the letter, further refinements to the building form have been made and that the maximum FSR sought has been reduced to 4:1 as a result, however, the minimum 0.3:1 non-residential FSR remains unchanged.
106. The proposed retail / commercial floor space is located at ground level along the Forest Road frontage in Building A and is extended to the Gloucester Road corner at both ground floor and first floor in Building C. An open floor plate of over 750sqm is provided at the first floor of Building C to cater for the existing demand for office floor space.

5.9 Traffic and Transport

107. The concept scheme demonstrates one vehicle access point for the proposal via Gloucester Road adjacent to Building E. All car parking and services will be located in the basement.
108. The Transport Report (refer to **Attachment 8**) submitted by the applicant outlines the following key conclusions:

- a) Vehicle traffic generation from the proposed development will be similar to the approved *Hurstville City Centre Transport Management and Accessibility Plan 2013* (“TMAP”) scheme; and an insignificant change from the existing site uses;
- b) Traffic generated by the proposed development can be accommodated within acceptable levels of service without adversely affecting traffic efficiency on the existing road network. Intersections are maintained at existing acceptable levels of service;
- c) The impacts of the additional residential and commercial floor space and associated accessibility, traffic and infrastructure issues generated as a result of an increased height and FSR for the subject site are considered acceptable;
- d) Access points for pedestrians, cyclists, and vehicles are suitable and in accordance with TMAP and road hierarchy considerations. The proposed through-site link will improve pedestrian circulation, add route choices and reduce walking distances to bus stops and local services. The anticipated traffic can be appropriately managed with no significant impact on amenity;
- e) The proposed single driveway off Gloucester Road is appropriately located near the location of the existing subject site driveway, will not affect neighbours, and leaves Forest Road unobstructed for main road traffic, buses and bus stops, pedestrians and the future strategic bus corridor supported by the TMAP; and
- f) There will be no adverse effects on the safety of any road users including public transport, pedestrians and cyclists.

109. Parking provisions, car park layout and road safety issues were not reviewed in detail as these will be subject to a detailed assessment at the development application stage.

6 VOLUNTARY PLANNING AGREEMENT

110. The *Voluntary Planning Agreement Policy* was adopted by Council on 1 August 2016 and sets out Council's objectives in relation to the use of planning agreements.
111. Clause 5.3 of the Policy states that where either a planning proposal is proposed, or development consent is sought, which will result in an exceedance of development standards, resulting in an inherent increase in value of the land or development, the concept of land value capture may be used to assess the appropriate contribution.
112. Clause 5.13 of the Policy states through a formula, that Council capture fifty percent (50%) of the increase in the residual land value resulting from the planning uplift sought for a site via the Planning Proposal.
113. The Planning Proposal provides for uplift in the value of the land through the increase in FSR and height of buildings. The value of uplift prepared by the applicant has been independently assessed by Council's consultant.
114. The VPA is comprised of the following components:
- a) Monetary contribution for public domain works and public road infrastructure;
 - b) Public access easement to a 1,000sqm open space area/pocket park on the site with embellishments including a children's play area (refer **Figure 31** below);
 - c) Public access easement to and from and across the land and pocket park;
 - d) Public art works; and
 - e) Public domain improvements including the undergrounding of electricity lines in front of 438-456 Forest Road (refer **Figure 31** below) in addition to those undertaken with the redevelopment of the subject site.

Figure 31 – Location of VPA Works

115. The VPA offer will be reported separately to the Environment and Planning Committee, and Council.

7 SUMMARY OF ASSESSMENT / CONCLUSION

116. In summary, the Planning Proposal seeks to amend the *HLEP 2012* in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238):

- To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and
- To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights being 23m, 30m, 40m, 50m and 60m.

