

Item: ENV013-20 Planning Proposal and Development Control Plan - 9 Gloucester Road, Hurstville

Author: Strategic Planner

Directorate: Environment and Planning

Matter Type: Committee Reports

RECOMMENDATION:

- (a) That Council note the submissions received during the public exhibition of the Planning Proposal PP2015/0005.
- (b) That Council adopt the proposed amendments to *Hurstville Local Environmental Plan 2012* as exhibited in relation 9 Gloucester Road, Hurstville to:
 - Increase the maximum building height applying to the site from 23m, to a range of heights of 23m, 30m, 40m, 55m and 60m; and
 - Increase the Floor Space Ratio (FSR) from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1).
- (c) That Council forward the Planning Proposal for gazettal to the Department of Planning, Industry and Environment in accordance with Section 3.36 of the *Environmental Planning and Assessment Act, 1979*.
- (d) That Council resolve in accordance with Clause 21(1)(b) of the *Environmental Planning and Assessment Regulation 2000*, to adopt Amendment No. 11 to DCP No. 2 – Hurstville City Centre.
- (e) That Council give public notice of the decision to adopt Amendment No. 11 to DCP No. 2 – Hurstville City Centre in the local newspaper in accordance with Clause 21(2) and (4) of the *Environmental Planning and Assessment Regulation 2000*, and that it become effective upon gazettal of the Planning Proposal.
- (f) That the Department of Planning, Industry and Environment be advised of Council's decision to adopt Amendment No. 11 to DCP No. 2 – Hurstville City Centre in accordance with the *Environmental Planning and Assessment Act 1979*.
- (g) That Council endorse the General Manager to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in the finalisation of the draft plans.
- (h) That all persons who made a submission to the Planning Proposal and Amendment No. 11 to DCP No. 2 – Hurstville City Centre be advised of Council's decision.

EXECUTIVE SUMMARY

1. The purpose of this report is to advise of the outcome of the public exhibition of a Planning Proposal (PP2015/0005) for land at 9 Gloucester Road, Hurstville. (**Attachment 1** contains a copy of the Planning Proposal that was placed on public exhibition).
2. At its meeting on 27 August 2018, Council resolved to endorse an amended Planning Proposal to be forwarded to the Department of Planning and Environment for a Gateway Determination, seeking to amend the *Hurstville Local Environmental Plan 2012* (HLEP 2012) to increase the FSR from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1) and increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m. The Gateway was received on 26 February 2019.
3. Council's resolution contained a numerical error relating to the proposed height, referencing a height of 50m in the proposed height range instead of 55m. This error was carried over from the Applicant's Planning Proposal which was referred to the Department of Planning and Environment, and a Gateway Determination was received on 26 February 2019.
4. At its meeting on 24 June 2019, Council resolved to endorse an amended Planning Proposal and supporting documentation, including the correct height range and extension of timing to complete the amendment to the LEP is to be forwarded to the Department of Planning and Environment for their endorsement and approval to publicly exhibit.
5. The Council on 24 June 2019 also resolved to endorse proposed amendments to Amendment No. 11 to DCP No. 2 – Hurstville City Centre for 9 Gloucester Road, Hurstville for public exhibition.
6. The amended documentation was forwarded to DPIE on 12 July 2019, and DPIE endorsed public exhibition on 8 November 2019.
7. The Planning Proposal, draft DCP and supporting documentation were publicly exhibited for a period of 31 days, from 22 January 2020 – 21 February 2020 inclusive. A total of 3 public authority submissions and 1 community submission was received. The main issues raised in the community submission were overdevelopment and lack of social infrastructure to accommodate an increase in local population.
8. Two of the 3 public authority submissions (CASA and SACL) acknowledged the Planning Proposal and raised no objections. Transport for NSW (TfNSW) initially raised concerns with the submitted Traffic Report and SIDRA modelling, which the proponent addressed in an addendum report dated 13 March 2020.
9. There are no recommended changes to the Planning Proposal or DCP as a result of the submissions received by the community and by the public authorities.
10. The draft VPA for 9 Gloucester Road, Hurstville was publicly exhibited concurrently with the Planning Proposal. Following exhibition, the General Manager has delegation to execute the VPA and make minor changes subject to any changes not diminishing the value or nature of the public benefits to be delivered. This process is underway.
11. It is therefore recommended that the Planning Proposal proceed to gazettal.

Background of the Planning Proposal

12. On 9 October 2015, the former Hurstville City Council received a Planning Proposal (PP2015/0005) for 9 Gloucester Road, Hurstville to amend the maximum permissible height and floor space ratio (FSR) of the subject site.
13. Following a number of amendments between October 2015 and August 2018, the Planning Proposal sought to increase the permissible height from 23m to a range of heights of 23m, 30m, 40m, 55m and 60m, and increase the FSR from 3:1 to 4:1 (including a minimum non-residential FSR of 0.3:1) – facilitating a residential yield of 420 units, 2,770sqm of commercial/retail floor space, as well as community facilities (subject to a VPA offer).
14. At its meeting on 27 August 2018, Council resolved to endorse the Planning Proposal to be forwarded to DPIE for a Gateway Determination, seeking to amend the *Hurstville Local Environmental Plan 2012* (HLEP 2012) to increase the FSR from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1) and increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m.
15. The Planning Proposal was forwarded accordingly to DPIE for a Gateway Determination on 5 October 2018, and a Gateway Determination was received on 26 February 2019 (refer to **Attachment 2**).
16. Council's resolution contained a numerical error relating to the proposed height, referencing a height of 50m in the proposed height range instead of 55m. This error was carried over from the Applicant's Planning Proposal which ultimately formed part of the referral to DPIE.
17. In March 2019, the Applicant submitted an amended Planning Proposal to reflect the originally intended height range that included 55m.
18. The proposed heights, inclusive of 55m, are consistent with Council's endorsed *Hurstville City Centre Urban Design Strategy 2018*, which acknowledges that the site is subject to a Planning Proposal and recommends that the *HLEP 2012* be amended to increase the maximum permissible height of the subject site from 23m, to a range of heights up to 60m at the western end of the site, stepping down to 40m at the eastern end.
19. DPIE advised Council to forward the amended Planning Proposal for their consideration and approval prior to being placed on public exhibition. The amended documentation was forwarded to DPIE on 12 July 2019, and DPIE endorsed public exhibition on 8 November 2019.
20. Council subsequently sought an Alteration to the Gateway Determination seeking an extension to the time frame by 6 months, which was granted on 28 November 2019. Council is now required to finalise the proposed LEP amendment by 26 August 2020 (refer to **Attachment 3**).
21. At its meeting dated 27 August 2018, Council also endorsed the preparation of an amendment to the Hurstville Development Control Plan (DCP) No.2 – Hurstville City Centre.
22. In accordance with the above, Amendment No. 11 to DCP No.2 – Hurstville City Centre was prepared for the subject site (refer to **Attachment 4**). This amendment comprises a

new Section (8.3) in existing *Section 8 – Controls for Specific Sites and Localities* which includes specific controls for the subject site in accordance with the Planning Proposal.

23. The draft DCP will be further discussed throughout this report.

The Subject Site and Locality

24. 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 in the ownership of GTB Hurstville Pty Ltd.



Figure 1 – Subject site at 9 Gloucester Road, Hurstville

25. It comprises one (1) lot, being 9 Gloucester Road, Hurstville. The site is located within 550m from Hurstville Railway Station and Transport Interchange.
26. The site has an area of 9,240sqm and is bound by Gloucester Road (148.7m), Forest Road (158.3m) and the western boundary (adjacent to 438-452 Forest Road and 15 Gloucester Road (108.5m).

Current Planning Controls

27. The *Hurstville Local Environmental Plan 2012 (HLEP 2012)* applies to the subject site. The below provisions are relevant to the Planning Proposal.
28. The site is currently zoned B4 Mixed Use under *HLEP 2012* (Refer to **Figure 2** below)

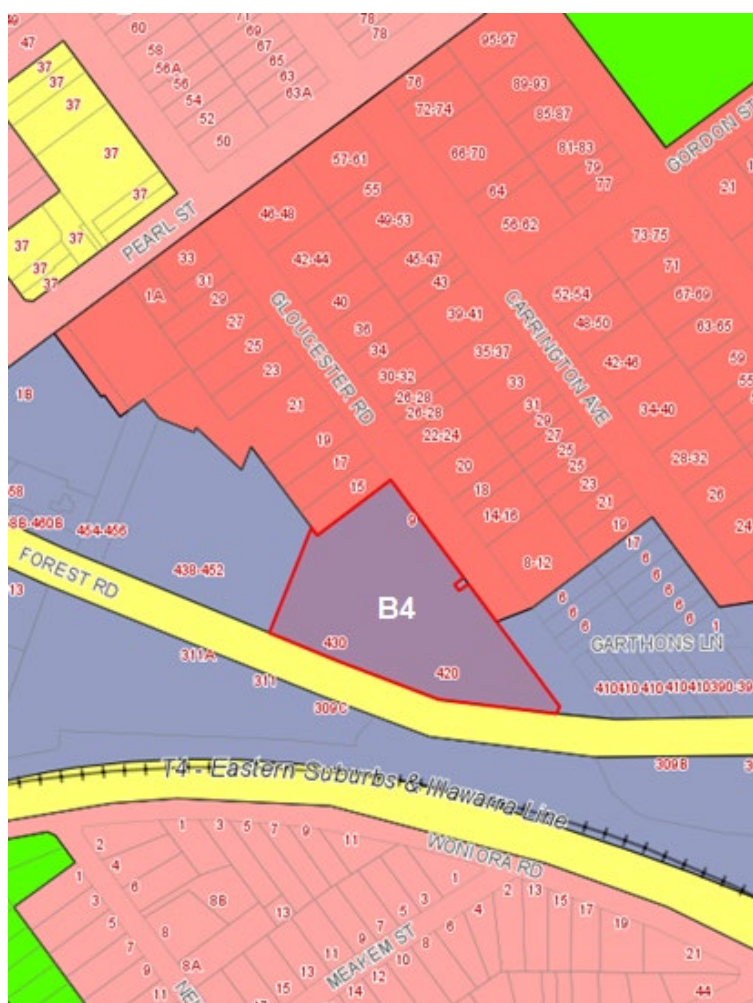


Figure 2 – HLEP 2012 Land Use Zoning Map

29. The site currently has a maximum building height of 23m under the *HLEP 2012*, refer to **Figure 3** following. Clause 4.3 Height of buildings is applicable to the site.

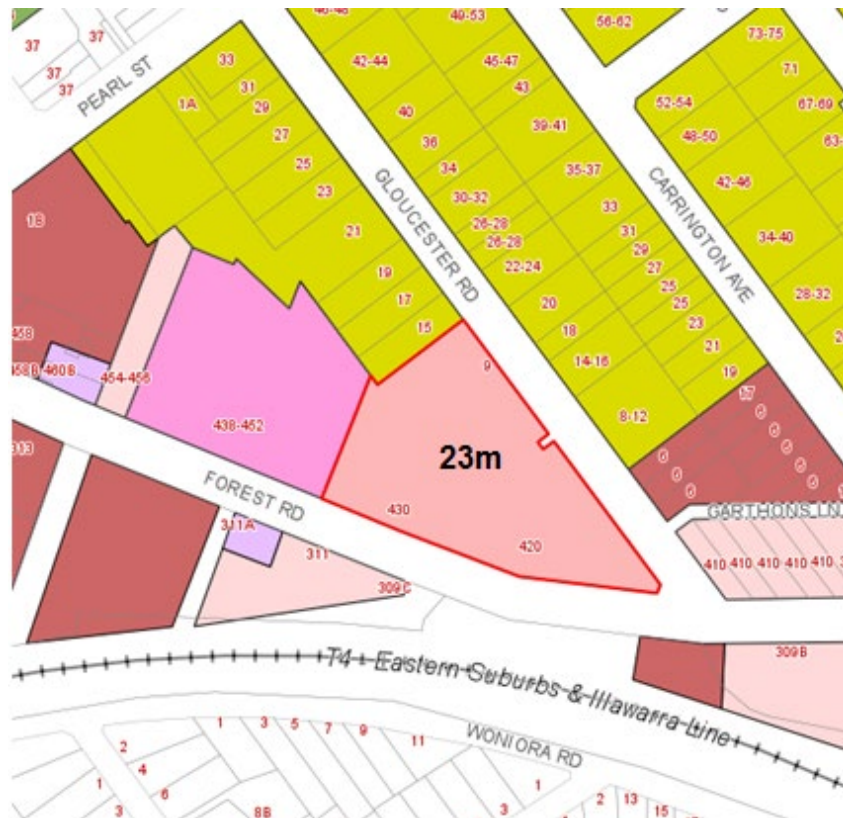


Figure 3 – HLEP 2012 Height of Buildings Map

30. The site currently has a maximum floor space ratio of 3:1 under *HLEP 2012*, refer to **Figure 4** below. Clause 4.4 Floor space ratio is applicable to the site.

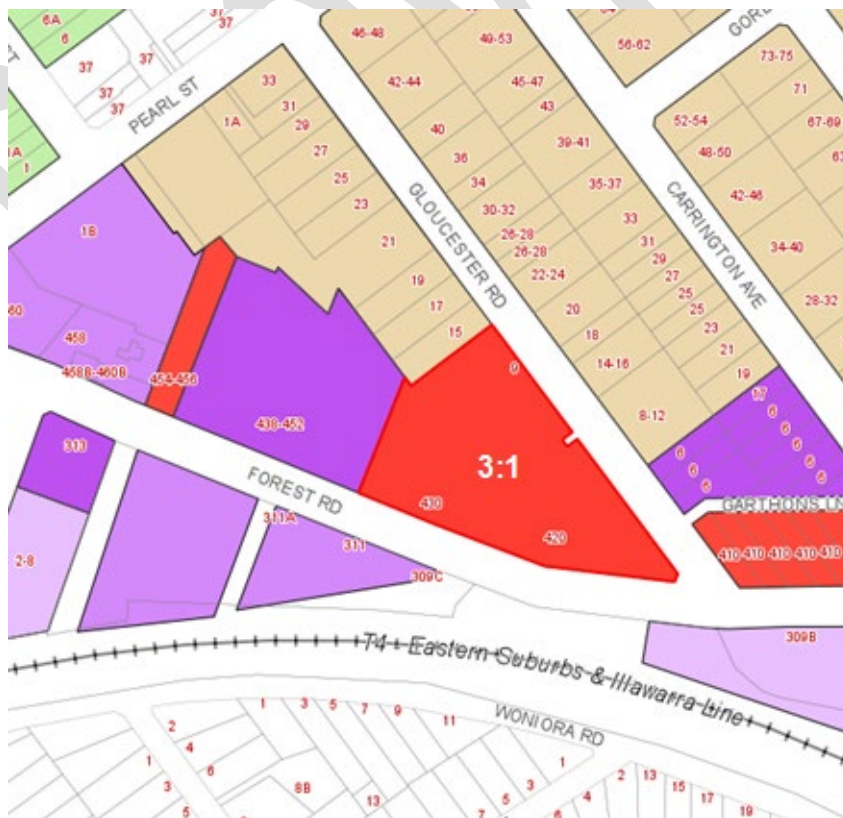


Figure 4 – HLEP 2012 Floor Space Ratio Map

Description of Planning Proposal

31. In summary, the Planning Proposal requests an amendment to *HLEP 2012* as follows:

- Increase the maximum building height applying to the site from 23m, to a range of heights of 23m, 30m, 40m, 55m and 60m; and
- Increase the Floor Space Ratio (FSR) from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1).

