

Planning Services

Gateway determination report

LGA	Georges River
PPA	Georges River Council
NAME	Alter floor space ratio and height of building controls at 9 Gloucester Road, Hurstville (approximately 400 homes, 288 jobs)
NUMBER	PP_2018_GRIVE_005_00
LEP TO BE AMENDED	Hurstville Local Environmental Plan 2012
ADDRESS	9 Gloucester Road, Hurstville
DESCRIPTION	Lot 30 DP785238
RECEIVED	24 October 2018
FILE NO.	IRF18/5870
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

INTRODUCTION

Description of planning proposal

The planning proposal for the site at 9 Gloucester Road, Hurstville seeks to amend the Hurstville Local Environmental Plan (LEP) 2012 by:

- increasing the floor space ratio (FSR) from 3:1 to 4:1;
- applying a minimum non-residential FSR of 0.5:1 across the site; and
- increasing the maximum building height applying to the site from 23m to a range of heights: 23m; 30m; 40m; 50m; and 60m.

The intention of the proposal is to enable a mixed-use development comprising residential and commercial development.

Site description

The subject site is known as 9 Gloucester Road, Hurstville and is legally referred to as Lot 30 DP785238.

The site is triangular and has dual road frontages at the intersection of Gloucester and Forest Roads (Figure 1, next page). It has a total site area of 9249m² and includes a small electrical substation.

The site comprises three commercial buildings ranging in height from two storeys to four storeys with an approximate FSR of 1:1 and has the character of a small business park (Figures 2-3, pages 2 and 3).





Figure 3: Forest Road frontage.

Existing planning controls

The following planning controls apply to the site under the Hurstville LEP 2012:

- zoned B4 Mixed Use (Figure 4);
- maximum permitted building height of 23m (Figure 5, next page);
- FSR of 3:1 (Figure 6, next page);
- Forest Road is identified on the active street frontages map (Figure 7, page 5); and
- there are no heritage items on the site and no other special controls that apply under the Hurstville LEP 2012.

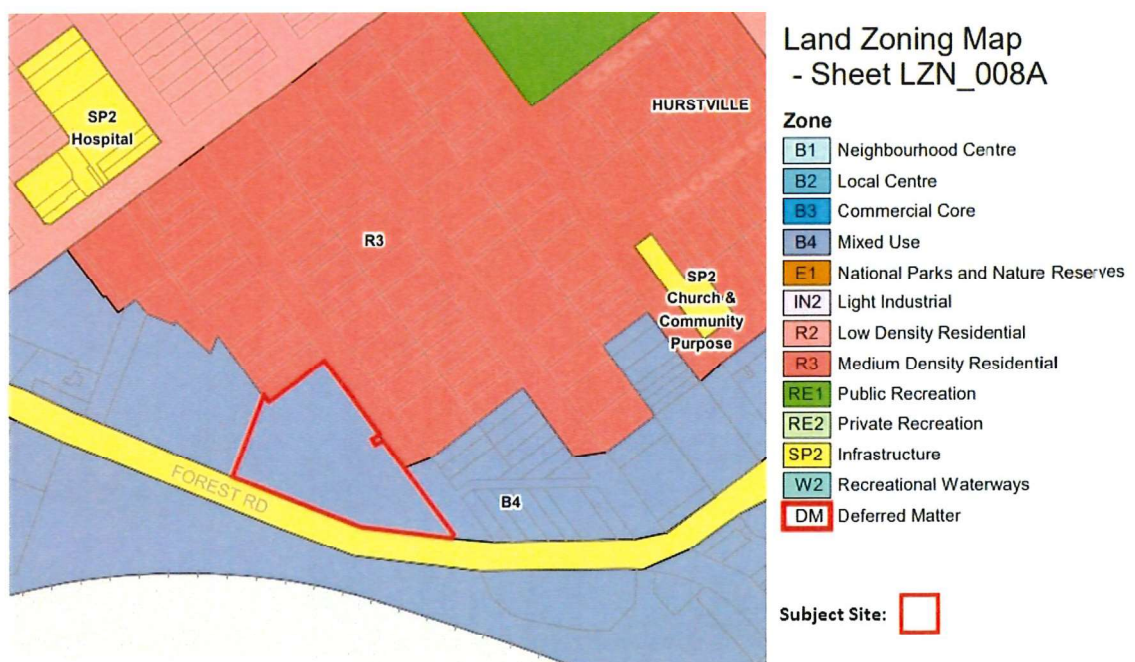


Figure 4: Existing zoning map.



Figure 5: Existing height of building.



Figure 6: Existing FSR.

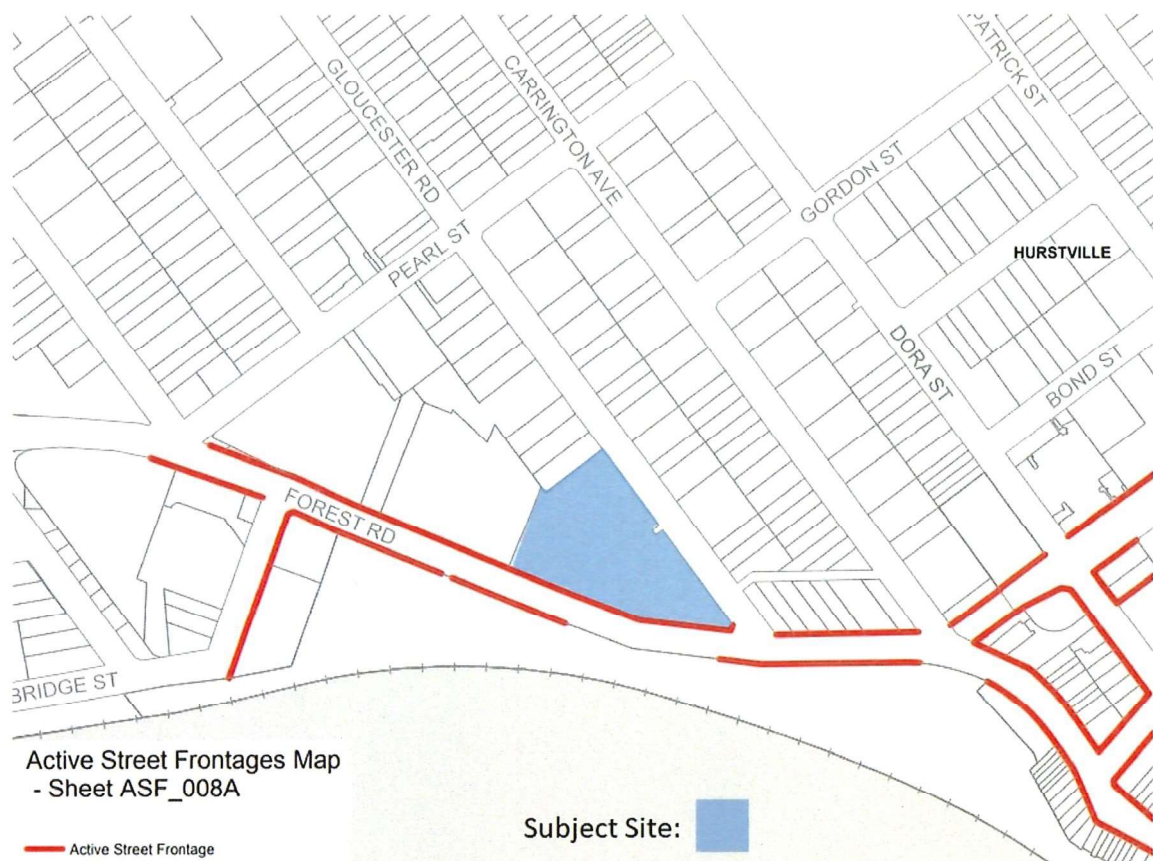


Figure 7: Existing active street frontages map.