117. It is recommended that the LPP support the request for the following reasons:

- The Planning Proposal and the accompanying architectural concept scheme demonstrate an appropriate urban design response to its context and it also satisfies the relevant *SEPP 65* Design Quality Principles;
- The proposed maximum building envelope demonstrates an appropriate urban design outcome through the formal transition to adjacent developments;
- The proposed density is considered to be consistent with the mixed use development typology of recent developments in the vicinity of the site;

- d) The proposal retains clusters of existing significant trees on the site and street trees along Gloucester Road whilst introducing additional street tree planting on Forest Road to enhance the existing canopy cover of this vital green corridor;
- e) The proposal provides additional residential dwellings in an accessible location which is in close proximity to major public transport interchanges and other essential amenities and services;
- f) The proposed commercial / retail floor space will generate a mixture of active and dynamic land uses; and
- g) The Planning Proposal facilitates the creation of a public pocket park and through-site link to enhance the quality of the public domain within the Hurstville City Centre by providing critical open space infrastructure.

8 COMMUNITY CONSULTATION

118. Should the Planning Proposal be supported it will be forwarded to the delegate of the Greater Sydney Commission requesting a Gateway Determination.
119. If a Gateway Determination (Approval) is issued, and subject to its conditions, it is anticipated that the Planning Proposal will be exhibited for a period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979* and *Regulation, 2000* and any requirements of the Gateway Determination.
120. Exhibition material, including explanatory information, land to which the Planning Proposal applies, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.
121. Notification of the public exhibition will be through:
- Newspaper advertisement in The Leader
 - Exhibition notice on Council's website
 - Notices in Council offices and libraries
 - Letters to State and Commonwealth Government agencies identified in the Gateway Determination (if required)
 - Letters to adjoining landowners (if required, in accordance with Council's Notification Procedures)
122. The anticipated project timeline for completion of the Planning Proposal is shown below:

Task	Anticipated Timeframe
Lodgement of Planning Proposal request	9 October 2015
Report to Georges River LPP on Planning Proposal	21 June 2018 (this report)
Report to Environment and Planning Committee on Planning Proposal	9 July 2018
Report to Council on Planning Proposal	23 July 2018
Anticipated commencement date (date of Gateway Determination)	October 2018
Timeframe for government agency consultation	November 2018

(pre and post exhibition as required by Gateway Determination)	
Commencement and completion dates for community consultation period	December 2018 - February 2019
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	February 2019
Reporting to Council on community consultation and finalisation	March 2019
Submission to the Department to finalise the LEP	April 2019
Anticipated date for notification	May 2019

123. It is noted that the project timeline will be assessed by the DPE and may be amended by the Gateway Determination.

9 NEXT STEPS

124. The Planning Proposal will be considered at a future Georges River Council Environment and Planning Committee meeting for consideration, including the LPP recommendations. The minutes of the Environment and Planning Committee meeting will subsequently be considered at a future Georges River Council meeting (“the relevant planning authority”). If the Planning Proposal is endorsed by Council it will be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

125. If Council resolves not to support the Planning Proposal, the applicant has the opportunity to request a pre-Gateway Review by the NSW Planning Panels under the delegation of the Greater Sydney Commission. An applicant has 40 days from the date of notification of Council’s decision to request a review.

File Reference

PP2017/0004

ATTACHMENTS

- Attachment 1 Design Review Panel Minutes dated 1 March 2018 - *published in separate document*
- Attachment 2 Planning Proposal Report prepared by Dowling Urban - *published in separate document*
- Attachment 3 Architecture Concept Scheme prepared by Turner - *published in separate document*
- Attachment 4 Urban Design Report prepared by Austin McFarland - *published in separate document*
- Attachment 5 Tree Retention and Replacement Study prepared by Sturt Noble - *published in separate document*
- Attachment 6 Revised Tree Canopy Study prepared by Turner - *published in separate document*

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- Attachment 7 Economic Impact Assessment prepared by HillPDA - *published in separate document*
- Attachment 8 Transport Report prepared by Henson Consulting - *published in separate document*
- Attachment 9 Site Survey prepared by SDG - *published in separate document*
- Attachment 10 Letter from Director Environment and Planning dated 5 September 2017 - *published in separate document*

LOCAL PLANNING PANEL

**MINUTES OF MEETING
Thursday, 21 June 2018**

COMMITTEE MEMBERSHIP

Panel Members:

Mr Paul Vergotis (Chairperson)
Mr Michael Leavey (Expert Panel Member)
Mr John Brockhoff (Expert Panel Member)
Mr Cameron Jones (Community Representative)

Council Staff:

Meryl Bishop (Director Environment and Planning)
Ryan Cole (Manager Development and Building)
Catherine McMahon (Manager Strategic Planning)
Cathy Mercer (Team Leader DA Administration)
Monica Wernej (DA Admin Assistant)

1. APOLOGIES AND DECLARATIONS OF PECUNIARY INTEREST

There were no apologies received

John Brockhoff declared a non-pecuniary conflict of interest in Item 025-18 – Planning Proposal - Low Rise Medium Density Housing Code due to his role on behalf of PIA on the NSW Government (DPE) Complying Development Expert Panel, as well as his advocacy on the medium density code in his role as Principal Policy Officer at the Planning Institute of Australia (PIA).

2. PUBLIC SPEAKERS

The meeting commenced at 4.00pm and at the invitation of the Chair, registered speakers were invited to address the panel on the items listed below.

The public speakers concluded at 5.28pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

LPP020-18 2-12 Lime Kiln Road and 1041a and 1041c Forest Road Lugarno
(Report by Senior Development Assessment Officer)

The Panel carried out a site inspection.

Speakers

- Rachel Condon (on behalf of applicant)
- Peter Israel (applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

1. That the applicant's written request under Clause 4.6 of the Hurstville Local Environmental Plan 2012 seeking to justify a contravention of Clause 4.3 Height of Buildings development standard has demonstrated that:
 - (a) Compliance with the standard is unreasonable or unnecessary in the circumstances of the case;
 - (b) There are sufficient environmental grounds to justify the contravention.

In addition the contravention provides for a development which will be in the public interest as it will be consistent with the objectives of the zone.

2. Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2017/0217 for the amalgamation of three lots, demolition of existing structures and construction of a mixed development containing ground floor retail/commercial area, 14 apartments, and basement car parking area at 2-12 Lime Kiln Road and 1041a and 1041c Forest Road, Lugarno, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 21 June 2018 except, the addition of the following:

(a) Under the heading 'Prior to Construction Certificate' insert following conditions:

- (i) **Mechanical Ventilation** - To ensure that adequate provision is made for ventilation of the commercial portions of the building mechanical and/or natural ventilation systems adequate for commercial kitchen for restaurants/café cooking facilities are required to be shall be designed, constructed and installed centrally within the building (not externally) in accordance with the provisions of the Building Code of Australia and Australian Standard 1668.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

- (ii) **Noise from Buildings Containing Housing Above Shops or Adjacent to Housing** - A certificate from an Acoustic Engineer is to be submitted with the Construction Certificate certifying that the development and all sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level during the day and evening and not exceeding the background

level at night (10.00pm to 6.00am) when measured at the boundary of the property, and will comply with the Environmental Protection Authority Industrial Noise Policy.

The development is not to give rise to an offensive noise as defined under the Protection of the Environment Operations Act 1997.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

- (iii) **Relocation of Stormwater Onsite Detention System** - To provide opportunity for additional deep soil landscaping, the Onsite Detention System is to be relocated from adjacent to the western the side boundary setback to under the driveway of the approved development. The amended OSD system is to be fully compliant with Council's Technical Specification and the Australian Standards.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

- (iv) **Additional Security Screen** - A security screen no greater than 1.8m above finished floor level is to be provided to the outer most projection of the balcony located on Level 2 off Unit 9202 between the balustrade and the front building elevation in order to prevent unauthorised access from the adjoining property.

Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

Statement of Reasons

1. The proposed development is considered to be an appropriate scale and form for the site and the character of the locality.
2. The proposed development, subject to the recommended conditions, will have no unacceptable adverse impacts upon the natural or built environments.
3. In consideration of the above reasons, the proposed development is a suitable and planned use of the site and its approval is in the public interest.

LPP021-18 279 - 281 Belmore Road Riverwood (Report by Manager Development and Building)

The Panel carried out a site inspection.