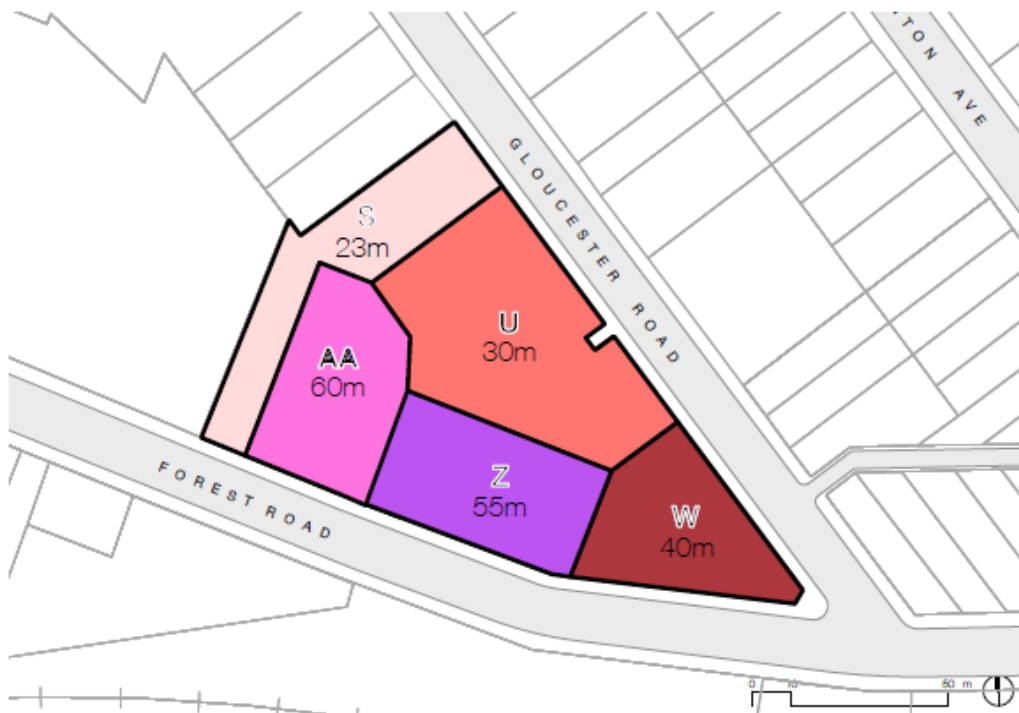


Figure 5 – Proposed Height of Buildings Map



Figure 6 – Proposed Floor Space Ratio Mao

32. The Planning Proposal (refer to **Attachment 1**) proposes the above amendments to facilitate a mixed-use development comprising 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. 4,620sqm retail / commercial floor space (0.5:1 FSR)
 - ii. Approx. 34,190sqm residential floor space (3.5:1 FSR)
- c) 400 residential apartments comprising of:
 - i. 146 x one bedroom units
 - ii. 202 x two bedroom units
 - iii. 52 x three bedroom units
- d) Basement car parking;
- e) Communal open space at ground level;
- f) Rooftop communal open space on top of each building; and
- g) Public pedestrian underpass through-site link in the under croft of Building.

33. Furthermore, the planning proposal seeks to include a non-residential FSR of 0.5:1 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 0.5:1:

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

Assessment of the Planning Proposal

Strategic Planning Context

34. 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)

35. 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 Plan is framed around 10 Directions relating to infrastructure and collaboration, liveability, productivity and sustainability.
36. The Planning Proposal is considered to be consistent with the following Directions and Objectives of the *Greater Sydney Region Plan*:

Direction 4: Housing the city

Objective 10: Greater housing supply

Objective 11: Housing is more diverse and affordable

The Planning Proposal will provide approximately 400 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*.

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 communal 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.

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:

- 550m walking distance from the Hurstville bus interchange;
- 550m 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 400 new dwellings and provides contemporary street-based economic activity on Forest Road.

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 an approximately 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.

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.

South District Plan

37. 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.
38. The proposed height and FSR increases for the site will provide:
 - a) Increased employment opportunities within the proposed commercial and retail floor space (approximately 4,620sqm); and
 - b) Improvements to housing choice and availability in close proximity to public transport and the Hurstville City Centre which offers retail and essential services.
39. 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	<p>Planning Priority S15: Increasing urban tree canopy cover and delivering Green Grid connections</p> <p>Planning Priority S16: Delivering high quality open space</p>

Table 1: Consistency with Planning Priorities of the *South District Plan*

40. 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.

Local Strategic Framework

41. Consideration of the Planning Proposal request in relation to Council’s local strategic plans is provided below:

Hurstville City Centre Urban Design Strategy (2018)

42. 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.
43. 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.
44. 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.
45. 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.

Local Strategic Planning Statement

46. In March 2018, amendments to the *Environmental Planning and Assessment Act 1979* introduced a new requirement for local councils to prepare and make a Local Strategic Planning Statement (LSPS) which will set out planning priorities which meet the community’s needs, and deliver key State and regional planning objectives. The LSPS received assurance from the Greater Sydney Commission in March 2020.

47. Council's LSPS guides land use planning and the delivery of significant infrastructure for the Georges River LGA until 2040. It delivers on the NSW Government's *Greater Sydney Region Plan (A Metropolis of Three Cities)* and the *Greater Sydney South District Plan*.
48. It creates a land vision for the future of the LGA that recognises the character of its suburbs and builds on the Georges River community's social, environmental and economic values and strengths.
49. The Statement includes visions for a number of themes, one of which is *Theme 3 – Housing and Neighbourhoods*, which includes the ability to have access to a choice of housing types and sizes, and new high quality buildings to be concentrated in key transport nodes. Further, it also includes *Theme 4 – Economy and Centres*. This theme visualises appropriately zoned land for employment growth which can be supported long term.
50. The Planning Proposal is consistent with the abovementioned themes, as it seeks to provide both residential and commercial development within the Hurstville City Centre in a Mixed Use zone.

State and Regional Statutory Framework

51. 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

52. *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.
53. 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

54. The proposed development will be subject to the provisions of *SEPP 65*, which aims to improve the quality of residential apartment design in NSW.
55. 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

56. 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 Transport for NSW (TfNSW).

57. The Planning Proposal was referred to TfNSW during the public exhibition period. Their submission is attached in this report (**Attachment 5 – Submission from Transport for NSW**).

Ministerial Directions

S9.1 Ministerial Directions

58. 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.
59. The Planning Proposal is consistent with all relevant Ministerial Directions as assessed by the applicant in **Table 2** below:

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.

Table 2 – Consistency with S9.1 Ministerial Directions

Public Exhibition of the Planning Proposal

60. The Planning Proposal was placed on public exhibition from Wednesday 22 January–Friday 21 February 2020 (inclusive). The notification for the public exhibition included the following:
- Statutory notice in The St George and Sutherland Shire Leader Newspaper (22 January 2020);
 - Dedicated page on Council's website, via the Your Say page;
 - Displays in Council's Customer Service Centre and Hurstville Library; and
 - Telephone and face to face contact with Strategic Planning officers.
61. A total of 434 letters were sent to adjoining and nearby landowners advising of the Planning Proposal being placed on public exhibition.
62. During the exhibition, a total of 1 community submission was received and the comments raised which specifically relate to the Planning Proposal are considered in this report. An acknowledgement letter/email was sent to the submission author.
63. Council received two public authority submissions from Civil Aviation Safety Authority (CASA) and Sydney Airport Corporation Limited (SACL), raising no objection to the Planning Proposal. A late submission was received from Transport for NSW (TfNSW) after the public exhibition period concluded, raising the total submissions to 4.
64. For the purpose of reviewing and summarising the key issues raised, the submissions received during the public exhibition are grouped in the following categories: Community submissions and public authority submissions. A summary is provided in **Table 3** below:

Submission	Number received
Community	1
Public Authority	3
Total	4

Table 3 – Submission categories (Planning Proposal)

Community submissions

65. A total of 1 community submission was received during the exhibition period, raising concerns relating to the following:
- **Overdevelopment:** The submission author raises concerns that the increase of high rise development in Hurstville will result in over-development, in what is an already over-crowded area.

Council response: Hurstville is defined as a Strategic Centre in the Greater Sydney Commission South District Plan. The Planning Proposal seeks to facilitate high density residential development as per the Hurstville City Urban Design Strategy 2018. Furthermore the subject site is currently zoned as B4 Mixed Use, with a maximum FSR of 3:1 and maximum HOB of 23m, which has the ability to facilitate a mixed use development.

- **Lack of social infrastructure:** The submission author raises concerns that the developer will not provide necessary amenities and infrastructure (i.e. schools, green and open spaces) to accommodate the increase in population as a result of future development.

Council Response: A draft Voluntary Planning Agreement was publicly exhibited concurrently with this Planning Proposal. The proposed VPA will enable Council to receive monetary contributions towards public facilities. The VPA requires the developer to pay a monetary contribution of \$3,619,308 to Council for the provision of public facilities in the Council's area, including any public infrastructure, amenities and services, public domain and public road infrastructure, and key traffic and road infrastructure in the Hurstville City Centre.

With respect to schools the NSW Department of Education's high-level School Assets Strategic Plan Summary 2017 coordinates planning for, and delivery of, both new and expanded schools. School Infrastructure NSW, a new specialist unit within the Department, are undertaking school community planning to deliver the education infrastructure program, working with other State agencies and community groups to develop schools as community hubs. Council are working with the NSW Government to provide expanded and new educational facilities to meet current and future demand, particularly in new housing investigation areas.

The development when constructed will include a large communal open space area at ground level which will cater for the new residents on site. It should also be noted that the site is located within 400m of Hurstville Oval and Timothy Reserve.

66. No changes have been recommended to the Planning Proposal as a result of the community submissions as the issues raised are anticipated to be considered in the future development application (DA) stage of the development.

Public Authority Submissions

67. The following public authorities were consulted during the public exhibition of the Planning Proposal:
- Transport for NSW;
 - Roads and Maritime Services;
 - NSW Department of Education;
 - Sydney Airport Authority; and
 - Civil Aviation Safety Authority.

Note: Roads and Maritime Services now form part of Transport for NSW. The Planning Proposal and supporting documentation was sent to both former planning departments, who have amalgamated.

68. It is noted that NSW Department of Education did not provide a response during the exhibition. A summary of the comments received and a response to the submissions is provided below.

Civil Aviation Safety Authority

69. Civil Aviation Safety Authority (CASA) acknowledges the Planning Proposal and raises no objection to the proposed LEP amendment, as the maximum permissible height does not exceed 62m (134m AHD).
70. **Council Response:** CASA's comments in relation to the Planning Proposal are noted. Council will consult with the Bankstown and Sydney Kingsford Smith airport authorities as part of the assessment of any future Development Application and address it as part of a future report to the Local Planning Panel.
71. **Recommendation:** No change to the Planning Proposal is recommended.

Sydney Airport Corporation Limited

72. Sydney Airport Corporation Limited (SACL) acknowledges the Planning Proposal and advised that their comments were consistent with CASA's comments. It was further advised that as this site location falls within an area where the BCR's are 15.24m, any development penetrating this height would require further assessment by Sydney Airport to ascertain safety and operational impact.
73. **Council Response:** SACL's comments in relation to the Planning Proposal are noted. The advice will be adhered to at the Development Application stage, and will be addressed as part of a future report to the Local Planning Panel.
74. **Recommendation:** No change to the Planning Proposal is recommended.

Transport for NSW

75. Transport for NSW (TfNSW) acknowledges the Planning Proposal and raises no objection in principle of the Planning Proposal, as the subject site is part of a local road network. However it was acknowledged that the subject proposal was likely to cause an increase in traffic generation potential of the subject site, altering arrival and departure traffic distributions.
76. TfNSW's submission is attached in this report (**Attachment 5 – Submission from Transport for NSW**). A summary of the comments are below:
- The Traffic Assessment presents inconsistencies in relation to traffic flows, traffic generation, land zoning and land use – primarily due to references made to previous studies and data.
 - The submitted SIDRA traffic modelling presents a number of inconsistencies and errors that are to be amended at the Planning Proposal stage.
 - Advice in relation to Bus Services, Developer Contributions for Regional Infrastructure, Travel Demand Management, Clearways, and Street Trees.

77. **Council Response:** The proponent has made the changes to the Traffic Assessment and SIDRA Modelling as requested by Transport for NSW, and was issued to the officers for their assessment and comment. TfNSW advised on 21 April 2020 that the Traffic Assessment and SIDRA modelling concerns had been satisfied. All other advice is noted, and is subject to the finalisation of the Planning Proposal and the subsequent lodgement of a Development Application.
78. **Recommendation:** The proponent has made changes to the Traffic Assessment and SIDRA Modelling as per the advice of TfNSW, however no change to the Planning Proposal is recommended.
79. No changes have been recommended to the Planning Proposal as a result of the public authority submissions.

Amendment No. 11 to DCP No. 2 – Hurstville City Centre

80. In accordance with Council's resolution of 27 August 2018, Amendment No. 11 to DCP No.2 – Hurstville City Centre was prepared for the subject site. This amendment comprises a new Section (8.3) in existing *Section 8 – Controls for Specific Sites and Localities* which will include specific controls for the subject site in accordance with the Planning Proposal, including the Concept Master Plan (refer to **Figure 7**).
81. The draft DCP was presented to the Councillors at a briefing dated 13 May 2019 and was endorsed for public exhibition at the Council meeting dated 24 June 2019. Refer to **Attachment 4** for a copy of the draft DCP.

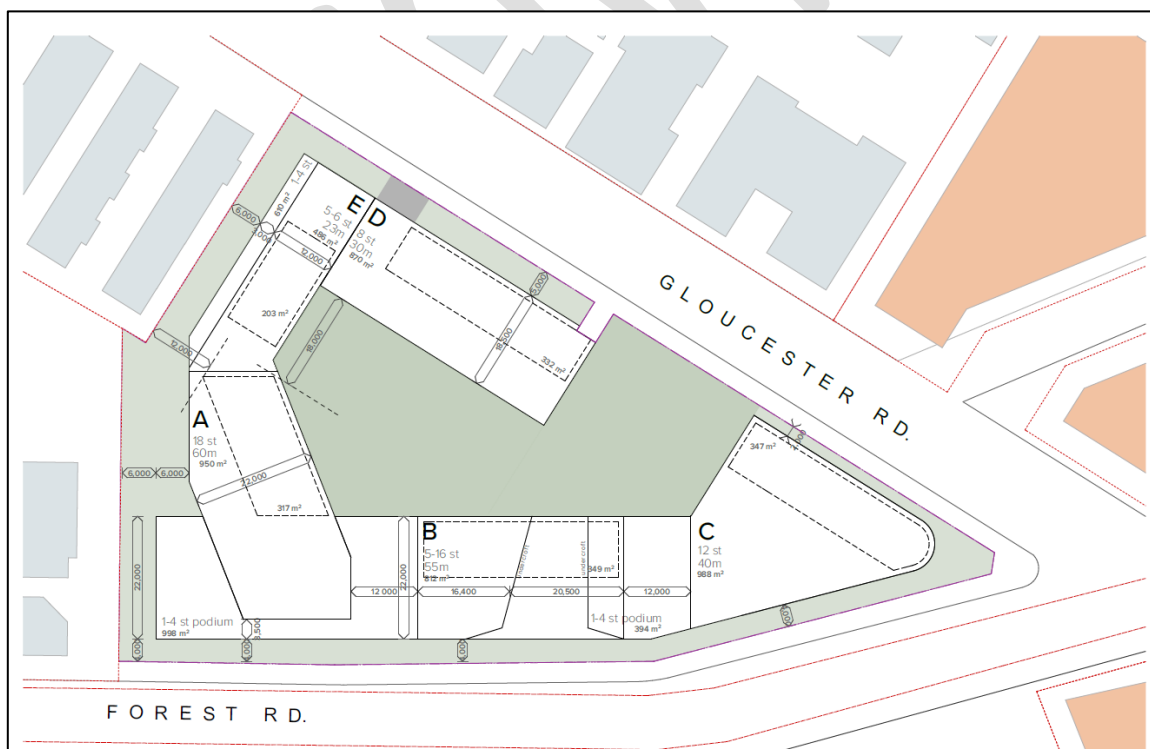


Figure 7 – Concept Master Plan

82. The key elements addressed in Section 8.3 of the DCP for the subject site include:

- **Design Excellence** – To promote design excellence through the creation of a sustainable and liveable environment for people, through the use of expert panels and active engagement between Council and Applicants that aligns with the vision for the Hurstville City Centre.
 - **Commercial Floor Space** – To ensure a wide range of employment floor space is provided on the site to complement the proposed minimum non-residential FSR of 0.5:1.
 - **Built Form and Setbacks** – To provide a vibrant mixed use development that takes advantage of the site's location and to ensure adequate transition compliant with the Apartment Design Guide between the new development and adjoining residential development.
 - **Façade Treatment and Street Corners** – To ensure building facades are appropriately modulated and articulated to provide visual interest along the street and other areas of the public domain.
 - **Pedestrian Access and the Public Domain** – To ensure that the development incorporates a through-site pedestrian link that enhances the permeability of the site.
 - **Active Street Frontages** – To ensure ground floor frontages are pedestrian oriented and of high design quality to add vitality to the streets.
 - **Open Space and Landscaping** – To provide residents with passive and active recreational opportunities that has reasonable solar access, landscaping and deep soil planting.
83. The notification for the public exhibition of the draft DCP included the following:
- Statutory notice in The St George and Sutherland Shire Leader Newspaper (22 January 2020);
 - Dedicated page on Council's website, via the Your Say page;
 - Displays in Council's Customer Service Centre and Hurstville Library;
 - Telephone and face to face contact with Strategic Planning officers.
84. A total of 434 letters were sent to adjoining and nearby landowners advising of the draft DCP being placed on public exhibition.
85. During the exhibition, no submissions were received in relation to the draft DCP and as such no changes have been recommended to the draft DCP.