Context and surrounding area

The site is in the western portion of the Hurstville city centre (Figure 8) and is near a variety of services, facilities and public transport including:

- approximately 600m walking distance from Hurstville train station;
- approximately 1km from Penshurst train station;
- Hurstville Oval;
- Penshurst Park;
- Hurstville Aquatic Leisure Centre; and
- healthcare facilities at Hurstville Private Hospital and Waratah Private Hospital (Figure 9, next page).

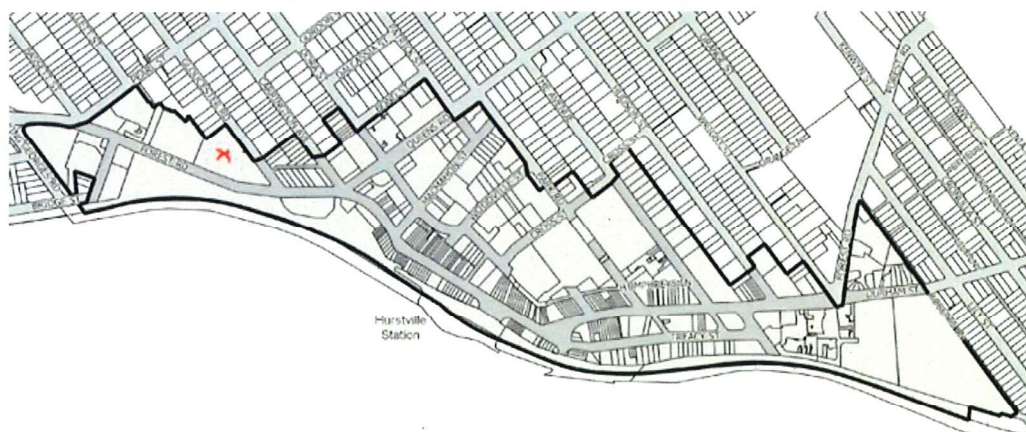


Figure 8: Location in Hurstville city centre.

Subject site: ✕



Figure 9: View of 9 Gloucester Road, Hurstville (outlined in blue).

The surrounding context is summarised in Table 1 below.

Table 1: Surrounding context

Aspect	Surrounding context
North	<ul style="list-style-type: none"> Gloucester Road – R3 Medium Density Residential Characterised by three-storey residential flat buildings
East	<ul style="list-style-type: none"> Gloucester and Forest Roads intersection Council-owned car park Service station Various two-storey commercial premises Gloucester Road frontage: characterised by 3-5-storey walk-up flat buildings (Figure 11, next page)
South	<ul style="list-style-type: none"> Railway and vacant land Two-storey commercial/retail developments
West	<ul style="list-style-type: none"> Forest Road frontage: characterised by high-density residential developments (Figures 10 and 12, pages 7 and 8)

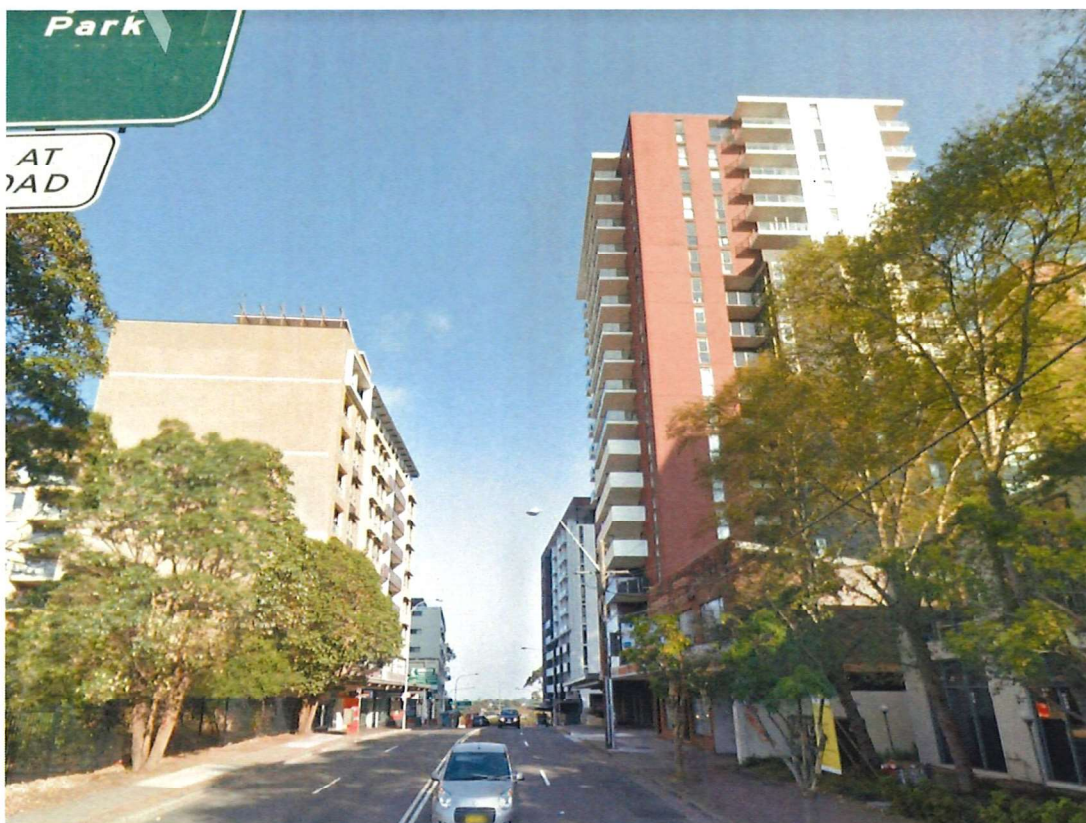


Figure 10: Forest Road looking west.