Speakers

- Sam Galluzzo (objector)
- Frank Sartor (on behalf of applicant)
- Greg Burgon (on behalf of applicant)

- Joe Rowling (on behalf of applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

Pursuant to Section 4.15(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2016/0219 for the demolition of existing structures and construction of a mixed retail and residential development at 279-281 Belmore Road, Riverwood, is determined by **refusal** for the following reasons:

1. **Strategic Vision and Urban Context** - The site is not suitable for the **proposed** development as there is currently no urban form study, vision statement or strategic review which would justify the proposal's major change to the built form of Riverwood Town Centre and locality. Specifically as the proposed building's density, height and floor space ratios are:
 - a) out of context with the existing urban form;
 - b) out of context with the permitted heights and floor space ratio controls permitted on adjoining, adjacent and nearby sites;
 - c) not consistent with the known desired future character having regard to economic performance of the town centre, transport (including road network capacity, public transport capacity, parking) and amenity;
 - d) considered unsuitable for the subject site; and
 - e) inappropriate given the vehicle access arrangements for the site.
2. **Failure to meet State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65) requirements** - The proposed development fails to meet the design quality principles as set under the Clause 28(2) of SEPP 65 as follows:
 - a) Principle 1: Context and neighbourhood character: The proposed development has been not been designed to respond to the surrounding built form context and existing neighborhood character.
 - b) Principle 2: Built form and scale: The proposed development provides an inappropriate scale, proportion, bulk and height in relation to the existing built form and scale of the surrounding buildings in the Riverwood Town Centre.
 - c) Principle 3: Density: Proposed development is considered to achieve an inappropriate density based on the existing context of the Riverwood Town Centre.
3. **Failure to meet Hurstville Local Environmental Plan 2012 (HLEP 2012) requirements** - The proposed development fails to meet the requirements set under HLEP 2012 as follows:

Height

- a) Clause 4.3 – Height of Buildings sets a height limit for the portion of the development on land at 279 Belmore Road Riverwood at 18m. The proposal development exceeds this height seeking 18.5m on eastern elevation and 21m on western elevation.
- b) The applicants written request seeking to vary the Development Standard under Clause 4.3 of HLEP 2012 has not:
 - i. adequately justified the contravention

- ii. the variation to the standard is neither reasonable or necessary in the circumstances of the case; and
- iii. there is insufficient environmental planning grounds for the variation

Floor Space Ratio

- a) Clause 4.4 – Floor Space Ratio sets a Floor Space Ratio limit for the portion of the development on land at 279 Belmore Road Riverwood at 2:1. The proposal development exceeds this ratio seeking 2.8:1
- b) The applicants written request seeking to vary the Development Standard under Clause 4.4 of HLEP 2012 has not:
 - i. adequately justified the contravention
 - ii. the variation to the standard is neither reasonable or necessary in the circumstances of the case; and
 - iii. there is insufficient environmental planning grounds for the variation

Floor Space Ratio (Commercial Floor Area)

- a) Clause 4.4A – Exceptions to Floor Space Ratios for Buildings on Land in Certain Zones sets a control that development consent must not be granted for development on land in zone B1 Neighbourhood Centre or zone B2 Local Centre unless the non-residential floor space ratio is at least 0.3:1. The proposed development provides 0.246:1.
- b) No written request under Clause 4.6 to vary the control has been submitted to justify the departure from the development standard.

4. Failure to meet Hurstville Development Control Plan No 1 (DCP1) Requirements - The proposed development fails to meet the requirements set under DCP 1 as follows:

Height

- a) The proposal does not meet the objective that development will be compatible with the existing built form, streetscape and scale of development.
- b) Control PC3 (Appendix 1 Clause 10) that buildings in the B2 Local Centre fronting the railway shall be 13m and a maximum of 4 storeys.

Car parking

- a) The proposal provides 63 car parking spaces which does not meet the minimum parking requirement of 65 spaces as stipulated under Clause 3.1

LPP022-18 108, 112 and 124 Forest Road and 1 and 3 Wright Street, Hurstville (Planning Proposal) (Report by Senior Strategic Planner)

The Panel carried out a site inspection.