Proposed Voluntary Planning Agreement (VPA)

86. An Offer to enter into a Voluntary Planning Agreement (VPA) from GTB Hurstville Pty Ltd in relation to the Planning Proposal PP2015/0005 was reported to the Environment and Planning Committee Meeting on 11 June 2019 and Council accepted the VPA Offer at its Meeting on 24 June 2019. The Council resolved:
- a) *That Council accept and endorse the Letter of Offer to enter into a Voluntary Planning Agreement (VPA) dated 23 April 2019 from Great Tang Brothers Hurstville Pty Ltd (GTB) (Attachment 1) and Heads of Agreement (HOA) signed by the GTB (Attachment 2) in relation to the amended Planning Proposal PP2015/0005 for 9*

Gloucester Road and 420-430 Forest Road, Hurstville (May 2019) seeking to increase density and height of buildings on the land for a mixed use development. The VPA Offer and HOA provides for a total monetary contribution of \$3,619,308 and includes the following:

- *The contribution value is based on the Hill PDA report residual value rates of \$1,073 per square metre of additional residential gross floor area and \$349 per square metre of additional non-residential floor area.*
 - *The total contribution value is to be recalculated at the time of payment of the monetary contribution based on the actual final additional residential and non-residential GFA permissible by the LEP amendment;*
 - *The VPA Offer and final VPA will not exclude the application of s7.11, 7.12 and 7.24 development contributions (previously referred to as s94, s94A and s94EF contributions) to the Development.*
- b) *That Council delegate authority the General Manager to negotiate the final terms and enter into the Heads of Agreement referred to above.*
- c) *That Council delegate authority to the General Manage to negotiate the specific terms of the Voluntary Planning Agreement based on the VPA Offer and Heads of Agreement and to subsequently exhibit a draft of the Voluntary Planning Agreement in accordance with the relevant provision of the Environmental Planning and Assessment Act and Regulation.*
- d) *That Council delegate authority to the General Manager to:*
- *Authorise any minor changes to the draft Voluntary Planning Agreement, following its public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above;*
 - *Subsequently enter into the Voluntary Planning Agreement on behalf of Council*
- e) *That GTB Hurstville Pty Ltd be informed of Council's decision.*
87. In summary the proposed VPA will enable Council to receive monetary contributions towards public facilities. The VPA requires the developer to pay a monetary contribution of \$3,619,308 to Council for the provision of public facilities in the Council's area, including any public infrastructure, amenities and services, public domain and public road infrastructure, and key traffic and road infrastructure in the Hurstville City Centre.
88. The contribution is to be paid within 28 days after the LEP Amendment takes effects. The contribution is in addition to any development contributions under section 7.11, section 7.12 or section 7.24 of the Act to the Development.
89. The proposed VPA was placed on public notification with the Planning Proposal from 22 January to 21 February 2020 (inclusive). No submissions were received on the proposed VPA.
90. In accordance with the Council resolution relating to this report, the General Manager will authorise any minor changes if required and subsequently enter into the VPA on behalf of Council.

CONCLUSION AND NEXT STEPS

91. Council in relation to the 9 Gloucester Road, Hurstville has exhibited the Planning Proposal and Amendment No. 11 to DCP No. 2 – Hurstville City Centre.
92. Council received 4 submissions from the community and public authorities in relation to the Planning Proposal. The issues raised in the community submissions were primarily concerned with overdevelopment and lack of community infrastructure and amenities.
93. Both CASA and SACL (airport authorities) raised no objection in relation to the Planning Proposal and provided advice for the Development Application stage. However TfNSW raised the following concerns relating to the submitted traffic report and SIDRA modelling:
 - The Traffic Assessment presents inconsistencies in relation to traffic flows, traffic generation, land zoning and land use – primarily due to references made to previous studies and data.
 - The submitted SIDRA traffic modelling presents a number of inconsistencies and errors that are to be amended at the Planning Proposal stage.
 - Advice in relation to Bus Services, Developer Contributions for Regional Infrastructure, Travel Demand Management, Clearways, and Street Trees.
94. The proponent has adhered to the changes requested by TfNSW and has submitted a revised Traffic Assessment and SIDRA Modelling, which TfNSW are satisfied with. All other advice has been noted by Council and will be addressed at a Development Application stage.
95. It is recommended that Council endorse the Planning Proposal making the following amendments to the Hurstville Local Environmental Plan 2012 for the subject site (9 Gloucester Road, Hurstville) to:
 - Increase the maximum building height applying to the site from 23m, to a range of heights of 23m, 30m, 40m, 55m and 60m; and
 - Increase the Floor Space Ratio (FSR) from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1).
96. Council concurrently publicly exhibited Amendment No. 11 to DCP No. 2 – Hurstville City Centre.
97. Council received no submissions from the community on Amendment No. 11 to DCP No. 2 – Hurstville City Centre.
98. The VPA has been signed by the developer and is currently being prepared to be executed by Council. Council has requested the developer to provide the documentation to register a Charge, Caveat and VPA on the title of the land to secure the performance of the VPA contribution. This is to be done prior to the LEP amendment taking effect.

99. In addition a bank guarantee in the amount of the monetary contribution is to be provided as security upon commencement of the VPA. The VPA requires that the monetary contribution of \$3,619,308 is to be paid within 28 days after the date of the LEP amendment taking effect.
100. Subject to Council endorsement of the Planning Proposal for forwarding to the Department of Planning and Environment for finalisation and the approval of Amendment No. 11 to DCP No. 2 – Hurstville City Centre, the anticipated next steps are included in **Table 4** below:

Task	Anticipated Timeframe
Report to Council on community consultation and finalisation of the Planning Proposal and adopt Amendment No. 11 to DCP No. 2 – Hurstville City Centre	May 2020
Submission to the Department to finalise the LEP	June 2020
Anticipated date for notification	Post June 2020
DCP becomes effective when LEP is finalised	Post June 2020

Table 4: Project timeline

FINANCIAL IMPLICATIONS

101. No budget impact for this report.

RISK IMPLICATIONS

102. No risks identified.

COMMUNITY ENGAGEMENT

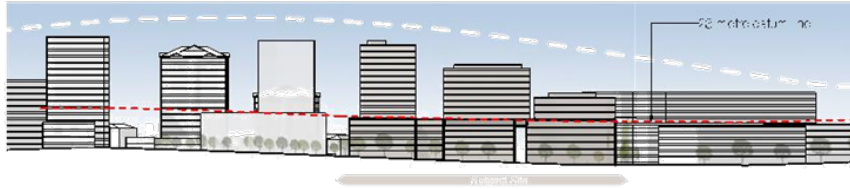
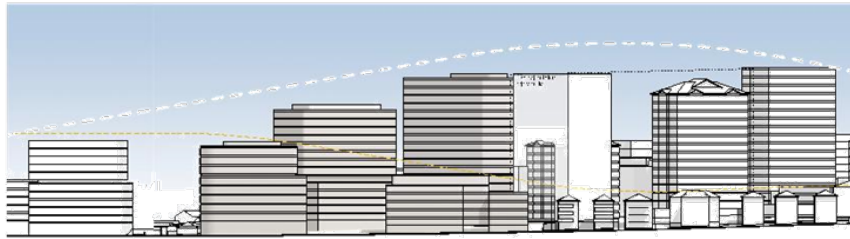
103. Community engagement was conducted including:

FILE REFERENCE

PP2015/0005

ATTACHMENTS

- Attachment 1 Planning Proposal Report (May 2019)
- Attachment 2 Gateway Determination (February 2019)
- Attachment 3 Alteration of Gateway Determination (November 2019)
- Attachment 4 Draft Development Control Plan
- Attachment 5 Submission from Transport for NSW



9 Gloucester Road Hurstville **Planning Proposal**

Prepared on behalf of GTB Hurstville Pty Ltd
May 2019

dowling urban

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This Planning Proposal report has been prepared by
Greg Dowling, BAS (Env Pl) M Urb Des (Syd) MPIA,
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COVER

Extracts from Urban Design Report by Austin McFarland and Architectural Concept by Turner.

Section A - Introduction

A.1 INTRODUCTION AND BACKGROUND

This Report sets out a Planning Proposal submitted to Georges River Council for the amendment to Hurstville Local Environmental Plan 2012 to change the floor space ratio (FSR) and height of building (HOB) controls on the site known as 9 Gloucester Street, Hurstville which is within the Hurstville City Centre.

The Planning Proposal has been prepared in behalf of the landowner, GTB Hurstville Pty Ltd, and is considered to be the best means of achieving the objectives and intended outcomes for the redevelopment of an under-utilised site with redundant low density office buildings. It permits a reasoned evaluation of the planning, urban design, transport, economic and social considerations that should properly inform the site's FSR and HOB standards as well as subsequent redevelopment proposals.

The Planning Proposal Report responds to a process of consultation with Council and the St George Design Review Panel (refer to Section B.5 for details) and has been informed by the accompanying specialist reports:

- Urban Design Report (Austin McFarland);
- Architectural Concept (Turner);
- Tree Retention and Replacement Study (Austin McFarland / Sturt Noble Arboriculture)
- Traffic Report (Colin Henson Consulting); and
- Economic Impact Assessment (Hill PDA).

The Urban Design Report recommends a range of heights from 23m to 60m and an FSR of 4.0:1 for the site.

Design Panel reviews resulted in reduced envelopes as shown in the Architectural Concept undertaken by Turner but which demonstrated that the FSR of 4.0:1, utilising a reduced extent of the 60m height envelope, may be achieved while satisfying the objectives and design guidance of the SEPP65 Apartment Design Guide (ADG) and Design Panel comments. This is discussed in greater detail at section B.3.3.2 of this report.

To implement the objectives of the current Mixed Use zone, redevelopment will utilise a minimum of 0.5:1 FSR as non-residential floor area for mainly street based shops, cafes and offices.

At this stage, it is anticipated that development under these parameters will yield about 400 apartments, 4,620 m² ground floor retail and commercial offices and open space.

A cash contribution for public benefits is offered under a Voluntary Planning Agreement (VPA) to accompany the Planning Proposal in accordance with Council's Planning Agreements Policy dated August 2016.

This Planning Proposal will be accompanied by a draft amendment to the Hurstville Development Control Plan No.2 - Hurstville City Centre (Amendment No. 11) to provide additional guidance to the subsequent development application for the redevelopment of the site.

Additional background information on the planning process preceding this Planning Proposal is provided in Section 3.1.1.

A.2 CONTEXT

A.2.1 Planning Context

The site is zoned B4 Mixed Use under *Hurstville Local Environmental Plan 2012*, which permits a wide range of uses including commercial premises, residential flat buildings, shop top housing and community facilities. The objectives of the zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To allow for residential development in the Hurstville City Centre while maintaining active retail, business or other non-residential uses at street level.*

The main planning controls currently applying to the site include an FSR of 3:1, a height of building limit (HOB) of 23m and an Active Street Frontage requirement to Forest Road. There are no heritage items or land reservations for acquisition on or adjoining the site.

A.2.2 Setting and Location

The site is located within the Hurstville City Centre, the main centre for the southern Sydney region. Hurstville is located 15 km south west of the Sydney CBD and 7 km from Kingsford-Smith International Airport and Port Botany. The centre has close access to the M5, is focused around Hurstville Railway Station and forms the main centre along the Illawarra railway line.

A.2.2.1 Regional and Local Context

The Georges River local government area is close to Sydney Airport and the M5 Motorway, as well as the foreshores of Botany Bay and the Georges River. The LGA is served by Stoney Creek Road, Forest Road, King Georges Road and the East Hills and Illawarra railway lines. It is the major public transport interchange for the St George region, with access to metropolitan train and bus services. (Georges River Community Strategic Plan 2018-2028).

The 2016 census counted a population for the Georges River local government area of 146,841 comprising 39,316 families and 53,972 private dwellings.

The Georges River Community Strategic Plan 2018-2028 states that in 2016, the estimated population of the Georges River local government area was more than 150,000 of which 42% of the population were from a non-English speaking background

The Plan estimates that the population to grow to just over 185,000 by 2036 which represents a growth rate of 1.1 % per annum which is below the Sydney average in general. The Plan notes that metropolitan planning district target requiring the Georges River Council to approve 1000 additional dwellings in the LGA every year for the next five years.

Regional context (source: Hurstville City Centre – Concept Master Plan, GAO).

Hurstville City Centre is a significant metropolitan transport hub and centre for major regional retail, employment and services. The City as a whole attracts small to medium enterprises (in sectors such as manufacturing, finance, insurance, property, retail and medical services). State and Federal government departments, community services and education services are also an important part of the local economy

The site occupies a key location in the Hurstville City Centre, within the City Centre West precinct that connects the Western Gateway and City Centre Core CBD precincts as described in Council documents. It enjoys a prominent position when viewed westerly from the CBD and climbs towards one of Hurstville Centre's three high points near the intersection of Forest Road and Pearl Street.

Its immediate context comprises of an array of underutilised sites inclusive of a surface public car park, service station and single storey factory outlet and other commercial premises and railway holdings, all earmarked for redevelopment under Council plans.

Adjoining the site to the west lies existing and approved mixed use residential buildings up to 18 stories and a mix of building typologies from 2 to 8 stories to the east at the City Centre Core precinct.

Site edged red in wider context. Source Google Maps



Aerial view of site viewed from south. Source Turners

The site enjoys good access to:

- metropolitan public transport systems inclusive of rail and cross regional bus services;
- a wide range of regional and district services and infrastructure such as shopping centres, entertainment facilities, schools and hospitals; and
- a range of employment opportunities including offices, retail and services.

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 with reasonable street facilities allowing for lesser car reliance for travel.

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.

A.2.2.2 Site Description

The subject land is known as 9 Gloucester Road, Hurstville (or sometimes as 420 Forest Road, Hurstville) and legally described as Lot 30 DP 785238 with a total area of 9,240 m². A survey of the property and its features is attached to this Report.

The site is triangular in shape and bound by Gloucester and Forest Roads to its north and south which intersect at its most eastern point in a spayed corner. It is bound by private properties on its irregular western boundary.

It excludes an area of 4 x 6 m adjoining Gloucester Road near the current site entrance for "road widening" but which is used for an electrical substation. Otherwise, the property's dimensions is shown on the site survey and generally summarised in the following table.

Boundary	Frontage Components	Perceived Frontage
Gloucester Road	64.2 + 4 + 80.5 m	148.7 m
Forest Road	38.7 + 57.2 + 62.4 m	158.3 m
Western boundary	42.3 + 17.4 + 48.8 m	108.5 m

The site is currently occupied by three commercial buildings between two and four storeys in height and an FSR of approximately 1:1. In built form terms, it represents a 'suburban campus' or 'office park' style configuration of buildings with an indirect relationship with the adjoining public domain and a partially exposed one level 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.

The site is also highly landscaped within setback areas from Forest Road dominated by ground covers, hedges and mature trees reflecting the campus architectural style of the current buildings but also forming a distinctive element from the precinct's public domain. More formal treatments with hedges occur at the street intersection and the Gloucester Road frontage.

The ground surface along the southern boundary of the site (Forest Road) slopes gently downwards to the east and surface levels vary between about RL 65.4 m and RL 61.4 m relative to the Australian Height Datum (AHD). The ground surface level at the rear of the site (Gloucester Road) is relatively level and between RL 60.9 m and RL 61.4 m.

The condition of the adjoining public domain is moderate in condition that would be subject to an upgrade on redevelopment of the site. However, good structural street tree planting exists in Gloucester Road, which will be complimented by the installation of tree planting in Forest Road, which is currently poorly embellished.

A.2.2.3 Site and Location Images

Top L/R: Service Station and factory outlet to the east at the intersection of Forest and Gloucester.

Left: public car park opposite Gloucester with provision for future redevelopment.

Below L/R: Views west along Forest Road on site's southern boundary from near its intersection with Gloucester Rd; and view from Forest Road bus stop easterly towards the Hurstville city core precinct.

Bottom L/R: view of residential flat buildings adjoining the western site boundary when viewed from Forest Road, and view looking west of development site south of Forest Road towards the high point.