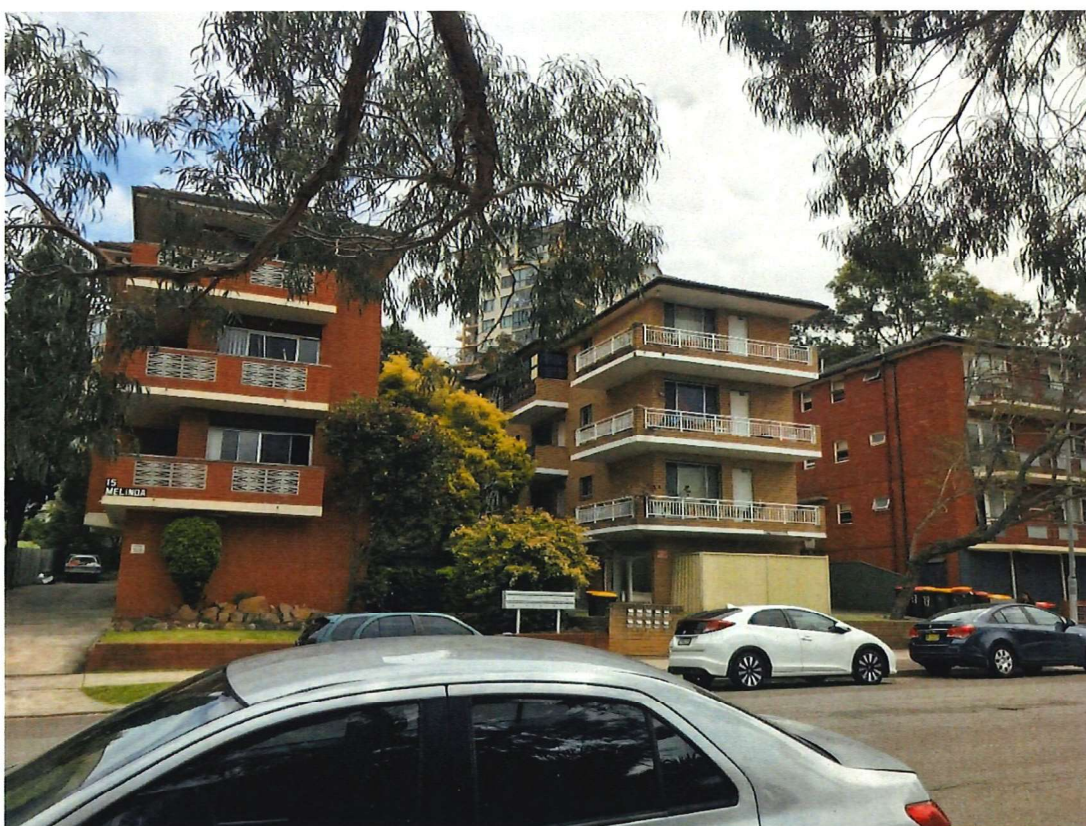


Figure 11: Gloucester Road looking south-west.



Figure 12: Adjacent development – Forest Road looking north.

Summary of recommendation

The planning proposal is recommended to proceed subject to conditions as:

- it is consistent with the Greater Sydney Commission's Greater Sydney Region Plan and the South District Plan;
- it will provide a contribution to the Georges River local government area's five-year housing target;
- the implementation of a minimum non-residential FSR protects the ongoing use of the site for commercial purposes;
- the site demonstrates site-specific merit with an opportunity to implement transit-oriented design principles in proximity to public transport infrastructure and a retail centre;
- it facilitates the revitalisation of underused land in an identified strategic centre;
- it is anticipated to provide additional jobs and improve the attractiveness of the site and the Hurstville strategic centre; and
- it is considered to give effect to South District Plan and is consistent with Section 3.8 of the *Environmental Planning and Assessment Act 1979*.

The planning proposal is recommended to proceed with conditions as:

- Section 9.1 Ministerial Directions 1.1 Business and Industrial Zones and 3.5 Development Near Regulated Airports and Defence Airfields are unresolved and will require further justification;

- it will need to be updated to provide a more comprehensive review of the site's history to ensure the land is not contaminated; and
- the economic impact assessment (EIA) that accompanies the planning proposal has not considered the increased minimum non-residential FSR control. The assessment should be updated to reflect the new minimum non-residential FSR control of 0.5:1.

PROPOSAL

Objectives or intended outcomes

The proposal seeks to enable additional development density on the site by amending the development standards contained in the Hurstville LEP 2012.

The proposal seeks to ensure redevelopment occurs in accordance with the site's B4 Mixed Use zoning by ensuring a suitable mix of residential and employment-generating land uses will be developed.

Explanation of provisions and mapping

The proposal seeks to make the following amendments to the Hurstville LEP 2012:

- amend the FSR from 3:1 to 4:1;
- include a minimum non-residential FSR of 0.5:1 via an amendment to clause 4.4A of the LEP to include the subject site (Figure 13, next page); and
- increase the maximum building height applying to the site from 23m to a range of heights: 23m; 30m; 40m; 50m; and 60m (Figure 14, page 11).

There are no changes proposed to the B4 Mixed Use zone or active street frontages map applicable to the site.

The proposal will include amendments to the FSR map (Sheet FSR_008A) and the height of buildings map (Sheet HOB_008A) of the Hurstville LEP 2012.

The maps are considered adequate for public exhibition and will not be required to be updated.

The concept scheme supporting the proposal shows a precinct-based scheme with potential through connections across the site and an internal quadrangle (Figures 15-16, page 12).