Speakers

- George Gu (objector)
- Tom Ying (objector)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

1. That the Georges River Local Planning Panel receive and note the submissions received during the public exhibition of the Planning Proposal PP2014/0004 for 108, 112 and 124 Forest Road and 1 and 3 Wright Street, Hurstville.
2. That the following amendments to Hurstville LEP 2012, as exhibited be supported:
 - (a) Amend the Land Zoning Map (LZM) to rezone Nos. 108 and 112 Forest Road, Hurstville from B2 - Local Centre Zone to B4 – Mixed Use Zone;
 - (b) Amend the Land Zoning Map (LZM) to rezone Nos. 1 - 3 Wright Street, Hurstville from R3 - Medium Density Residential Zone to B4 - Mixed Use Zone;
 - (c) Amend the Height of Buildings Map (HOB) to increase the height of buildings for Nos. 108 and 112 Forest Road and 1 and 3 Wright Street, Hurstville to 34.5m;
 - (d) Amend the Height of Buildings Map (HOB) to increase the height of buildings for No. 124 Forest Road, Hurstville to 46.5m;
 - (e) Amend the Floor Space Ratio Map (FSR) to increase the maximum floor space ratio for Nos. 108 and 112 Forest Road and Nos 1 and 3 Wright Street, Hurstville to 4:1;
 - (f) Amend the Lot Size Map (Sheet LSZ_008) to remove Nos. 1 and 3 Wright Street, Hurstville from its application, consistent with the B4 - Mixed Use Zone; and
 - (g) Amend Clause 4.4A of Hurstville LEP 2012 to include a provision relating to the subject site stating that development consent must not be granted for development unless the non-residential floor space is at least 0.5:1.
3. That a report to the Environment and Planning Committee be prepared to advise of the Local Planning Panel recommendations and request Council to resolve to support the Planning Proposal and the finalisation of the draft amendment to *Hurstville Local Environmental Plan 2012* in accordance with Section 3.36 of the *Environmental Planning and Assessment Act 1979*.
4. The Panel considered that the following matters be reviewed in relation to Amendment No.8 to DCP No.2 – Hurstville City Centre:
 - (a) Additional access from Wright Street;
 - (b) Site amalgamations.

Statement of Reasons

1. Recommendation to Council to support the planning proposal for the change in zone and increase in heights and FSRs for the site – on the basis that the planning proposal is supported by a draft DCP that contains the detail design solutions that will guide future development so as to achieve a development outcome on these sites that is consistent with that sought for Hurstville City Centre.
2. That the future height density proposed by the planning proposal are not inconsistent with the context of the area and the development on adjoining sites.

LPP023-18 Planning Proposal - 9 Gloucester Road, Hurstville (Report by Strategic Planner)

The Panel carried out a site inspection.

Speakers

- Stephen Cox (on behalf of applicant)

- Mark Maryska (on behalf of applicant)
- Greg Dowling (on behalf of applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

1. That the Georges River LPP recommends to Council that the Planning Proposal to amend *Hurstville Local Environmental Plan 2012* as follows, in relation to 9 Gloucester Road, Hurstville (Lot 30 DP785238), be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*:
 - a) To amend the Floor Space Ratio Map to increase the floor space ratio from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1); and
 - b) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m.
2. That the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment.
3. That the LPP recommends to Council to prepare an amendment to the *Hurstville Development Control Plan No.2 – Hurstville City Centre* (“HDCCP No.2”) to run concurrently with an amendment to the *Hurstville Local Environmental Plan 2012* (if Gateway approval is given by the Department of Planning and Environment), to reflect urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent’s cost.
4. That a report to Council be prepared by Council staff to advise of the LPP recommendations.

Statement of Reasons

1. That the proposed planning proposal is consistent with the strategic directions set within the District Plan regarding the retention of commercial floor space and increase in residential dwellings within the Hurstville Town Centre.
2. Recommendation to Council to support the planning proposal for the increase in heights and FSRs for the site – on the basis that the planning proposal is supported by a draft DCP that contains the detail design solutions that will guide future development so as to achieve a development outcome on these sites that is consistent with that sought for Hurstville City Centre.
3. That the future height density proposed by the planning proposal are consistent with the context of the area and the development on adjoining sites and the provisions within the draft Hurstville City Centre Urban Design Strategy.