Top L/R: view northerly along Gloucester Road from near intersection with Forest Road, and typical residential flat buildings adjoining the site to the west of the site along Gloucester.

Below: View of a site and adjoining high rise and construction of 'Toga' development from near centre core at intersection of Forest Road and Queen Street.

Bottom L/R: view of site from start of centre main street and from intersection of Forest and Gloucester.

Top L/R: views of 4 storey office buildings from Gloucester and eastern splayed corner.

Left: Recessed entrance to eastern-most 4 storey office building on Forest Road.

Below L/R: Views westerly and easterly of western-most 4 storey office building from Forest Road.

Bottom L/R: through site link from Forest Road and existing landscaping in extended setback.

*Top L/R: Landscaping and exposed car parking
basement viewed from Gloucester Road.*

*Left: Vehicle entrance to basement parking level from
Gloucester Road.*

*Below L/R: View of 2 storey office building and exposed
parking in setback on Gloucester Road.*

*Bottom L/R: Boundary condition on western boundary
when viewed from Gloucester and Forest Roads.*

Section B - Planning Proposal

B.1 PART 1 - OBJECTIVES AND THE INTENDED OUTCOMES

The objective of the planning proposal is to put in place Floor Space Ratio (FSR) and Height of Buildings (HOB) development standards that would foster the feasible redevelopment of the subject site in accordance with the B4 Mixed Use zone and its strategic, physical and planned context and achieve substantive public benefits.

It is anticipated that subsequent development will comprise commercial premises including street level shops and commercial offices, shop top housing / residential flat buildings and open space. Development will be informed by the Preliminary Architectural Concept and it is estimated that the resultant yield will approximate the following.

Land Use	Estimate	Comment
Apartments.	Aprox. 400 dwellings	A mix of 1, 2 and 3 dwellings
Commercial Premises	4,620 m2 GFA	Predominately street retail & offices
Ground Level Open Space	Over 2,500 m2 supplemented by roof top communal areas	Open space configuration may be utilised for a variety of purposes
Public Domain Improvements	Adjoining footpath upgrades additional setbacks and tree plantings.	Includes adjacent undergrounding of overhead power lines on Forest Road

The proposed VPA represents a significant monetary contribution to be used to Council's discretion for public works, including any public utilities, public domain and public road infrastructure.

Redevelopment will ensure that the site is not underutilised given its high level of accessibility to regional and local services, employment and mass public transport as well as its supportive urban context. It is considered that under the current planning controls, it is uneconomic to redevelop the site for solely commercial purposes. However, given the age of the office stock and expiration of current leases, redevelopment is required to avoid the area becoming moribund.

Accordingly, the intended outcome is to allow the proper consideration of an application for development generally as described and informed by the urban design analysis accompanying the Proposal.

It is intended to supplement the LEP controls with a site-specific DCP controls in order to provide additional guidance for the subsequent development application for the site's redevelopment. The DCP controls and development application will give consideration to the Design Review Panel comments to date that extend outside the considerations of the Planning Proposal to amend the Hurstville LEP.

B.2 PART 2 - EXPLANATION OF THE PROVISIONS

The current zone applying to the site is B4 Mixed Use under *Hurstville Local Environmental Plan 2012*, which permits the intended land use outcomes.

Accordingly, the proposed outcomes will be achieved by:

- Amending *Hurstville Local Environmental Plan 2012 Floor Space Ratio Map* to increase the floor space ratio applying to the site from 3:1 to 4:1; and
- Amending *Hurstville Local Environmental Plan 2012 Height of Building Map* to increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 55m and 60m.

The map amendments are derived from the Urban Design Report as modified by subsequent detailed architectural analysis and are shown in Part 4 Mapping. The recommendations for FSR and HOB are shown in context of adjoining lands in the diagrams below with the subject land edged yellow.

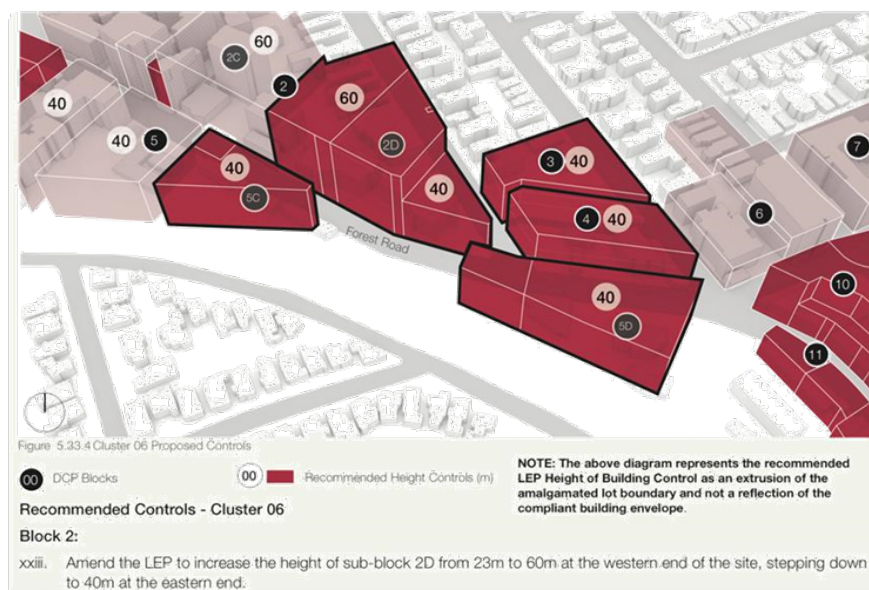


B.3 PART 3 - JUSTIFICATION

B.3.1 Need for a Planning Proposal

B.3.1.1 Is the Planning Proposal a result of any strategic study or report?

Partly. Supported in terms of urban form by the Hurstville City Centre Urban Design Strategy prepared by Council. The Planning Proposal is the result of consultation by the landowners to enable the economic redevelopment of the underutilised site and antiquated buildings.



Extract Hurstville City Centre Urban Design Strategy showing site recommendations

B.3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The planning proposal is considered to be the best means of achieving the objectives and intended outcomes as:

- it permits a reasoned evaluation of the planning, urban design, transport, economic and social considerations that should properly inform the site's appropriate FSR and HOB standards as well as the subsequent redevelopment proposal; and
- avoids a significant variation to development standards for a supported scheme and the subsequent undesirable precedent for Council in managing development approvals in the Centre.

Redevelopment of the site's redundant facilities under the current development controls would not be financially viable and would be a gross underutilisation of the site given its strategic, physical and planned context.

B.3.2 Relationship to Strategic Planning Framework

B.3.2.1 Consistency with Greater Sydney Region Plan

The Greater Sydney Region Plan was released by the Greater Sydney Commission (GSC) on 18 March 2018. The Greater Sydney Region Plan has a vision and plan to manage growth and change for Greater Sydney in the context of economic, social and environmental matters.

The planning proposal is consistent with the relevant directions, objectives and strategies of the Plan as summarised below.

- Objective 4 and Strategy 4.1 by optimising the use of existing infrastructure that is present in the Hurstville centre including significant transport, health, educational facilities while moderating demand for new infrastructure.
- Objective 7 and Strategy 7.1 in delivering “healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities”, particularly by “providing walkable places at a human scale with active street life
- Objective 10 in “providing ongoing housing supply and a range of housing types in the right locations [to] create more liveable neighbourhoods and support Greater Sydney's growing population.
- Objective 12 in creating “great places that bring people together” and Strategy 12.1 in “using a place-based and collaborative approach” to prioritise “a people-friendly public realm and open spaces as a central organising design principle” and “providing fine grain urban form, diverse land use mix, high amenity and walkability in and within a 10-minute walk of centres”.
- Objective 22: Investment and business activity in centres and Strategy 22.1 in provide access to jobs, goods and services in centres by “attracting significant investment and business activity in strategic centres” , “diversifying the range of activities in all centres”, “creating vibrant, safe places and a quality public realm”, focusing on a human-scale public realm and locally accessible open space”.
- In addition for Strategy 22.1 “creating the conditions for residential development within strategic centres and within walking distance (up to 10 minutes), but not at the expense of the attraction and growth of jobs, retailing and services” by helping to protect the defined commercial core with the Hurstville Centre.
- Objective 30: Urban tree canopy cover is increased in proportional to its land use intensity and Strategy 30.1 in expanding urban tree canopy in the public realm with street trees on Forest Road and public pocket park.
- Objective 31: Public open space is accessible, protected and enhanced and Strategy 31.1 in expanding public open space in particular by “providing) new

open space so that ... all high density residential areas are within 200 metres of open space”

B.3.2.2 Consistency with the South District Plan

The planning proposal is also consistent with the South District Plan prepared to supplement the Greater Sydney Region Plan as summarised below.

- Planning Priority S5 Providing housing supply, choice and affordability, with access to jobs, services and public transport. In particular:
 - accommodating homes linked to local infrastructure to optimise existing infrastructure and utilise capacity that aligns with infrastructure realised by urban renewal.
 - helping meet housing target of 4,800 new dwellings for the Georges River Council area from 2016 to 2021.
- Action 18. Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places (as per Objective 12 above)
- Planning Priority S9 growing investment, business opportunities and jobs in strategic centres and Action 28 provide access to jobs, goods and services in centres as per Objective 22 above
- Action 35. Strengthen Hurstville through approaches that:
 - encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy
 - recognise and support the role of Forest Road as a movement corridor and as an eat street
 - encourage activation of secondary streets.

B.3.2.3 Consistency with the Georges River Council's local strategy or other local strategy plans

Georges River Community Strategic Plan 2018-2028

The Georges River Community Strategic Plan 2018-2028 (CSP) informs the activities, decision-making and budgetary considerations that Council undertakes on behalf of the community and the role the community plays in shaping the area's future within a 10-year implementation framework.

The plan establishes higher level goals under the six pillars and identifies the strategies to reach these goals. The pillars comprise:

1. *A Protected Environment and Green Open Spaces*
2. *Quality, Well Planned Development*
3. *Active and Accessible Places and Spaces*
4. *A Diverse and Productive Economy*

5. *A Harmonious and Proud Community with Strong Social Services and Infrastructure*
6. *Leadership and Transparency*

It is considered that the Planning Proposal is consistent with the relevant goals and strategies within the Plan particular in relation to:

- Goal 1.1 by ensuring that subsequent development supports resilience in addressing energy, water and gas usage, sustainable buildings, waste diversion, green corridors, carbon emissions and urban design
- Goal 2.1 by encouraging subsequent sustainable development that delivers a high level of amenity and liveability for the community and the environment supported by a site-specific DCP informed by advice from Council's Urban Design Review Panel as well as comprehensive development application preparation and assessment processes.
- Goal 3.1-4 by enhancing business vitality and encouraging public transport use, cycling and walking; improving site circulation and adjoining footpaths so they are safe and accessible to all; and provide a range of active and passive recreation facilities on site
- Goal 4.1 by creating new contemporary accommodation for small to medium businesses and an improved environment through public domain and site upgrades to support commercial activity.
- Goal 5 in general by facilitating the rejuvenation of a key location in the Hurstville Town Centre and providing for community activity and vibrancy through street-based facilities.
- Goals 2.2 and 6.1-2 in facilitating community engagement as well as open, informed and transparent decision-making

It is considered that the Planning Proposal is otherwise not in conflict with remaining goals and strategies not directly relevant to development that will subsequently arise.

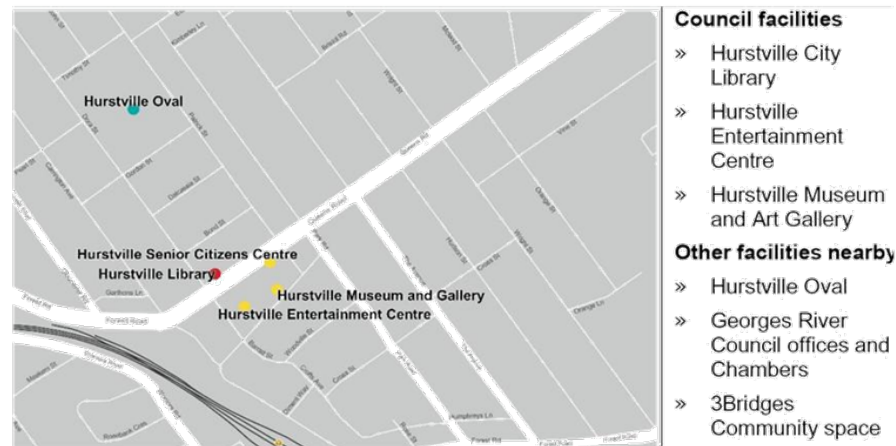
Draft Open Space, Recreation and Community Facilities Strategy 2018-2036

The purpose of the draft Open Space, Recreation and Community Facilities Strategy is to ensure that the Georges River community has adequate access to the facilities and spaces including community centres, libraries, parks, sports fields and courts, facilities and other recreation activities.

The draft Strategy examines:

- provision across the Georges River LGA as a whole;
- current and future demand across the LGA;
- key gaps and needs; and
- opportunities to better meet community needs.

The draft Strategy focusses on the creation of Community Hubs of clusters of facilities that act as focal points for community activity. It proposes directions for the Hurstville Centre Regional Hub so as to become the premier destination for library, community and performance facilities with improved connections to local open space, serving the whole LGA.



Extract of draft Open Space, Recreation and Community Facilities Strategy showing Hurstville Centre Regional Hub facilities and subject site shown bordered in blue.

The Planning Proposal supports the draft Strategy by facilitating urban renewal for additional dwellings and reinvigorated commercial activity within walking distances of the Hurstville Hub facilities that will be the subject of a recommended range of improvements and enhancements.

The Georges River Council LGA otherwise appears reasonably well served by public open space provision that is proposed to be further enhanced and upgraded over time within a capital works program. As discussed above, the Planning Proposal embodies a significant amount of communal open space to meet the recreational needs of residents on site and in particular, young family recreational opportunities.

B.3.2.4 Consistency with applicable State environmental planning policies

The Planning Policy is consistent with the applicable State Environmental Planning Policies. A brief assessment of the proposal against the Policies as at May 2019 is provided in Attachment A at Section B.7.

B.3.2.5 Consistency with the applicable Ministerial directions (s.9.1 directions)

The Planning Proposal is considered to be consistent with the relevant Directions issued under Section 9.1(2) of the Act by the Minister. A brief assessment of the proposal against the Direction is provided in Attachment B at Section B.8 with the most relevant Directions discussed below.

1.1 Business and Industrial Zones

The objectives of this direction are to encourage employment growth in suitable locations; protect employment land in business and industrial zones, and support the viability of identified strategic centres. The planning proposal will facilitate the demolition and redevelopment of antiquated and underutilised commercial premises on the site and a net reduction in the provision of commercial floor space.

However, under the Hurstville LEP 2012 land use controls for the B4 mixed use zone currently applying to the site, there is no requirement to provide commercial premises other than to achieve an active street front to Forest Road (Clause 6.6 Active street frontages). Instead, the zone could be utilised to develop residential flat buildings with limited commercial premises fronting Forest Road.

The planning proposal introduces a minimum FSR of 0.5:1 for non-residential floor space, which will ensure a minimum component of commercial activity in a mixed use redevelopment of the site. Additionally, the planning proposal does not alter the site's zone and as such, does not prevent the development of a range of permitted employment land uses and continues to permit flexibility for employment-generating development opportunities on the site including within suitable apartments.

Accordingly, 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 any redevelopment of the site and it accords with the strategic planning framework for the site which seeks to protect the commercial core of the Hurstville Centre.

The Proposal will give effect to the objectives of this direction as it will:

- (a) facilitate the redevelopment of a redundant and underutilised site,
- (b) renew commercial activity within contemporary facilities,
- (c) help protect and retain the core commercial area within the Hurstville City Centre for commercial activity, and
- (d) not reduce the total potential floor space area for employment uses and related public services in the Centre's core business zone, and
- (e) support the viability of Hurstville as a Strategic Centre.

An analysis of the economic effect of the Planning Proposal is provided in the Economic Impact Assessment in the appendices.

3.1 Residential Zones

This direction applies to land under a B4 Mixed Use zone as a "*zone in which significant residential development is permitted*". The objectives of this direction are to encourage variety and choice of housing types to meet existing and future housing needs; make efficient use of, and provide appropriate access to, existing infrastructure

and services; and minimise the impact of residential development on the environment and resource lands.