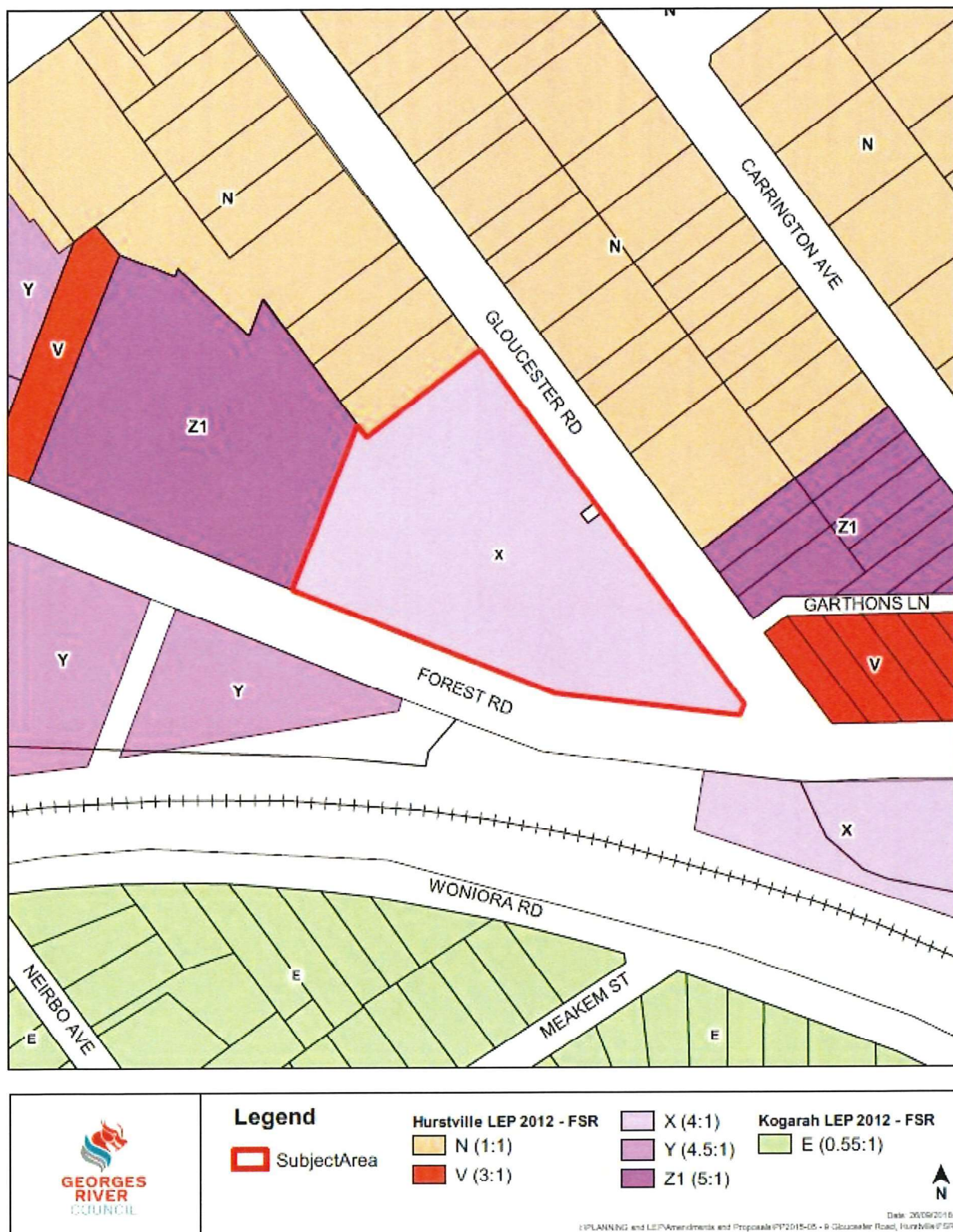


Figure 13: Proposed FSR mapping.

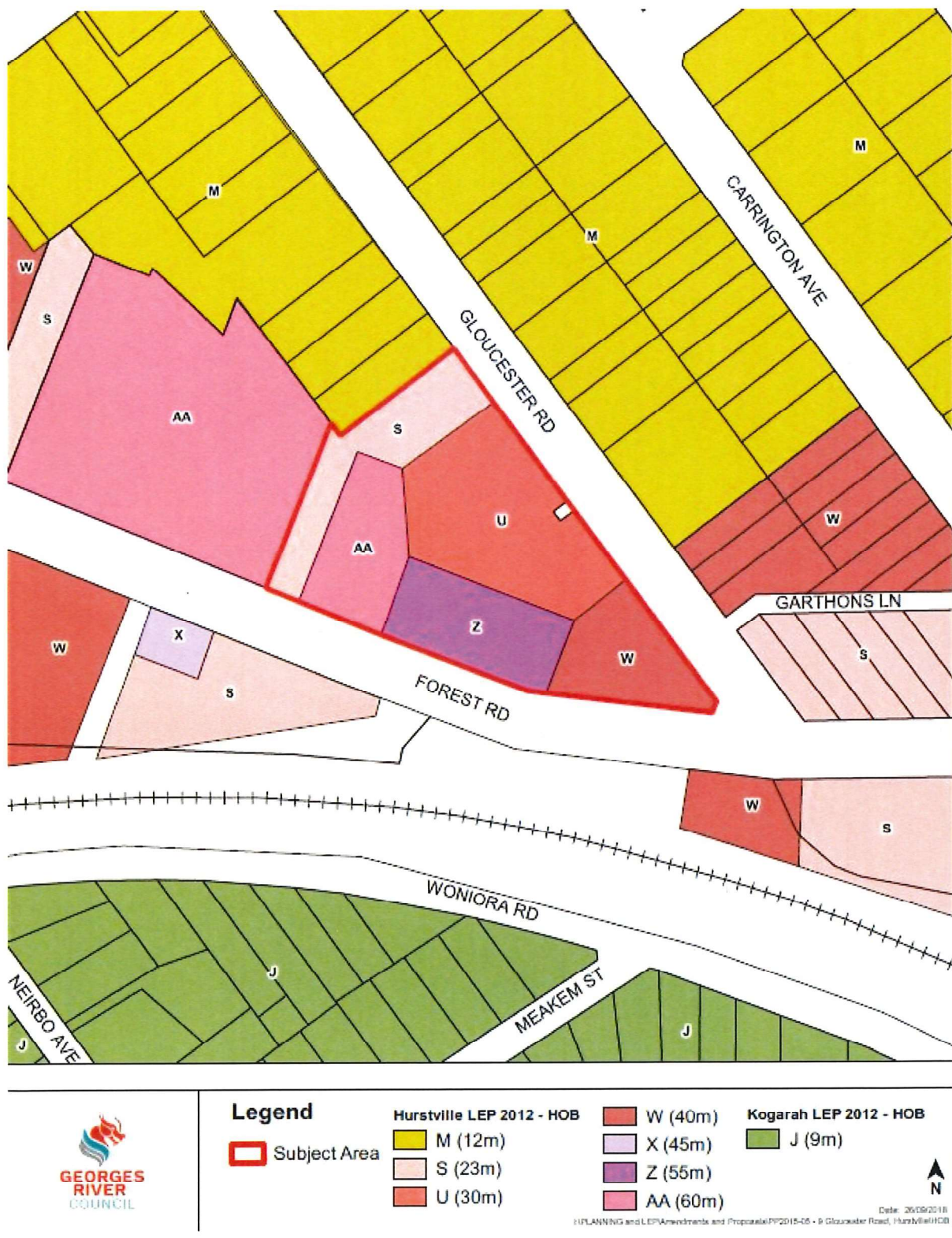


Figure 14: Proposed building height mapping.



Figure 15: Photomontage of concept scheme as viewed from the intersection of Forest Road and Gloucester Road (source: Turner Architects).