LPP024-18 Planning Proposal - 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville
(Report by Strategic Planner)

The Panel carried out a site inspection.

Speakers

- Michael Gheorghiu (applicant)
- Greg Hynd (on behalf of applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

1. That the Georges River LPP recommends to Council that the revised Planning Proposal to amend *Hurstville Local Environmental Plan 2012* as follows, in relation to the Landmark Square Precinct at 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville, be forwarded to the delegate of the Greater Sydney Commission for an Alteration to the Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*:
 - a) To amend the land zoning from IN2 Light Industrial and part R2 Low Density Residential to B4 Mixed Use;
 - b) To amend the Floor Space Ratio Map to increase the FSR from 0.6 (R2) and 1:1 (IN2) to 2:1 along Roberts Lane and up to 3.5:1 for the remainder of the site (including a minimum non-residential FSR of 0.5:1);
 - c) To amend the Height of Buildings Map to increase the maximum building height applying to the site from 9m (R2) and 10m (IN2) to a range of heights being 12m (for a depth of 18m from Roberts Lane), 21m, 28m, 30m, 40m and 65m;
 - d) To amend the Active Street Frontages Map to apply active street frontages along the Forest Road and Durham Street frontages of the Precinct; and
 - e) To apply a bonus FSR incentive of 0.5:1 based on the total Precinct site area for the purpose of hotel accommodation at the corner of Forest Road and Durham Street.
2. That the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment.
3. That the LPP recommends to Council to prepare an amendment to the *Hurstville Development Control Plan No.2 – Hurstville City Centre* ("HDCP No.2") to run concurrently with an amendment to the *Hurstville Local Environmental Plan 2012* (if Alteration to the Gateway is given by the Department of Planning and Environment), to reflect detailed urban design considerations for any future development of the site including the provision of public access, built form, boundary setbacks, deep soil areas, tree retention, vehicular access and any other relevant issues. The DCP is to be prepared at the proponent's cost.
4. That a report to Council be prepared by Council staff to advise of the LPP recommendations.
5. That the Panel recommends that the provision of affordable housing be reconsidered in the context of the South District Plan and whether such housing be provided through a revised voluntary planning agreement.
6. The Panel considered that site amalgamation requirements be reviewed in relation to an amendment to DCP No.2 – Hurstville City Centre.

Statement of Reasons

1. That the revised planning proposal is generally consistent with the strategic directions set within the District Plan in relation to the future of Hurstville City Centre.
2. Recommendation to Council to support the revised planning proposal - on the basis that the planning proposal is supported by a draft DCP that contains the detail design solutions that will guide future development so as to achieve a development outcome on these sites that is consistent with that sought for Hurstville City Centre.
3. That the revised planning proposal is consistent with the context of the area and the development on adjoining sites and the provisions within the draft Hurstville City Centre Urban Design Strategy.
4. That the revised planning proposal provides clarification on the future development of the site in relation to the application of the bonus FSR and building heights

LPP025-18 Planning Proposal - Low Rise Medium Density Housing Code (Report by Manager Strategic Planning)

Speakers

Not applicable

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

1. That the Georges River LPP recommends to Council that the Planning Proposal – Low Rise Medium Density Housing Code, be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
2. That a report to Council be prepared by Council staff to advise of the LPP recommendations.

Statement of Reasons

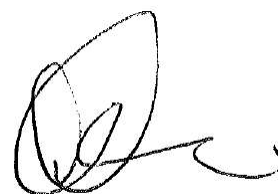
1. That the planning proposal will provide Council with the opportunity to undertake the strategic planning work to deliver multi-unit housing in appropriate locations and to deliver sound planning outcomes.

4. CONFIRMATION OF MINUTES

The meeting concluded at 7.45pm



Paul Vergotis
Chairperson



Michael Leavey
Expert Panel Member



John Brockhoff
Expert Panel Member



Cameron Jones
Community Representative