The planning proposal is consistent with the Direction as it will encourage the provision of housing that will:

- (a) broaden the choice of building types and locations available in the housing market, and
- (b) make more efficient use of existing infrastructure and services, and
- (c) reduce the consumption of land for housing and associated urban development on the urban fringe,
- (d) be of good design,
- (e) maintain the requirement that the land be adequately serviced, and
- (f) not contain provisions which will reduce the permissible residential density.

3.4 Integrating Land Use and Transport

This Direction aims to ensure that development improves access to housing, jobs and services, increase choice of available transport, reduce travel demand, and provide for the efficient movement of freight. The planning proposal includes provisions that are consistent with the aims, objectives and principles of *Improving Transport Choice – Guidelines for Planning and Development (DUAP 2001)* and *The Right Place for Business and Services – Planning Policy (DUAP 2001)*.

The proposal is considered to be consistent with this Direction as it will facilitate development that meets the following key objectives:

- (a) Improve access to housing, jobs and services by walking, cycling and public transport;
- (b) Increase the choice of available transport and reducing dependence on cars;
- (c) Reduce travel demand including the number of trips generated by development and the distances travelled, especially by car; and
- (d) Support the efficient and viable operation of public transport services at Hurstville.

A Traffic Report prepared for the Planning Proposal concludes amongst other things that the site is suited to the proposed use from a transport perspective and that the project design will support NSW Government and Council targets to increase the transport mode share to the sustainable modes of public transport, walking, and cycling. (Refer to B.3.3.3 for further discussion)

3.5 Development Near Regulated Airports and Defence Airfields

The site is within the east west landing corridor of the Sydney Airport and while there is limited noise impacts from aircraft given its distance from the airport, the site is subject

to the Airport's obstacle limitation surface (OLS) height regulations as indicated on the OLS map.



Extract of OLS Map as of 20 March 2015 with subject site within blue circle.

Direction 3.5 applies to planning proposals that will alter a provision relating to land near a regulated airport. The objectives of this direction are to ensure:

- (a) the effective and safe operation of regulated airports and defence airfields;
- (b) that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and
- (c) development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.

The OLS Map indicates that the site is subject to an obstacle limitation surface of over RL130m whereby any building or structure proposed above this level must be first approved by the Civil Aviation Safety Authority (CASA) or its delegate in this case, Sydney Airport Corporation (SAC) .

SAC has provided the following advice dated 8 March 2019 after consultation in accordance with Section (5) of the Direction.

“For the proposed site - 9 Gloucester Road Hurstville – I can advise the following:

Approx. ground height – 62m AHD.

CASA Building Control Regulations (BCR) – 15.24 metres above ground – any proposed structures taller than 15.24m above ground must be approved by CASA or a delegate. I am a CASA delegate and can approve penetrations of the CASA BCR.

As an Airport Operator, Sydney Airport is bound by the Federal Airports (Protection of Airspace) Regulations 1996.

The Obstacle Limitation Surface (OLS) over the site is approx. 134m AHD - any proposed structures taller than 134m AHD must be approved by the Federal Department of Infrastructure & Regional Development & Cities.

The proposed structures include anything that will penetrate the OLS including buildings, antennas, tower cranes, mobile cranes etc.

*Peter Bleasdale
Airfield Design Manager
Sydney Airport “*

As indicated on the concept drawings, it is anticipated that proposed height of the tallest building will result in a height of approximately RL122m exclusive of roof plant and lift overruns.

This is 12m below the OLS level applying to the site, which provides more than adequate clearance to accommodate roof plant and facilities. It is possible that a temporary crane may be used during construction that may exceed the OLS and which would be a “controlled activity” under section 182(1)(c) of the *Airports Act 1996* requiring CASA approval as has happened elsewhere in Hurstville.

However, advice has been received that this may be avoided, if required, by use of a hammer-head configured crane and noting that nearby recently constructed buildings such as the nearby taller “Toga” development, as well as in locations closer to the airport such as the Rockdale town centre, have been permitted temporary cranes in excess of the OLS levels.

Given the advice received from SAC on behalf of CASA, the mere potential and uncertain request for a temporary crane that exceeded the OLS at a future date is insufficient grounds to require a formal ‘permission’ under (5)(d) of the Direction particularly noting that no such power exists for Commonwealth authorities to grant such a ‘permission’ without detailed documentation and timeframes that cannot be made available at this stage of the planning process.

Otherwise, it is noted that the site is not near a defence airfield within a ANEF greater than 20 which would trigger a consideration under sections (6), (7) and (8) of the Direction.

Accordingly, the Planning proposal is considered to be consistent with Direction 3.5 noting its objectives will be satisfied; consultation with SAC on behalf of CASA has taken place prior to exhibition; formal consultation with CASA and SAC will be required under Section 3.34(2)(d) of the Act; and that Clause 6.9 of the Hurstville LEP 2012 makes provisions for the protection of airspace around airports.

The potential but uncertain need for a temporary crane that exceeds the OLS is not considered sufficient grounds for Section (5)(d) to be applied particularly as an unlikely

restriction to temporarily exceeding the OSL for this purposes would not preclude redevelopment in any case.

If necessary, the Planning Proposal may be considered justifiably inconsistent with this aspect of the Direction as it has been justified in studies in support of the Planning Proposal which gives consideration to the objectives of the Direction (section 9(b)) and is of minor significance (Section 9(c)).

7.1 Implementation of A Plan for Growing Sydney

The objective of this direction is to give legal effect to metropolitan planning strategies or Plans but refers to the *A Plan for Growing Sydney* which has been superseded by the current *Greater Sydney Region Plan (A Metropolis of Three Cities)*.

It is concluded from the review in B.3.2.1 that the Planning proposal will assist in the achievement of the overall intent and specifics of the *Greater Sydney Region Plan* as discussed.

B.3.3 Environmental, Social and Economic Impact

The main likely environmental effects that derive from the Planning Proposal is considered to surround the built form and transport outcomes as discussed below acknowledging that the site has a number of matters requiring to be addressed under any redevelopment such as stormwater management.

The social and economic impacts comprise mostly servicing needs that can be sourced from current infrastructure; the benefits of collocating resident populations to employment, transport and services; economic benefits to Hurstville from construction and the on-going demand for local services; and the provision of contemporary commercial premises.

B.3.3.1 Adverse effects on critical habitat or threatened species

The site and locality does not contain any critical habitat or threatened species while the water quality that might adversely effect sensitive water catchments can be addressed by the application of contemporary stormwater management requirements.

B.3.3.2 Built Form

The attached Urban Design Report prepared for the Planning Proposal has analysed the site's attributes and its existing and planned future context to arrive at a strategy for its redevelopment incorporating:

- Street podium level, open space and undulating centre profile;
- Minimum setbacks and corner relationships to context;
- Open space positioning and pedestrian networks and links;
- Frontage scale relative to context;

- Building depth and separation;
- Street level use pattern, street activation and points of entry; and
- Building envelopes and form for lower and upper levels.

These are tested against the SEPP 65 Design Quality Principles and the guidance and considerations within Part 1 and 2 of the Apartment Design Guide, *Identifying the Context and Formulating the Controls*.



Proposed massing with potential built form context viewed from the east of the site. Source Austin McFarland

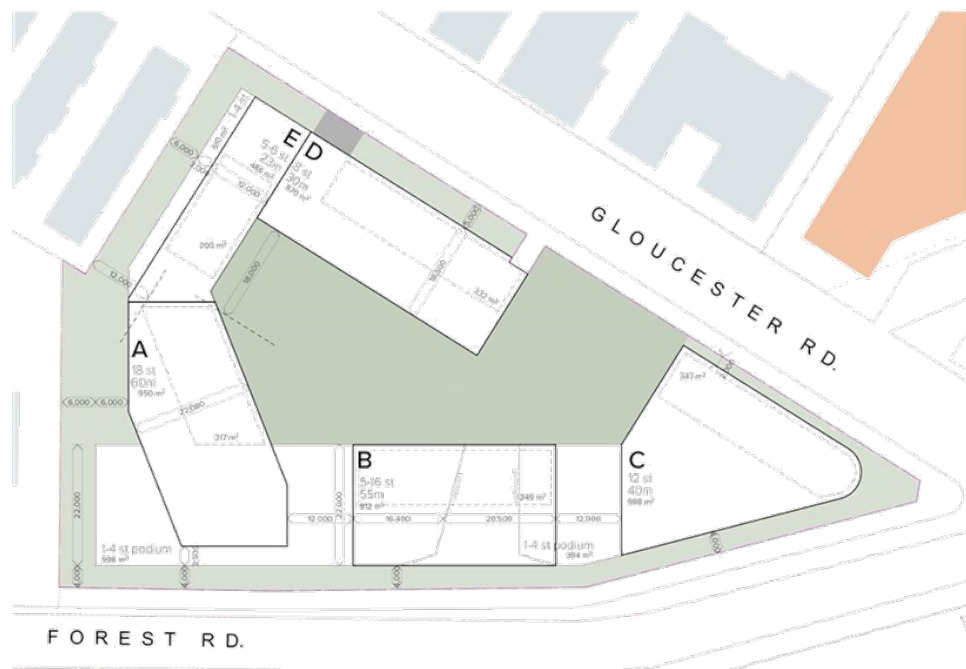
The resultant built form is reviewed by way of elevations, sections, massing models, street views and shadowing as well as an analysis of options. The shadows cast from the proposed envelopes fall mainly on rail infrastructure land with impacts to surrounding land to its south west and east mostly limited to morning and afternoon solar access.

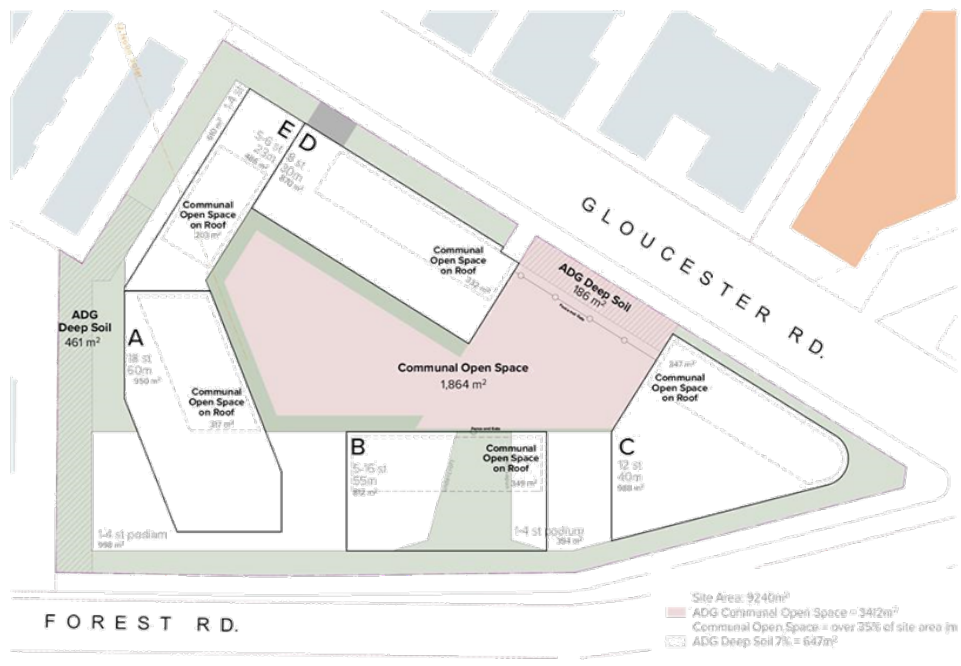
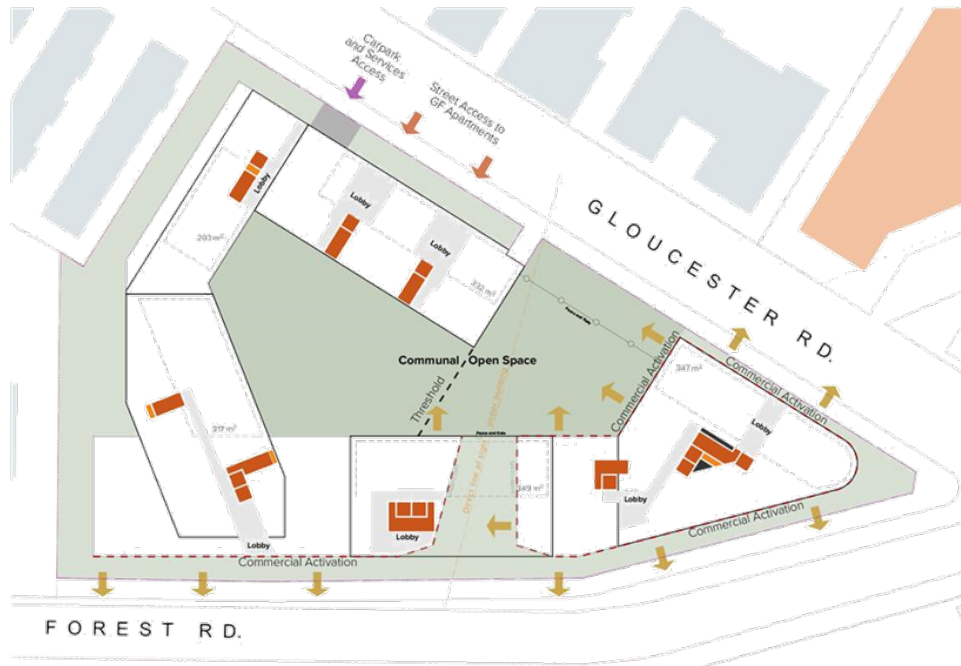
In consultation with St George Design Review Panel, the Urban Design Report makes recommendations for an appropriate FSR and building heights informed by the urban design framework.

In addition, to ensure that the FSR, Height of Building, setback and other parameters of the framework can be achieved in accordance with SEPP65 and the Apartment Design Guide, Turner architects has prepared a preliminary architectural concept and undertaken a SEPP 65 compliance capability assessment as set out in Attachment C.

The supplementary architectural assessment undertaken by Turner demonstrates that the proposed FSR can be achieved within the recommended height planes taking into account the introduction of new standards under the SEPP65 Apartment Design Guide (ADG) and the need for reduced building depths.

The following plans were subject to review by the St George Design Review Panel and represent the endorsed envelope diagram, ground plane strategy, open space strategy, illustrative ground and first level layouts.





Open space strategy(above) and illustrative site / apartment layout and landscape on ground level (below). Source Turner



Illustrative site / apartment layout and landscape on first level). Source Turner.

B.3.3.3 Transport

In terms of the potential effects of traffic generation, the attached Traffic Report with addresses the potential impacts from the Planning Proposal.

The Traffic Study has been prepared to meet the requirements of Council with reference to the Hurstville City Centre TMAP and traffic impact assessment as required by the RMS Guide to Traffic Generating Developments, and other relevant Australian Standards and controls.

The key conclusions of the Traffic Study are:

- The site is suited to the proposed use from a transport perspective. The proposed project design will support NSW Government and Council targets to increase the transport mode share to the sustainable modes of public transport, walking, and cycling.
- Parking layout, circulation and accesses can be designed in accordance with the relevant Australian Standards.
- The potential cumulative impacts on the road network from traffic generated from all the recently approved and potential major developments in the area has been included in the traffic analysis.
- Vehicle traffic generation of the Proposed development will be similar to the approved TMAP scheme, and an insignificant change from the existing site uses.
- Traffic generated by the proposed development can be accommodated at acceptable levels of service without adversely affecting traffic efficiency on the existing road network. Intersections are maintained at existing acceptable levels of service.
- 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, specifically in the light of the TMAP study recommendations as endorsed by Council on 12 June 2013, as are considered acceptable.
- 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 proposed operation can be appropriately managed and have no significant impact on amenity.
- 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.

There will be no adverse effects on the safety of any road users including public transport, pedestrians and cyclists.

B.3.3.4 Social and economic effects

The planning proposal is considered to have a net positive social and economic effect with the means to mitigate any adverse impacts.

Social

The Planning Proposal will increase the FSR available for residential development by up to 0.5:1 which represents some additional 70 apartments. This will be supplemented by 0.5:1 (4,620m²) mixed use employment and be situated in close proximity to regional and local services, which have the means to be scaled or supplemented by Authorities in line with expectations of population growth in the wider area.

The Planning Proposal also proposes to supplement available social infrastructure by way of a VPA that provides cash contributions for public benefits subject to appropriate needs assessment by Council.

In the initial preparation of the Planning Proposal, advice was received from the Department of Education based on a development scenario of some 450-475 apartments that 80-100 primary and secondary government students would require to be accommodated. This proportionally represents an average rate of 1 student per 5 additional apartments.