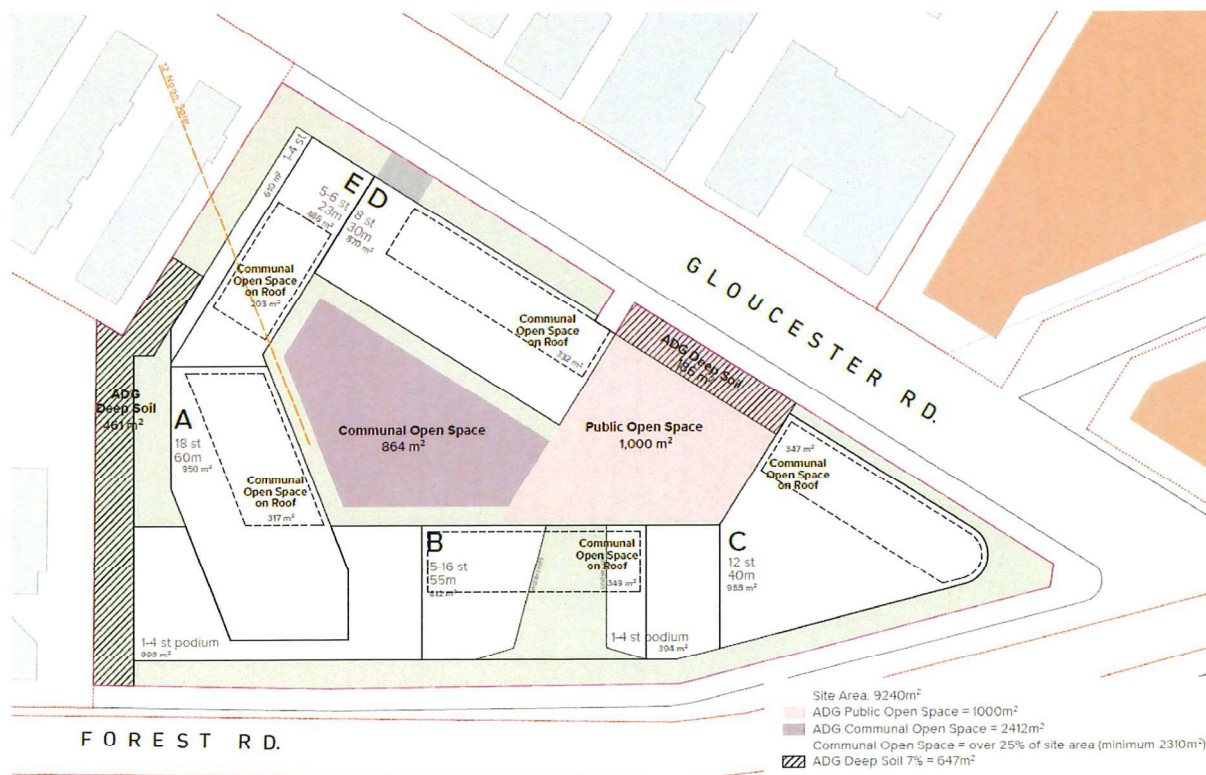


Figure 16: Ground plane layout of concept scheme for the site (source: Turner Architects).

NEED FOR THE PLANNING PROPOSAL

The site exhibits strategic merit as it is in the Hurstville city centre with access to public transport infrastructure and a range of facilities and services. The site is occupied by commercial buildings. However, the economic impact assessment prepared by HillPDA and submitted with the planning proposal identifies that the building has a vacancy rate of 77%, Hurstville's office floor space market has been performing poorly with a vacancy rate of 23% across the centre and it is expected that this trend will continue for some time.

The existing development on the site is considered to be underused and the proposed amendments to development standards are required to encourage more feasible development on the site. The proposal also seeks to retain the existing zoning and ensure the intended B4 Mixed Use zoning of the site can be achieved.

The proposal seeks to broadly implement the recommendations of the Hurstville City Centre Urban Design Strategy and is considered generally consistent with the building envelope recommended for the site.

The proposal is considered the best means of achieving the intended outcomes as the proposed amendments will facilitate development that provides a balanced land-use outcome in an identified strategic centre, with both employment floor space and housing. This is due to the implementation of the minimum non-residential FSR control, which ensures the protection and retention of employment uses at the site.

STRATEGIC ASSESSMENT

Regional

Greater Sydney Region Plan

In March 2018, the Greater Sydney Commission released the Greater Sydney Region Plan, which provides a strategic framework to coordinate and manage Sydney's growth. The plan contains objectives for the Greater Sydney region over the next 40 years and informs the actions and directions of the commission's district plans.

The proposal is considered to be consistent with the plan, particularly the following objectives:

Objective 10: Greater housing supply and Objective 11: Housing is more diverse and affordable

The planning proposal is considered consistent with these objectives as:

- it seeks to enable additional residential development in good proximity to facilities, services and transport in the city centre and within the site;
- it will be subject to apartment mix controls in the Hurstville Development Control Plan No. 2 and State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development, which will ensure good levels of amenity; and
- the development, which seeks to provide additional housing with an appropriate dwelling mix, is anticipated to assist in alleviating housing affordability pressures in the locality.

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

The proposal is consistent with this objective as it seeks to facilitate housing supply that is well integrated with public transport infrastructure. The proposed mixed-use

development is near Penshurst and Hurstville train stations and implements the ideals of transit-oriented design. The development also assists in achieving the aim of a 30-minute city.

Objective 22: Investment and business activity in centres

Hurstville is recognised as a strategic centre under the region plan. The plan identifies the requirement for additional commercial floor space throughout Greater Sydney over the next 20 years and seeks to expand strategic centres.

The proposed minimum non-residential FSR control ensures the retention of 4616m² of commercial floor space as part of a future redevelopment of the site. However, the proposed development is anticipated to see a reduction in commercial floor space of 5224m².

There is no minimum non-residential FSR requirement for the site in the Hurstville LEP 2012, and residential flat buildings are permissible with consent in the B4 Mixed Use zone. The only current protective measure for commercial uses pertaining to the site is the active street frontages provision in the LEP that applies to Forest Road.

The economic impact assessment provided with the planning proposal also highlights that the existing commercial development has a vacancy rate of 77%, employing only 82 workers, and yet has a capacity to accommodate 356 workers. This contrasts with the Hurstville city centre's average vacancy rate of 23%. The assessment also identifies the potential to reduce the vacancy rate and provide capacity for 288 jobs from the minimum proposed commercial floor space within the redevelopment of the site in accordance with the proposal.

The proposal is considered consistent with this objective of the plan as it seeks to improve the attractiveness of the site and the Hurstville strategic centre by investing in improved use of space and amenity. The proposal is also considered consistent with this objective as it promotes employment growth in the strategic centre, which is the principal underlying economic goal for strategic centres within the region plan.

The objective is also satisfied as the proposal addresses the need for the co-location of land uses. The scheme provides a balance of land uses that incorporates a residential component that will provide residents with access to services and support the growth of the centre. The proposed residential use is expected to contribute to the viability of the development's commercial component and incite new demand for the city's retail core.

District

South District Plan

The proposal is considered to be consistent with the district plan, particularly the following priorities:

Planning Priority S5: Providing housing supply, choice and affordability, with access to jobs, services and public transport

The district plan has nominated a 4800-dwelling housing target for the Georges River local government area over five years from 2016. The proposal is considered consistent with the priority as it seeks to facilitate the development of approximately 400 new dwellings, contributing 8.3% towards Georges River Council's five-year target.

Planning Priority S9: Growing investment, business opportunities and jobs in strategic centres – Action 35: Strengthen Hurstville

The proposal is consistent with this priority and action as it seeks to facilitate a development that provides new business and employment opportunities in the Hurstville city centre.

The proposal is considered to be consistent with the retain-and-manage approach to commercial lands in the Hurstville strategic centre. The proposed amendments do not reduce the site's potential to provide commercial floor space as no change is sought to the B4 Mixed Use zone. The B4 zone permits commercial premises and solely residential uses. As discussed earlier in this report, the proposed minimum non-residential FSR control of 0.5:1 will protect and ensure the retention of commercial uses at the site. No such minimum currently exists in the Hurstville LEP 2012.

The development concept is considered consistent with this objective and action as it seeks to provide opportunities for a mix of commercial and retail activities at the site. The provision of large open floorplates seeks to allow new commercial and retail uses.

The proposal is also consistent as the development of fine-grain retail shopfronts seeks to support the role of Forest Road as a movement corridor and 'eat street', activate the secondary street of Gloucester Road and encourage the development of Hurstville's night-time economy.

Planning Priority S12: Delivering integrated land use and transport planning and a 30-minute city

The proposal is consistent with this priority as it seeks to promote housing supply in a location with access to jobs and services in the Hurstville city centre. The site is also near Hurstville and Penshurst train stations. Access to the Sydney CBD can be achieved by public transport from the site in 30 minutes.

Local

There are no local strategies endorsed by the Department. However, the following Council strategies are relevant to the site and the proposal.

Hurstville City Centre Urban Design Strategy (2018)

The Hurstville City Centre Urban Design Strategy was undertaken by SJB Architects on behalf of Council. The purpose of the strategy was to review the development controls in the Hurstville city centre.

The strategy was exhibited from 27 September to 10 November 2017 and endorsed by Council in June 2018 as a strategic planning document that informs the review and update of development standards in the Hurstville city centre.

The strategy identifies the location of the site within the City West Transition Area and considers the subject planning proposal (page 106 of the strategy). The strategy recommends updating the height controls to provide transitional height limits of 60m at the western end of the site that step down to 40m at the eastern end.

The planning proposal is inconsistent with the strategy as it proposes additional transitional heights of 23m, 30m, 40m, 50m and 60m. The strategy also recommends no change to the site's FSR controls. However, the proposal seeks an FSR increase from 3:1 to 4:1. These inconsistencies are summarised in Table 2 (next page).

Council has provided additional information regarding these inconsistencies, highlighting the thorough assessment undertaken by its urban design review panel and local planning panel.

The panels considered the subject site and its immediate context in greater depth and recommended additional transitional heights, which are considered to provide a more refined response that considers the site's surrounding context. They also endorsed an increase in FSR, which was identified to be necessary to support the feasibility of the redevelopment due to the new building height configuration.

The variations are considered to be justified and the proposal is consistent with the urban design strategy as the amended plans propose a development that is contained within the building envelope suggested by the strategy.

Table 2: Comparison of existing, strategy and proposed controls

	Existing controls	Hurstville City Centre Urban Design Strategy	Planning proposal
Maximum building height	23m	40m and 60m	23m, 30m, 40m, 50m, 60m.
Floor space ratio	3:1	No recommended changes	4:1

Georges River Community Strategic Plan 2018–2028

The Georges River Community Strategic Plan was endorsed by Council in June 2018. The plan seeks to engage the community with the planning process and was formed around six themes that were identified as being important to the community.

The following two goals from the strategy have been identified as being relevant to the proposal:

Goal 2.1: Sustainable development delivers better amenity and liveability for the community and the environment

The proposal was assessed prior to being submitted for Gateway determination to evaluate its amenity and liveability outcomes. This process involved Council's design review panel and local planning panel offering expert advice regarding design quality.

This advice has ensured the proposed increases in density and height for the site are sympathetic to surrounding developments, particularly lower-density developments on Gloucester Road, and the proposal would be able to deliver development with good levels of amenity and liveability. The advice also indicated that the implementation of a range of transitional heights, with higher densities and heights being concentrated on the Forest Road frontage, would be in keeping with current higher-density living characteristics for this area (Figure 17, next page).

The advice also encouraged the provision of public open space and permeable pedestrian links as part of the development, creating associated public benefits with the proposal.

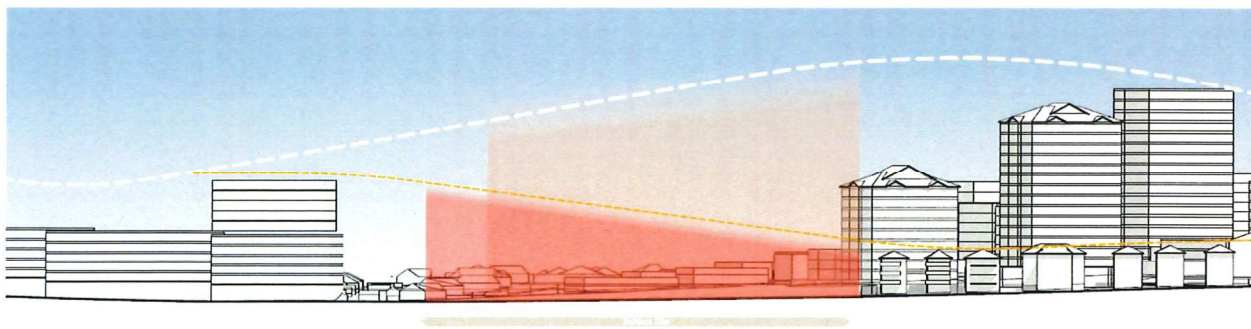


Figure 17: Gloucester Road elevation showing transition with surrounding context.

Goal 4.3: The ambitions for Hurstville and Kogarah as strategic centres are realised

As previously mentioned, the existing development has a vacancy rate of 77% and offers a redundant use of the strategically significant site in the Hurstville city centre.

The proposal seeks to facilitate a mixed-use development that will provide new businesses and services that are expected to provide new employment opportunities. The proposal is expected to strengthen the strategic centre by providing an estimated 288 jobs and 400 dwellings.

Section 9.1 Ministerial Directions

The proposal is considered to be consistent with all relevant Section 9.1 Ministerial Directions, except Direction 3.5 Development Near Regulated Airports and Defence Airfields. The following Directions are considered relevant to the proposal:

1.1 Business and Industrial Zones

Although the planning proposal seeks to facilitate the demolition and redevelopment of the commercial premises on the site and is expected to see a net reduction in the provision of commercial floor space, the proposal is consistent with this Direction because it seeks to implement a minimum non-residential FSR of 0.5:1 for the site, ensuring the provision of commercial uses in perpetuity.