With a proposed net increase of approximately 70 apartments, the additional apartments arising out of the planning proposal should therefore result in additional demand of approximately 14 student places which is not considered to be significant in the context of predicted future population growth in the Region.

Economic

An Economic Impact Assessment has been prepared to study the economic effect from the redevelopment of a predominantly commercial use to a predominantly residential or mixed use in accordance with the current zone provisions and objectives.

The Assessment concluded that although the Planning proposal would lead to a net reduction of commercial floorspace, the number of jobs on the Subject Site compared to the 'do nothing' scenario is expected to increase by some 200 to reflect the improved use of space and amenity.

While there is a net loss of some 5,380m² commercial floorspace, over 75% of the commercial floorspace is currently vacant. Letting 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.

Moreover, the Planning Proposal has the potential to increase demand for external commercial and retail offerings due to approximately 400 residential dwellings planned as part of this Planning Proposal. While some of this commercial demand will be fulfilled by the 4,620 m² of commercial space associated with the Planning Proposal, Hurstville City Centre will be a net beneficiary.

Construction would generate economic activity of approximately \$602m in and approximately 1,600 job years directly and indirectly during the period of construction. Ongoing expenditure of residents would likely contribute some \$13.3m per year on retail goods and services of which as much as 75% would be retained in the Hurstville Centre.

In summary, the Assessment concludes that there would be considerable economic benefits associated with changing the composition of use of the Subject Site to mixed uses:

- The Planning Proposal would help to meet very strong demand for housing in the area;
- The additional residential population would stimulate demand and employment within Hurstville City Centre;
- The prevalent market conditions support the proposal and it would be consistent with current development activity in Hurstville;
- Hurstville's office market is a poor performer and whilst it may benefit a little from the increasingly tight market in Sydney CBD it's unlikely to be sufficient enough to ensure development viability.
- It is expected that the town centre market will currently transition to high density residential and mixed uses – "Transit Orientated Development" (TOD)s to reflect broader trends;
- The Planning Proposal would complement surrounding land uses: the Subject Site backs onto land zoned for medium density residential use and is located 200m from a new high rise residential development on Forest Road;
- The Subject Site is on the outskirts of Hurstville City Centre, separate from the main commercial and retail precincts;
- A redevelopment of the site for commercial uses to maximise the current planning controls would not be viable for in the foreseeable future - subsequently, the land will remain underutilised if not redeveloped for mixed uses;
- Under the LEP there is sufficient land zoned commercial and mixed use to cater for projected demand – in both the medium and long term – for office space, including currently undeveloped SRA land opposite the Subject Site; and

- The Subject Site is one of a few sites in close proximity to Hurstville City Centre's major public multi-modal transport interchange and amenities that is suitable for high density residential with mixed uses under its B4 zone.

B.3.4 State and Commonwealth Interests

B.3.4.1 Adequacy of public infrastructure for the planning proposal

As discussed, the site is well served by local and regional level services and infrastructure as well as a range of metropolitan transport services that could be considered to be capable of serving an additional 70 dwellings stemming from the Planning Proposal given the degree of population growth anticipated by Planning Strategies.

Facilities for the supply of utilities including electricity and water as well as for the removal or disposal of sewage and drainage are available to the land. This will be confirmed in the assessment of subsequent development applications.

B.3.4.2 Views of State and Commonwealth public authorities

Initial consultation has occurred with the Department of Education in respect of predicting additional demand for government school places from the increase in floor space proposed as well as the Sydney Airport Corporation on behalf of the Civil Aviation Safety Authority for the purposes of the Section 9.1 Direction 3.5.

No other views of State and Commonwealth public authorities are known at this stage but it is anticipated that these will become available when the Planning Proposal proceeds to the referrals stage.

B.4 PART 4 – MAPPING

The Planning Proposal seeks to amend the Floor Space Ratio and Height of Buildings Maps of Hurstville Local Environmental Plan 2012.

Floor Space Ratio Map

The current maximum FSR permitted for the site is 3:1. Based on the Urban Design Report recommendations, it is proposed to amend the Floor Space Ratio Map as shown below to allow a maximum FSR 4.0:1.

The amended Floor Space Ratio Map will reflect the following extract.

Floor Space Ratio Map
 - Sheet FSR_008A

Maximum Floor Space Ratio (n:1)



Proposed Floor Space Ratio Map for Subject Site

Height of Building Map

The current maximum HOB permitted for the site is 23m.

Based the Urban Design Report recommendations, it is proposed to amend the Height of Building Map as shown below to allow a range maximum HOB's to 23m, 30m, 40m, 55m and 60m.

The amended Height of Building Map will reflect the following extract.

Height of Buildings Map
- Sheet HOB_008A

Maximum Building Height (m)

J	9
K	10
L	11
M	12
N	13
O	15
P	18
Q	19
R	21
S	23
T	28
U	30
V	35
W	40
X	45
Z	55
AA	60



Proposed Height of Building Map for Subject Site

B.5 PART 5 - CONSULTATION

B.5.1 Design Review Panel

The Planning Proposal has been submitted to the St George Design Review Panel for comment on the 19th November 2015 which made a number of recommendations:

- *The 5/7 storey building fronting Gloucester Road is acceptable in principle. The small public accessible public open space is acceptable pending further detail of typology use and design.*
- *The buildings fronting Forest Road should be setback a minimum of 4m to permit some retention of existing trees and additional landscape planting to compensate for loss.*
- *The apex corner building could be 9 commercial (or 12 residential) storeys. The apex of the corner building should also be setback to ensure major trees are conserved.*
- *The podium to Forest Road should remain at 6 storeys, subject to amenity issues for the residential units being resolved.*
- *Forest Road landscape should integrate with the planting on the adjacent site to the west and provide a secondary avenue of trees.*
- *The proposed open space should be clearly legible and appealing through its design and program of use, and active frontages provided for adjacent buildings.*

The urban design framework was revised to incorporate the Panel's recommendations. The response demonstrated that the proposed FSR and HOB was compatible with adjoining properties; uses proposed on Forest Road required by Council's planning controls were viable and acceptable by reference to Sydney precedence; second rows of trees will be accommodated on the Forest and Gloucester Road frontages, and a number of common approaches were available to satisfactorily address apartment amenity.

The Panel reviewed resubmitted material on 18 February 2016 and effectively endorsed the Planning Proposal noting that some matters can only be addressed at the development application stage. It provided the following additional comments.

- *Given the refinement of the design it now appears that approximately (then) 4.5:1 could be achievable provided the other issues covered below are addressed.*
- *The majority of the built form and scale issues have largely been addressed in a satisfactory manner. Further attention needs to be given to the apex corner to ensure that the mature trees are preserved.*
- *The applicants have considered the impact on the adjoining unit blocks and it appears that amenity impacts would be acceptable – subject to detailed investigation - and the proposed additional height appears likely to be acceptable.*

- *The proposed density of (then) maximum 4.5:1 is supported, but subject to provision of sufficient deep soil dimensions, amenity, landscape, tree retention and other issues being resolved.*
- *A site of this size should demonstrate deep soil and large tree planting,*
- *A Development Control Plan insert as proposed should be prepared.*

The Panel raised a number of more specific matters that the subsequent development application will be required to address those highlighted above as well as the following:

- *The viability of setbacks to ensure tree retention.*
- *How the landscape character of this significant site will be developed to maintain and enhance the landscape character of surrounding areas and realise the strong street tree character envisioned for Forest Road West (Hurstville City Council Public Domain Plan 2007).*
- *The viability and amenity of the commercial/retail activities on Forest Road given road noise and absence of sunlight.*
- *The amenity of a residential units in the podium facing towards the south subject to road noise and lack of solar access.*

The Panel reviewed architectural concepts on 5 October 2017 and concluded that the proposed FSR and building envelope separations could not be fully supported having regard to the effect of the extent of the 18 storey building envelope on adjoining land as well as the building separation in general and the nature of the proposed open space and pedestrian access.

These have been addressed through a revised Architectural Concept with the result of a reduction in FSR from 4:5:1 to 4:1 and reduced extent of the 60m HOB control.

Finally, on 1 March 2018, the Panel considered the response its comments on the architectural concept and provided its support to the height and floor space ratio proposed for the planning proposal. It canvassed issues to be resolved in the subsequent site specific DCP insert and development application, particularly in regard to landscaping.

As a consequence of the Panel's general endorsement of the architectural concept, the Planning Proposal has been updated for resubmission to Council and incorporate an updated urban design and architectural framework as the basis for the proposed FSR and HOB controls as well as informing the DCP insert after gateway consideration.

B.5.2 Community Consultation

Should the Planning Proposal be supported and gain a supportive Gateway Determination, it is anticipated that Hurstville City Council will formerly exhibit an amending draft LEP and notify adjoining properties as well as consult with relevant State government authorities.

B.6 PART 6 - PROJECT TIMELINE

The following table represents the steps required to implement the Planning Proposal should it gain support.

STAGE	DATE
Submission Date	October 2015
Gateway Determination	February 2019
Commencement of government agency consultation and public exhibition	
Completion of public exhibition period	
Timeframe for consideration of submissions	
Timeframe for consideration of proposal post exhibition	
Report to Council on submissions	
Date Council will make the plan as delegated authority	February 2020 *
Date Council will forward to department for notification as delegated authority	Not applicable

* Subject to change after Council consideration in June and Department consideration prior to exhibition, LEP finalisation timeframe may need to be changed.

B.7 ATTACHMENTS

ATTACHMENT A: STATE ENVIRONMENTAL PLANNING POLICIES

SEPP	Relevant	Comment
1. Development Standards Consistent	No	Not applicable
19. Bushland in Urban Areas	No	Not applicable
21. Caravan Parks	No	Not applicable
33. Hazardous and Offensive Development Complex	No	Not applicable
36. Manufactured Home Estates	No	Not applicable
44. Koala Habitat Protection	No	Not applicable
47. Moore Park Showground	No	Not applicable
50. Canal Estate Development	No	Not applicable
55. Remediation of Land	Yes	PP does not specifically effect Policy
64. Advertising and Signage	Yes	PP does not specifically effect Policy
65. Design Quality of Residential Flat Development	Yes	PP does not specifically effect Policy
70. Affordable Housing (Revised Schemes)	No	Not applicable
Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment	Yes	PP does not specifically effect Policy
SEPP (Aboriginal Land) 2019	No	Not applicable
SEPP (Affordable Rental Housing) 2009	Yes	PP not specifically relevant to Policy
SEPP (Building Sustainability Index: BASIX) 2004	Yes	PP not specifically relevant to Policy
SEPP (Coastal Management) 2018	No	Not applicable
SEPP (Concurrences) 2018	Yes	PP not specifically relevant to Policy
SEPP (Educational Establishments and Child Care Facilities) 2017	Yes	PP not specifically relevant to Policy
SEPP (Exempt and Complying Development Codes) 2008	Yes	PP not specifically relevant to Policy
SEPP (Gosford City Centre) 2018	No	Not applicable

SEPP (Housing for Seniors or People with a Disability) 2004	Yes	PP not specifically relevant to Policy
SEPP (Infrastructure) 2007	Yes	PP not specifically relevant to Policy
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	No	Not applicable
SEPP (Kurnell Peninsula) 1989	No	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	No	Not applicable
SEPP (Miscellaneous Consent Provisions) 2007	Yes	PP not specifically relevant to Policy
SEPP (Penrith Lakes Scheme) 1989	No	Not Applicable
SEPP (Primary Production and Rural Development) 2019	No	Not applicable
SEPP (State and Regional Development) 2011	No	Not applicable
SEPP (State Significant Precincts) 2005	No	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	No	Not applicable
SEPP (Sydney Region Growth Centres) 2006	No	Not applicable
SEPP (Three Ports) 2013	No	Not applicable
SEPP (Urban Renewal) 2010	No	Not applicable
SEPP (Vegetation in Non-Rural Areas) 2017	No	Not applicable
SEPP (Western Sydney Employment Area) 2009	No	Not applicable
SEPP (Western Sydney Parklands) 2009	No	Not applicable

ATTACHMENT B: SECTION 9.1 DIRECTIONS

Direction	Rel.	Comment
Employment and Resources		
1.1 Business and Industrial Zones	Yes	Refer to discussion at Section B.3.2.4.
1.2 Rural Zones	No	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	No	Not applicable
1.4 Oyster Aquaculture	No	Not applicable
1.5 Rural Lands	No	Not applicable
Environment and Heritage		
2.1 Environment Protection Zones	No	Not applicable
2.2 Coastal Protection	No	Not applicable
2.3 Heritage Conservation	No	Not applicable
2.4 Recreation Vehicle Areas	No	Not applicable
2.5 E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	No	Not applicable
Housing, Infrastructure and Urban Development		
3.1 Residential zones	No	Not applicable
3.2 Caravan Parks and Manufactured Home Estates	No	Not applicable
3.3 Home Occupations	No	Not applicable
3.4 Integrating land use and transport	Yes	Refer to discussion at Section B.3.2.4.
3.5 Development Near Licensed Aerodromes	Yes	Refer to discussion at Section B.3.2.4.
3.6 Shooting Ranges	No	Not applicable
3.7 Reduction in non-hosted short term rental accommodation	No	Not applicable
Hazard and Risk		
4.1 Acid sulphate soils	No	Not applicable
4.2 Mine Subsidence and Unstable Land	No	Not applicable
4.3 Flood Prone Land	No	Not applicable
4.4 Planning for Bushfire Protection	No	Not applicable

Regional Planning		
5.1 Implementation of Regional Strategies	No	Not applicable
5.2 Sydney Drinking Water Catchments	No	Not applicable
5.3 Farmland of State & Regional Significance on the NSW Far North Coast	No	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	No	Not applicable
5.9 North West Rail Link Corridor Strategy	No	Not applicable
5.10 Implementation of Regional Plans	No	Not applicable
5.11 Development of Aboriginal Land Council land	No	Not applicable
Local Plan Making		
6.1 Approval and Referral Requirements	Yes	Consistent. PP does not propose provisions that require the concurrence, consultation or referral of development applications; require concurrence, consultation or referral; identify development as designated development.
6.2 Reserving Land for Public Purposes	No	Not applicable
6.3 Site Specific Provisions	No	None proposed
Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Note that Strategy now superseded but review of consistency provided below as technically required.
7.2 Implementation of Greater Macarthur Land Release Investigation	No	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	No	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	No	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	No	Not applicable

7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	No	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	No	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	No	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	No	Not applicable

Consistency with Section 9.1 Direction 7.1 - Implementation of A Plan for Growing Sydney (now superseded)

The Metropolitan Strategy for Sydney, *A Plan for Growing Sydney*, identified Hurstville as a Strategic Centre with planned improved interregional transport links and the following priorities (page 134).

- *retain a commercial core in Hurstville, as required, for long-term employment growth; and*
- *provide capacity for additional mixed-use development in Hurstville including offices, retail, services and housing.*

The planning proposal is consistent with the objectives and actions contained within the applicable strategies of Sydney Metropolitan Strategy, *A Plan for Growing Sydney 2014*, the amending draft *Towards our Greater Sydney 2056* and the draft *South District Plan (November 2016)*.

The inclusion of high density housing mixed with retail and commercial uses generally supports the objectives and actions in *A Plan for Growing Sydney* which identifies Hurstville as a Strategic Centre within the South Subregion.

The South Subregion is expected to grow to over 676,000 people requiring a housing target of 35,000 new dwellings between 2004 and 2031. An additional 4,100 dwellings in the former Hurstville Local Government Area is anticipated to help meet the target.

A Plan for Sydney noted priorities for Hurstville Strategic Centre (p134) to:

- *“Work with council to retain a commercial core in Hurstville, as required, for long-term employment growth; and*
- *provide capacity for additional mixed-use development in Hurstville including offices, retail, services and housing.”*

Redevelopment of the site with a substantial residential component outside of the City Core will assist in keeping the commercial integrity of that precinct while still meeting

housing demand and the broader objectives for Strategic Centres, notwithstanding the redevelopment maintaining half of existing commercial provision of 9,250 m2.

Consistency with relevant parts of *A Plan for Sydney* is addressed in the table.