Under the Hurstville LEP 2012's existing controls, there are no requirements that ensure the provision of commercial premises on the site except the active street frontages map, which applies to the Forest Road frontage. In accordance with the current controls for the site, a development application could be lodged for residential flat development that would only deliver minimal commercial space fronting Forest Road. This is because full residential flat development is permitted in the current B4 zone in the Hurstville LEP 2012, which requires that commercial development be incorporated into the development's frontage to Forest Road to activate the streetscape (Clause 6.6 Active street frontages).

The planning proposal and economic impact assessment outline that there is expected to be a reduction in the net commercial floor space on the site. However, the planning proposal introduces a minimum requirement for non-residential floor space, which will ensure a minimum amount of commercial development. Additionally, the planning proposal does not alter the site's zone as it does not prevent the development of a range of permitted employment land uses, which ensures there continues to be flexibility in ensuring employment-generating development opportunities on the site.

3.1 Residential Zones

The proposal is considered to be consistent with this Direction as it:

- seeks to facilitate the development of 400 dwellings, providing additional housing and choice of housing in the area;
- makes efficient use of public transport infrastructure and services due to its strategic position in the Hurstville city centre; and
- is considered consistent with the objectives of this Direction as it provides significant housing in an urban centre, mitigating the environmental impacts of urban sprawl.

3.4 Integrating Land Use and Transport

The proposal is consistent with this Direction as it seeks to improve access to housing, jobs and services through walking, cycling and public transport. The proposal seeks to integrate the proposed mixed residential and employment uses near and with good access to transport infrastructure and connections at Hurstville and Penshurst train stations. The proposal is also considered to be consistent with this Direction as it seeks to strengthen the Hurstville city centre, providing additional employment opportunities and services, reducing travel demand and the need to leave the area.

3.5 Development Near Regulated Airports and Defence Airfields

Although the site is identified on the obstacle limitation surface (OLS) map for Sydney Airport, the planning proposal did not address this Direction.

The OLS map indicates that the site is subject to a maximum building height of RL130m (Figure 18, next page). Adding the site's surface levels of RL60.9m to RL65.4m to the proposed height will result in a maximum building height of approximately RL126m.

While any building on the site may not protrude above the OLS, consideration must be given to the potential for cranes and other structures to exceed the OLS during the construction phase. Under section 182(1)(c) of the *Airports Act 1996*, this exceedance of the OLS would be considered a controlled activity. This Direction requires the planning proposal authority to obtain permission to conduct a controlled activity from the Civil Aviation Safety Authority before community consultation.

In the planning proposal, Council indicates that it intends to consult the Sydney Airport Corporation in relation to the proposed maximum building heights. However, the Direction stipulates that in the preparation of a planning proposal that sets controls for development near a core regulated airport, the planning proposal authority must consult with the federal department responsible for airports and the lease/operator of the airport. As such, the conditions of the Gateway determination require consultation with the Civil Aviation Safety Authority and the Sydney Airport Corporation.

6.3 Site Specific Provisions

The proposal is consistent with this Direction as it does not seek to rezone land at the site or impose new types of development standards that do not already exist in the Hurstville LEP 2012. In particular, a minimum non-residential FSR requirement under clause 4.4A of the LEP already operates for several sites.

Local Planning Panels Direction – Planning Proposals

The planning proposal was considered by the Georges River Local Planning Panel at its meeting of 21 June 2018. The proposal was subsequently endorsed by the panel to be forwarded for a Gateway determination.

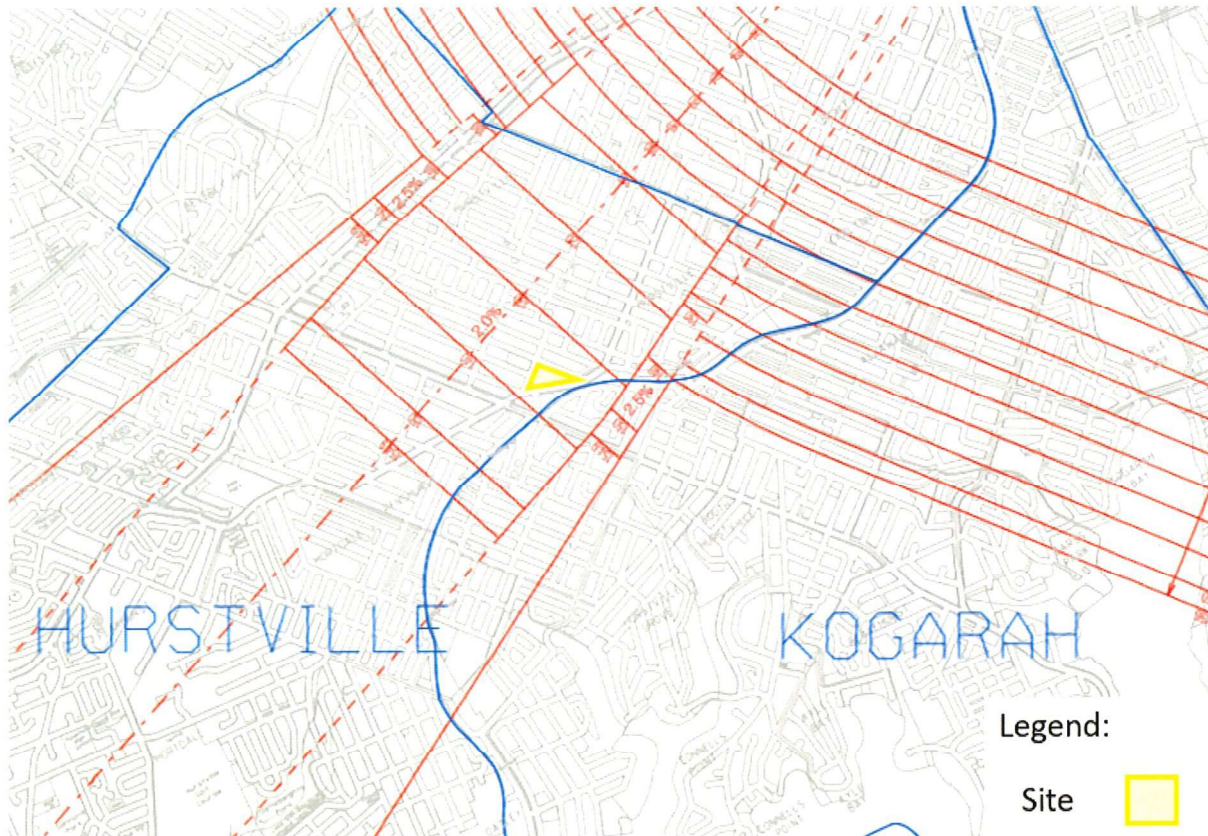


Figure 18: Sydney Airport OLS map.

State environmental planning policies (SEPPs)

The proposal is considered not to hinder the application of any relevant SEPPs.

SEPP No 65 – Design Quality of Residential Apartment Development

The proposed development will be subject to the provisions of SEPP No 65. The concept scheme provided with the proposal demonstrates the capability to adhere to key parameters under the SEPP such as solar access, natural ventilation and separation. Therefore, this matter has been adequately addressed in the planning proposal.