A PLAN FOR GROWING SYDNEY 2014	
GOAL 1: A competitive economy with world-class services and transport	COMMENT
Direction 1.7: Grow strategic centres - providing more jobs closer to home Action 1.7.1: Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity	<p>Hurstville is one of the nominated Strategic Centres that will be supported by the Planning Proposal's provision of revitalised commercial activity, community activity and additional housing nearby the centre's commercial core. The Plan notes at page 46:</p> <p><i>Delivering more housing through targeted urban renewal around centres on the transport network will provide more homes closer to jobs and boost the productivity of the city.</i></p> <p><i>Focusing future growth in both strategic centres and transport gateways will provide the greatest benefits to Sydney in terms of land and infrastructure costs, social infrastructure and social and environmental outcomes.</i></p>
GOAL 2: A city of housing choice with homes that meet our needs and lifestyles	COMMENT
Direction 2.1: Accelerate housing supply across Sydney Action 2.1.1: Accelerate housing supply and local housing choices	<p>The Planning Proposal is consistent with this direction as it will allow for the feasible redevelopment of redundant facilities on a highly accessible but underutilised site as well as optimise the provision of mixed use / residential development.</p> <p>The Plan at page 65 notes that the listed actions under 2.1.1 will <i>increase housing supply across the whole metropolitan area, particularly in and around centres.</i></p> <p>Action 2.1.1 also notes that the most suitable areas for significant urban renewal are those areas <i>best connected to employment, including in and around strategic centres.</i></p>
Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs Action 2.2.2: Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres	<p>The Planning Proposal will allow the acceleration of the sites redevelopment to support this direction.</p> <p>The site is appropriate for more intense mixed use development within the periphery of the Hurstville Strategic Centre but with close access to mass transit to 'job rich locations'. Additionally, the Hurstville City Centre plays a significant role in future identified corridors such as Hurstville to Bankstown and Parramatta as well as Hurstville to Macquarie Park via Burwood and Sydney Olympic Park (p72 and 132).</p>
Direction 2.3: Improve housing choice to suit different needs and lifestyles	<p>The planning Proposal supports this direction by helping to supply a shortage of apartments in middle ring suburbs such as Hurstville as well as increasing the supply of 'universal' dwelling typologies.</p>
GOAL 3: A great place to live with communities that are strong, healthy and well connected	COMMENT

Direction 3.1: Revitalise existing suburbs Action 3.1.1: Support urban renewal by directing local infrastructure to centres where there is growth.	The Planning Proposal will assist in the revitalisation of redundant facilities on an underutilised site and optimise mixed use / residential development within a Strategic Centre to be supported by improved public transport infrastructure and travel demand management by Transport for NSW.
Direction 3.3: Create healthy built environments	The Planning Proposal will assist this direction by creating opportunities for convenient social activities; improved public domains; and additional public pocket park while reducing reliance on the car as a primary means of transport.
GOAL 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources	COMMENT
Direction 4.3: Manage the impacts of development on the environment	The Planning Proposal supports this direction through the application of good planning and urban design principles and practice with limited impacts to the environment and surrounding properties.

The draft Towards our Greater Sydney 2056 noted that *“since the release of A Plan for Growing Sydney the projections for growth have been revised upwards”* and *“to accommodate new housing growth while also responding to housing affordability, there is a need to accelerate housing supply across Greater Sydney”*. The draft amendment maintained the Metropolitan Plan’s emphasis that *“urban renewal provides opportunities to focus new housing in existing and new centres with frequent public transport that can carry large numbers of passengers”* and does not effect the Plan’s directions and goals as they relate to this Planning Proposal.

Section C - Supporting Studies

C.1 URBAN DESIGN REPORT

C.2 ARCHITECTURAL DESIGN CONCEPT

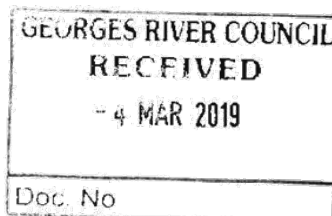
C.3 TRAFFIC REPORT

C.4 ECONOMIC IMPACT ASSESSMENT

C.5 SITE SURVEY



Ms Gail Connolly
General Manager
Georges River Council
PO BOX 205
HURSTVILLE BC NSW 1481



Dear Ms Connolly

Planning proposal PP_2018_GRIVE_005_00 to amend Hurstville Local Environmental Plan 2012

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the Hurstville Local Environmental Plan 2012 to increase development standards pertaining to land at 9 Gloucester Road, Hurstville.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Prior to public exhibition Council will need to update the planning proposal 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. This includes the consultation requirements under Direction 3.5.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of these section 9.1. Council should ensure this occurs prior to the plan being made.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister for Planning may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Bailey Williams to assist you. Mr Williams can be contacted on 8275 1306.

Yours sincerely



Ann-Maree Carruthers
Acting Executive Director, Regions
Planning Services

26/02/2019

Encl: Gateway determination
Local plan-making authority reporting template



Gateway Determination

Planning proposal (Department Ref: PP_2018_GRIVE_005_00): to increase the floor space ratio and maximum height controls and implement a minimum non-residential floor space ratio at 9 Gloucester Road, Hurstville.

I, the Executive Director, Regions at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hurstville Local Environmental Plan (LEP) 2012 to amend development standards applying to land at 9 Gloucester Road, Hurstville should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be updated to:
 - (a) amend the economic impact assessment to reflect the new minimum non-residential FSR control of 0.5:1;
 - (b) demonstrate that the proposal is consistent with section 9.1 Directions 1.1 Business and Industrial Zones and 3.5 Development Near Regulated Airports and Defence Airfields; and
 - (c) conduct consultation requirements under Section 9.1 Direction 3.5 Development Near Regulated Airports and Defence Airfields.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
 - Roads and Maritime Services;
 - Transport for NSW;
 - NSW Department of Education;
 - Sydney Airport Corporation; and
 - Civil Aviation Safety Authority.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 26th day of February 2019.



Ann-Maree Carruthers
Acting Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



Attachment 5 – Authorised plan-making reporting template

Reporting template for authorised LEP amendments

Notes:

- The planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal.
- The Department will fill in the details of Tables 1 and 3.
- The local plan-making authority is to fill in the details of Table 2.
- If the planning proposal is exhibited more than once, the local plan-making authority should add rows to **Table 2** to include this information.
- The local plan-making authority must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date.
- The plan should be signed using the following format:
[Name]
[Title]
[Council name]
Delegate of [Council name], the local plan-making authority [date]
- A copy of this completed report must be provided to the Department with the local plan-making authority's request to have the LEP notified.

Table 1: To be completed by the Department of Planning and Environment

Stage	Date/Details
Planning proposal number	PP_2018_GRIVE_005_00
Date sent to DPE under section 3.34(1)	24 October 2018
Gateway determination date	26 February 2019

Table 2: To be completed by the local plan-making authority

Stage	Date/Details	Notified regional office
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date draft LEP requested from PCO		
Date draft LEP received from PCO		
Date PCO Opinion requested		
Date PCO Opinion received		
Date GIS data or maps provided/requested		
Date ePlanning confirmed mapping is suitable and sent to PCO		
Date LEP finalised		
Date sent to DPE requesting notification		



Table 3: To be completed by the Department of Planning and Environment

Stage	Date/Details
Notification date and details	

Additional relevant information:



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2018_GRIVE_005_00)

I, Acting Director, Eastern and South District, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Places, have determined under section 3.34(7) of the Environmental *Planning and Assessment Act* 1979 to alter the Gateway determination dated 26 February 2019, for the proposed amendment to the Hurstville Local Environmental Plan 2012 as follows:

- Delete condition 6 and replace with a new condition 6:

"The timeframe for completing the amending Local Environmental Plan is to be by 26 August 2020."

Dated: 27th day of November 2019.

A handwritten signature in black ink, appearing to be "LR", written over the printed name of Laura Locke.

**Laura Locke
Acting Director Eastern and South District
Eastern Harbour City
Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning and
Public Spaces**



CONTROLS FOR SPECIFIC SITES AND LOCALITIES

8.3 9 Gloucester Road, Hurstville

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8.3 9 Gloucester Road, Hurstville

8.3.1 General Information

8.3.1.1 Name of Section

This section is known as 9 Gloucester Road, Hurstville ("the Site").

8.3.1.2 Land to which this Section applies

This section applies to land which is the subject of the *Hurstville Local Environmental Plan 2012* (Amendment No.XX, which came into operation on xxxx, xxxx). The site is known as 9 Gloucester Road, Hurstville (Lot 30 DP785238) and includes land as outlined in **Figure 1**:



Figure 1: 9 Gloucester Road, Hurstville



8.3.1.3 Purpose of this Section

The purpose of this Section is to produce a detailed guide for the development of the Site that achieves the below urban design principles.

8.3.1.4 Urban Design Principles

- a) Create a sustainable and livable environment for people through leadership and integration of design excellence.
- b) Development is distinctive, visually interesting and appealing.
- c) Development is designed to address the context of the area.
- d) Provision of good residential amenity in terms of privacy and built form by complying with the *SEPP 65 Apartment Design Guide* and incorporating appropriate transition between the new development and the adjoining residential development.
- e) Development to ensure the built form outcome provides a transition to the adjoining sites.
- f) Clearly define the street edge with building podiums.
- g) Articulate the building façades to enhance the streetscape character.
- h) Maintain a human scale at the street level, with particular emphasis on the human experience in the built environment.
- i) Provide pedestrian connections between streets and communal spaces.
- j) Retain significant existing trees and plant new trees to maintain the landscaped character of the Site.
- k) Provide adequate basement car parking and a safe and efficient access network for both pedestrians and vehicles.
- l) Create an active streetscape that enhances the liveliness and vitality of Forest Road.

8.3.2. Background and Context

8.3.2.1 Urban Context

The site is located within the Hurstville City Centre, bounded by Gloucester and Forest Roads to its north and south. The site is currently zoned B4 Mixed Use, which facilitates a variety of uses including commercial, which is present on the Site. Its immediate context comprises of a public car park and a service station on the north-east and various commercial premises along Forest Road on the south. The site is well planted with mature street trees, creating a green gateway to the Centre when entering via King Georges Road. The new development needs to

provide a range of flexible commercial floor space, contribute to the public domain and maintain the amenity of adjoining residential land uses.

8.3.2.2 Concept Master Plan

A Concept Master Plan (Refer **Figure 2**) was prepared for the Site as part of the assessment of the Planning Proposal which informed *HLEP 2012* (Amendment No.XX) and provides general guidance on the overall form of development on the Site.

Council will consider alternative schemes subject to compliance with the *HLEP 2012*, *State Environmental Planning Policy No.65 Design Quality of Residential Apartment Development (SEPP 65)* and the NSW Department of Planning and Environment *Apartment Design Guide (ADG)*, other sections of DCP No. 2 – Hurstville City Centre as well as key features listed below being provided:

- a central communal open space
- a through site link between Forest and Gloucester Roads
- retention of significant trees in accordance with **Section 8.3.3.8**
- active street frontages with commercial uses occupying the ground floor along Forest Road and comprising a minimum FSR of 0.5:1.

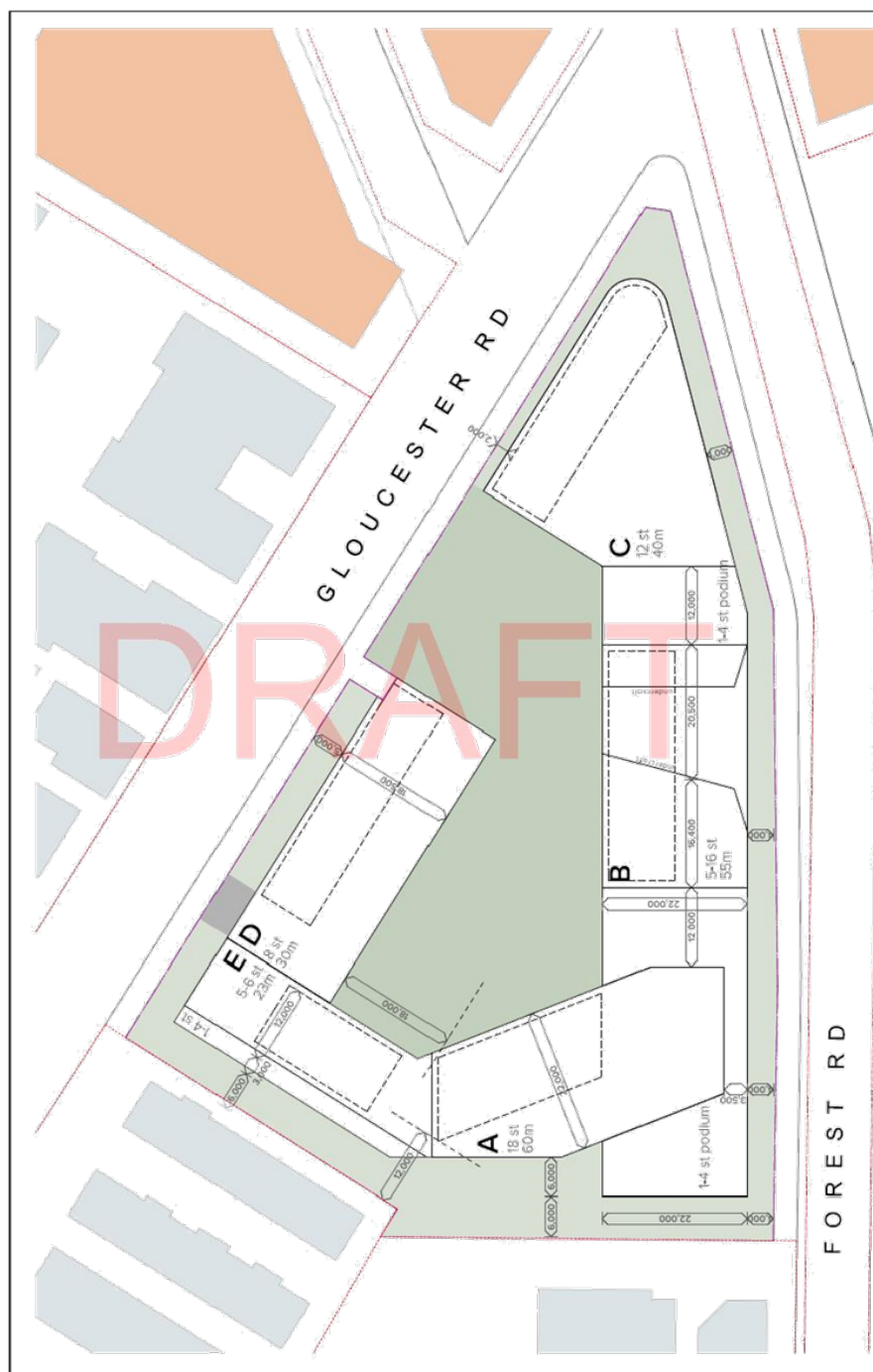


Figure 2: Concept Master Plan

8.3.3 Development Requirements

8.3.3.1 Surveyor's Certificate

Objectives:

- a) To ensure employment generating land uses continue to be developed on the Site.

Controls:

- a) A Development Application for the site must be accompanied by a Surveyor's Certificate including gross floor area diagrams to scale of each and every proposed level that indicates the breakup of residential and non-residential floor area, with a minimum non-residential floor space of 0.5:1; for the purpose of calculating gross floor area.

Note: This is to be accompanied by a properly scaled surveyor diagram.

8.3.3.2 Commercial Floor Space

Objectives:

- a) To ensure a wide range of employment floor space is provided on the site.
- b) To facilitate the attraction of a range of employment uses.

Controls:

- a) Retail and community uses shall be provided on the whole of the ground floor.
- b) Flexible types of office spaces shall be provided above ground floor, including a range of floor plate sizes.

8.3.3.3 Built Form and Setbacks

Objectives:

- a) To provide a vibrant mixed-use development that takes advantage of the site's location within the Hurstville City Centre.



- b) To ensure that the height of the development responds to the existing scale and character of the adjacent residential development and the desired future character of the City Centre West precinct.
- c) To achieve a transition in scale through variation in building form, density and typology that appropriately responds to the surrounding context.
- d) To ensure adequate separation between the subject development and adjoining residential development to provide reasonable solar access, open space and privacy to occupants of the residential developments on the subject site and adjoining sites.
- e) To reduce the apparent bulk and scale of buildings by breaking up expanses of building wall with modulation of form and articulation of facades.
- f) To establish the desired spatial proportions of the street and define the street edge.
- g) To ensure acoustic privacy for occupants and neighbours.
- h) To provide good residential amenity by complying with the State Environmental Planning Policy No.65 Design Quality of Residential Apartment Development and the Apartment Design Guide.