SEPP (Infrastructure) 2007

The traffic-generating development provisions found under clause 104 and schedule 3 of the Infrastructure SEPP will require referral to Roads and Maritime Services (RMS) at the development application stage.

As such, it is recommended that the conditions of the Gateway determination require preliminary consultation with RMS.

SEPP No 55 – Remediation of Land

As the proposed development seeks to incorporate residential uses on the site, this SEPP applies to the planning proposal.

The planning proposal states that Council has been advised by the applicant that the site's historical use was for commercial purposes. Given the proposal does not seek to amend the permitted land uses on the site, the matter of contamination (if relevant) can be addressed as part of any future development application.

SITE-SPECIFIC ASSESSMENT

Social

It is anticipated that the proposed development will have positive social impacts as it will provide 400 new homes near services, retail offerings and public transport in the Hurstville city centre.

The development concept scheme indicates an intention to provide public open space and a pedestrian link between Gloucester and Forest Roads. The provision of retail premises and open space that are expected to front Gloucester Road will provide activation of the secondary streetscape.

Council resolved to enter into a voluntary planning agreement (VPA) with the proponent at its meeting of 27 August 2018. The VPA includes a monetary contribution of \$4.287 million and will be used to deliver additional public benefits in accordance with Council's Planning Agreements Policy. The proponent agrees to also pay for contributions under Council's Section 7.11 Contributions Plan.

Environmental

No anticipated impacts on the natural environment are expected to derive from the proposal as it is in the Hurstville city centre, which is an established urban area.

The proposed development is also considered to be appropriate with its surrounding existing and anticipated land uses. The Forest Road frontage is suitable for high-density residential development. This is reflected by the concentration of height limits in the southern portion of the site. The proposed amendments seek lower height controls in the north and western portions of the site, mitigating the potential incompatibility with the medium-density character of Gloucester Road.

Economic

When the economic impact assessment for the proposal was undertaken, the proposed minimum non-residential FSR control that was to apply to the site was 0.3:1. However, this has since been updated following Council's resolution of 27 August 2018 to reflect a minimum non-residential FSR of 0.5:1.

The assessment should be updated prior to public exhibition to reflect the increased minimum non-residential FSR. This is recommended to provide clarity to the public and avoid the need for extensive calculations to understand the economic impacts of the redevelopment.

The assessment indicates there are an estimated 82 workers who use the office space on the site. It also acknowledges that the site is experiencing a vacancy rate of 77%. Based on these figures, it is assumed that the existing development could accommodate up to 356 workers at full capacity.

Under the revised scheme, the minimum non-residential FSR control of 0.5:1 is anticipated to provide a minimum commercial floor space of 4616m².

Table 3 and Table 4 below show the comparison between the existing development and the anticipated employment situation as a result of the planning proposal. The figures in Table 4 utilise the same calculation methods as the EIA with consideration of the increased minimum non-residential floor space control.

Table 3: Existing Employment Situation

	Total Employment Floor Space	Employment Floor Space Capacity	No. of Workers	Vacancy %
Existing Development	9840m ²	356	82	77%

Table 4: Anticipated Employment Situation

	Minimum Employment Floor Space	Employment Floor Space Capacity	Potential Increase in Workers	Reduction in Employment Capacity
Proposed Development	4616m ²	288	206	68

The redevelopment of the site in accordance with the proposal is considered appropriate as it:

- creates an opportunity to develop employment-generating development that is better suited to current work trends;
- could include delivery of services and facilities to support additional residents; and
- the minimum commercial floor space requirement would safeguard continued employment uses on the site, in contrast to the current controls that do not require a similar floor space minimum and could result in residential development with a minimal employment floor space frontage to Forest Road.

The redevelopment of the site is also expected to provide approximately 400 new residential dwellings, which would contribute to alleviating housing demands and affordability pressures in the area. Additionally, the location of the new residents in proximity to the Hurstville city centre and its retail sector will help drive demand and encourage new retail-based employment opportunities.

CONSULTATION

Community

Council proposes a minimum public exhibition period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and the requirements of the Gateway determination.

This is considered appropriate given the requirements under *A guide to preparing local environmental plans*.

Agencies

Council anticipates consultation will be required with relevant transport and road authorities, education and service suppliers and the Sydney Airport Corporation.

The recommended conditions of the Gateway determination indicate that agency consultation should be required with:

- Roads and Maritime Services;
- Transport for NSW;
- Sydney Airport Corporation;

- NSW Department of Education; and
- Civil Aviation Safety Authority.

TIME FRAME

Council has provided a project timeline anticipating a seven-month time frame for completion. A 12-month time frame for completion is recommended due to the requirement for additional agency consultation and anticipated public interest.

LOCAL PLAN-MAKING AUTHORITY

Council has requested authorisation to be the local plan-making authority under section 3.34 of the *Environmental Planning and Assessment Act 1979*. Council has advised that if delegation is authorised, the General Manager will exercise the delegated functions.

It is considered that Council should be authorised to be the local plan-making authority as the proposal is considered to be consistent with all strategic and statutory planning frameworks and is of local significance.

CONCLUSION

The proposal is recommended to proceed with conditions as it:

- provides an opportunity for transit-oriented development in an established strategic centre;
- seeks to facilitate the revitalisation of underused employment lands in the Hurstville strategic centre;
- is considered to be consistent with all relevant strategic planning frameworks and strategies; and
- provides a significant contribution to the Georges River housing target of 4800 dwellings, providing approximately 400 new apartments.

RECOMMENDATION

It is recommended that the delegate of the Secretary:

1. note that the consistency with the following section 9.1 Directions remains unresolved and will require justification:
 - 1.1 Business and Industrial Zones; and
 - 3.5 Development Near Regulated Airports and Defence Airfields.

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. Consultation is required with the following public authorities:
 - Roads and Maritime Services;
 - Transport for NSW;
 - Sydney Airport Corporation;
 - NSW Department of Education; and

- Civil Aviation Safety Authority.
3. The time frame for completing the LEP is to be **12 months** from the date of the Gateway determination.
 4. Given the nature of the planning proposal, Council should be authorised as the local plan-making authority.
 5. Prior to public exhibition, the economic impact assessment should be updated to reflect the new minimum non-residential FSR of 0.5:1.
 6. Prior to public exhibition, the proposal is to be updated to demonstrate that it is consistent with Section 9.1 Directions 1.1 Business and Industrial Zones and 3.5 Development Near Regulated Airports and Defence Airfields.
 7. Consultation requirements under Section 9.1 Direction 3.5 Development Near Regulated Airports and Defence Airfields must be completed before public exhibition.



08/02/2019

Laura Locke
Team Leader, Sydney Region East

Amanda Harvey
Director Regions,
Sydney Region East
Planning Services

Contact Officer: Bailey Williams
Para-Planner, Sydney Region East
Phone: 8275 1306