Controls:

- a) Development shall display a built form comprising a 4m front setback for the entire length of Forest Road to allow the provision of awnings and street tree planting (Refer **#1 in Figure 3**).
- b) Define the street edge by retaining significant trees along Forest and Gloucester Roads (Refer **Section 8.3.3.8**).
- c) Development shall display a built form comprising a 2m front setback along the southern portion of Gloucester Road and 5m front setback along the remaining Gloucester Road frontage reflecting the established setback of the adjacent 4 storey residential flat buildings (Refer **#2 and #3 in Figure 3**).
- d) Development shall display a 6m setback to side boundary at street level to allow for landscaping of the side boundary interface zone (Refer **#4 in Figure 3**).

- e) An additional setback of minimum 3m is required for built forms above 4 storeys to allow suitable building separation and appropriate transition to adjoining developments (Refer **#4 in Figure 3**).
- f) Define the Forest Road street edge by providing a podium of maximum 4 storeys, with the exception of Building C and a portion of Building B (unless where indicated in **Figure 2**).
- g) Building layout, setbacks and separation of building forms are to be in accordance with SEPP 65 and the ADG to ensure the amenity of residents is maintained.

Note: Refer to Figure 5.3.3: Indicative Building Floor to Ceiling heights in Section 5.3 Built Form Controls of this DCP.

- h) All residential apartments are to be insulated and to have Impact Isolation between floors to achieve an Acoustical Star Rating of 5 in accordance with the standards prescribed by the Association of Australian Acoustical Consultants (AAAC). ~~An Acoustic Report is to be submitted with the Development Application to ensure that the above standards have been achieved.~~
- i) A Pedestrian Wind Impact Report prepared by a suitably qualified engineer is to be submitted with Development Applications for buildings 30m or higher, and for other buildings at the discretion of Council. At a minimum, the report is to:
 - a) Report the likely impacts of wind on the pedestrian environment at the footpath level within the site and the public domain; and
 - b) Show how the proposal minimises the impact of wind on the public and private domain.

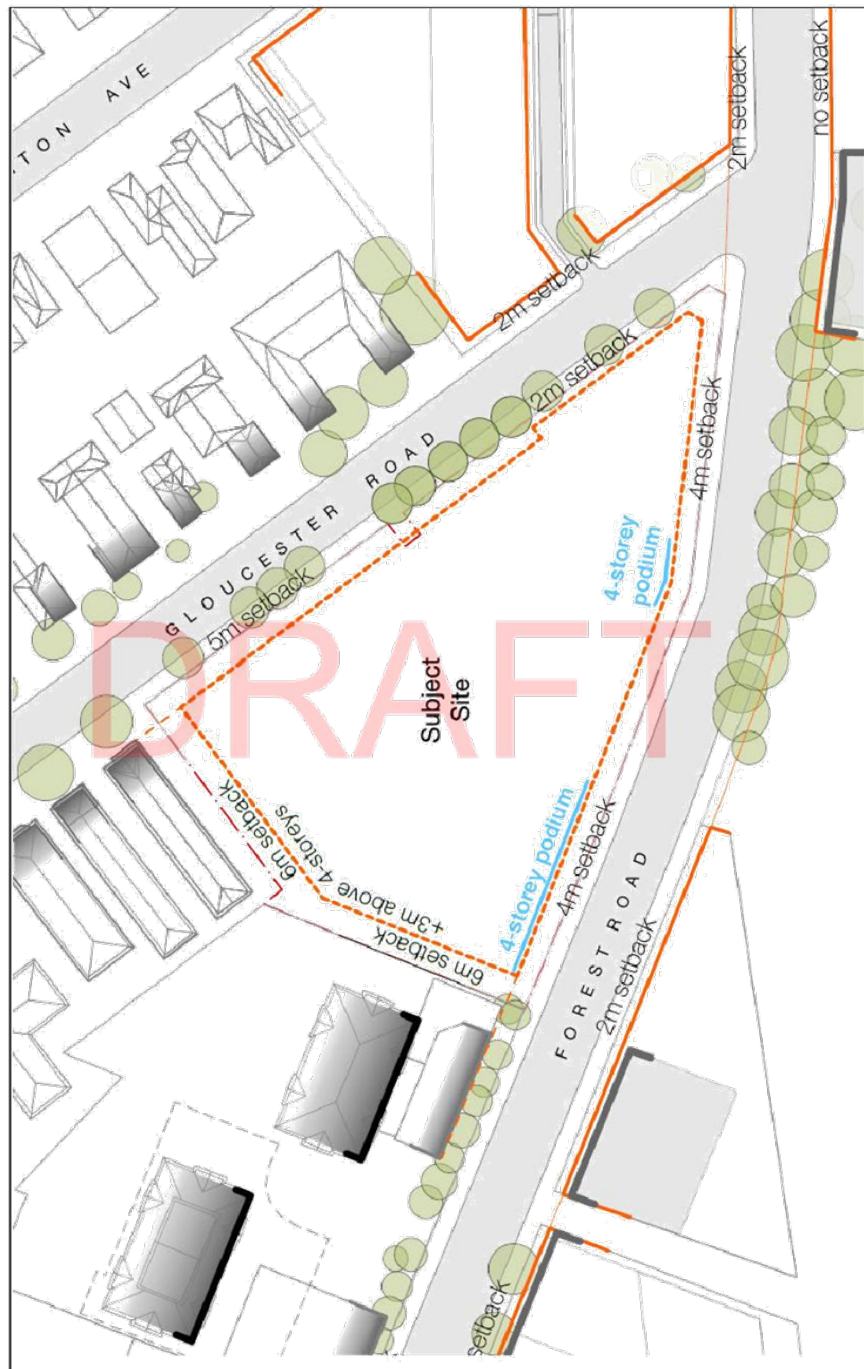


Figure 3: Minimum Street Setback

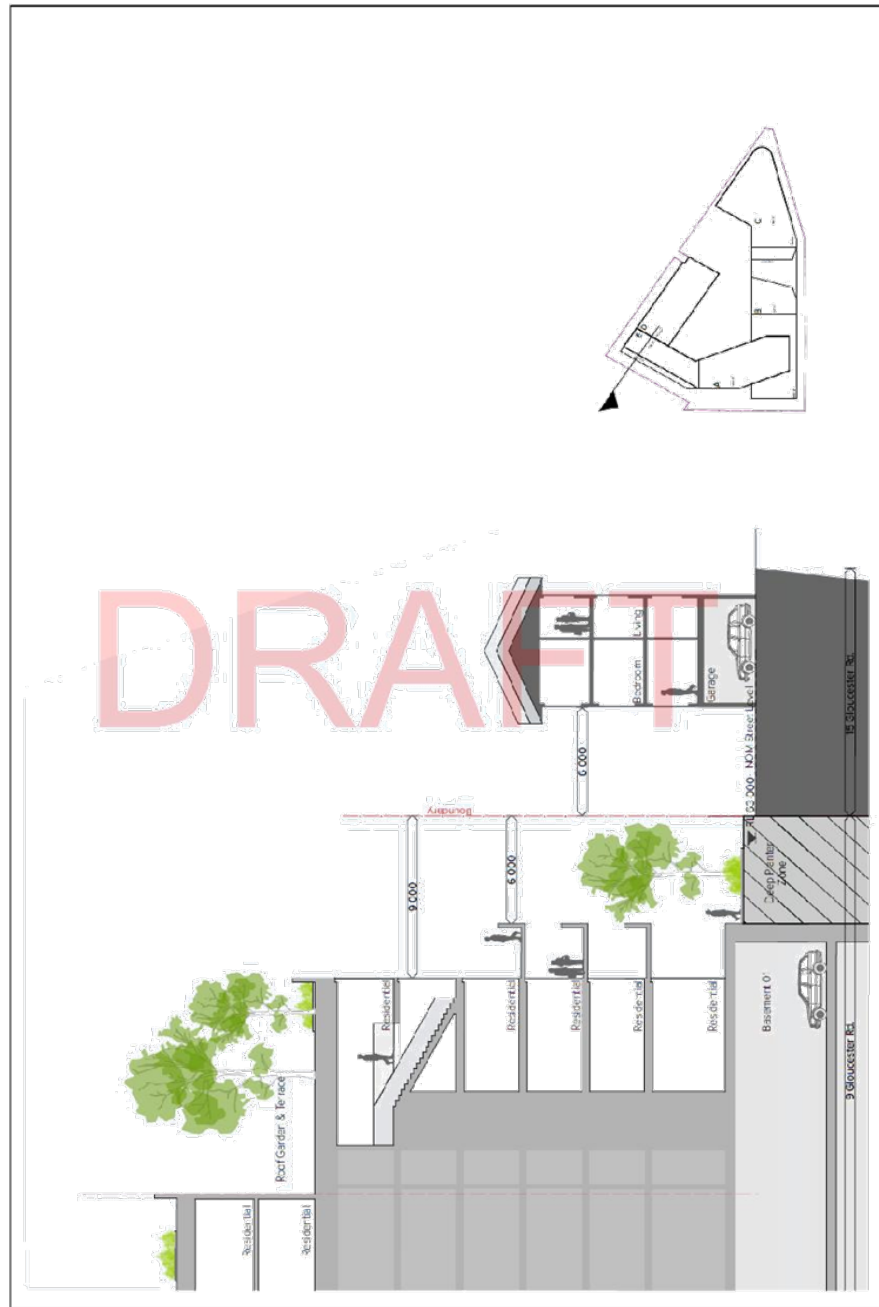


Figure 4: Section - Gloucester Road transition to adjoining development

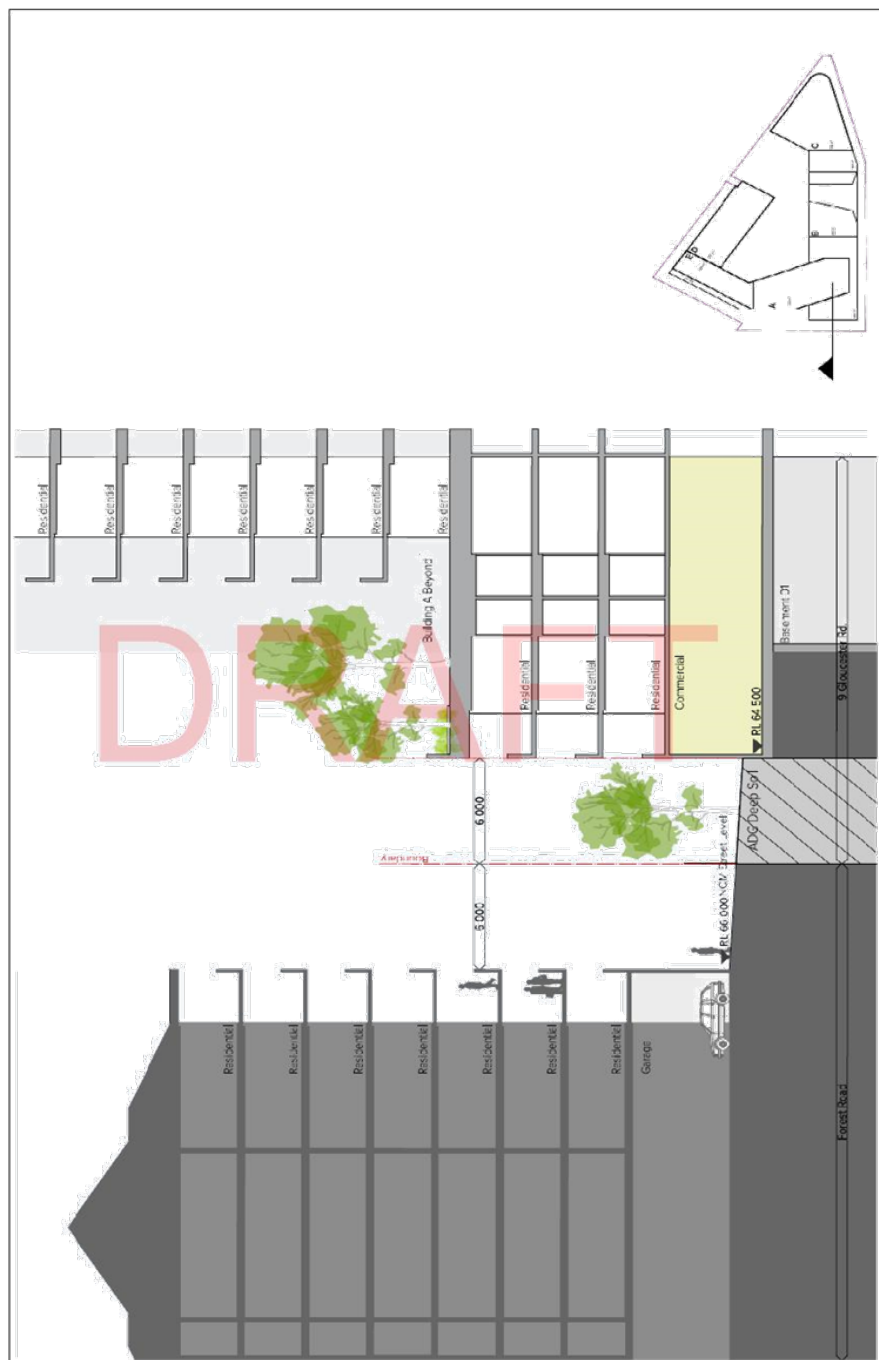


Figure 5: Section - Forest Road transition to adjoining development

Note with respect to Figures 4 and 5:

Council accepts that the design criteria and design guidance under Objective 3F-1 of the ADG (which relate to building separation) take precedence over that which is depicted in these Figures and the proponent must make every attempt to comply with the criteria and guidance.

8.3.3.4 Façade Treatment and Street Corners

Objectives:

- a) To ensure building facades are appropriately modulated and articulated to provide visual interest along the street and other areas of the public domain.
- b) To ensure well-proportioned built forms and façade treatments that minimise the appearance of building bulk from the street and other areas of the public domain.
- c) To ensure that the prominent street corner formed by Forest and Gloucester Roads is clearly defined and emphasised.

Controls:

- a) Building facades must be articulated and employ materials and finishes that enhance and complement the streetscape character.
- b) The Forest and Gloucester Road street corner must be reinforced through strong architectural form that reflects the geometry of the site with appropriate use of materials, color, height and transition towards Forest Road.
- c) Human scale at street level must be created through the use of fine-grain elements, rhythm, high quality materials and/or landscaping.
- d) The use of blank walls is not acceptable for façades visible from the public domain. Façade treatments such as wall cladding and green walls should be considered as alternatives to blank walls.
- e) Development must not rely solely on the use of two-dimensional colour and materials to create visual interest. Modulation and articulation in the building form must be explored.
- f) Essential services such as substations and fire hydrants must be integrated into the design of the façade.



- g) Clear glazing balustrades must be avoided where they are visible from the public domain.
- h) The ground floor along the prominent corner and extending up both Forest and Gloucester Roads must have (as close as possible) level access to the footpath and pedestrian access ways without any proposed basement carpark extending above such levels.

8.3.3.5 Pedestrian Access and the Public Domain

Objectives:

- a) To ensure that the development incorporates a through-site pedestrian link that enhances the permeability of the site.
- b) To provide direct and safe pedestrian paths between public spaces.
- c) To enable the ground level landscaped communal open space to be used in a variety of ways.
- d) To provide an attractive and cohesive public domain that includes existing significant trees.
- e) To ensure that site facilities are thoughtfully integrated into development and provide a comfortable pedestrian environment.

Controls:

- a) Provide high quality accessible routes to public and semi-public areas of the building and the site, including major entries, lobbies, communal open space, site facilities, parking areas and pedestrian pathways.
- b) Separate and clearly distinguish between public and private pedestrian accessways and vehicle accessways and utilise consistent paving treatments throughout the site.
- c) All pedestrian links are to have appropriate levels of illumination.
- d) The through-site link from Forest Road to the landscaped communal open space and Gloucester Road (**Refer Figure 6**) is to:
 - a. be a minimum of four storeys in height with no blank walls facing the underpass space.
 - b. ensure that a clear and safe path that is unobstructed by parking and services is available for pedestrians at all times.

- c. incorporate elements that positively contribute to the Forest Road streetscape, especially from the public domain.
 - d. integrate landscaping elements such as existing and new tree plantings.
 - e. ensure pedestrian safety through the application of CPTED principles, especially measures that promote passive surveillance.
- e) The landscaped communal open space on the ground level is to provide the opportunity to be used in a variety of ways over different times of the day, week and year.
- f) The existing above ground electricity and telecommunication cables within the road reserve and within the site area are to be replaced, at the applicant's expense, by underground cables and appropriate street light standards, in accordance with the Energy and Communication Provider's guidelines.

DRAFT

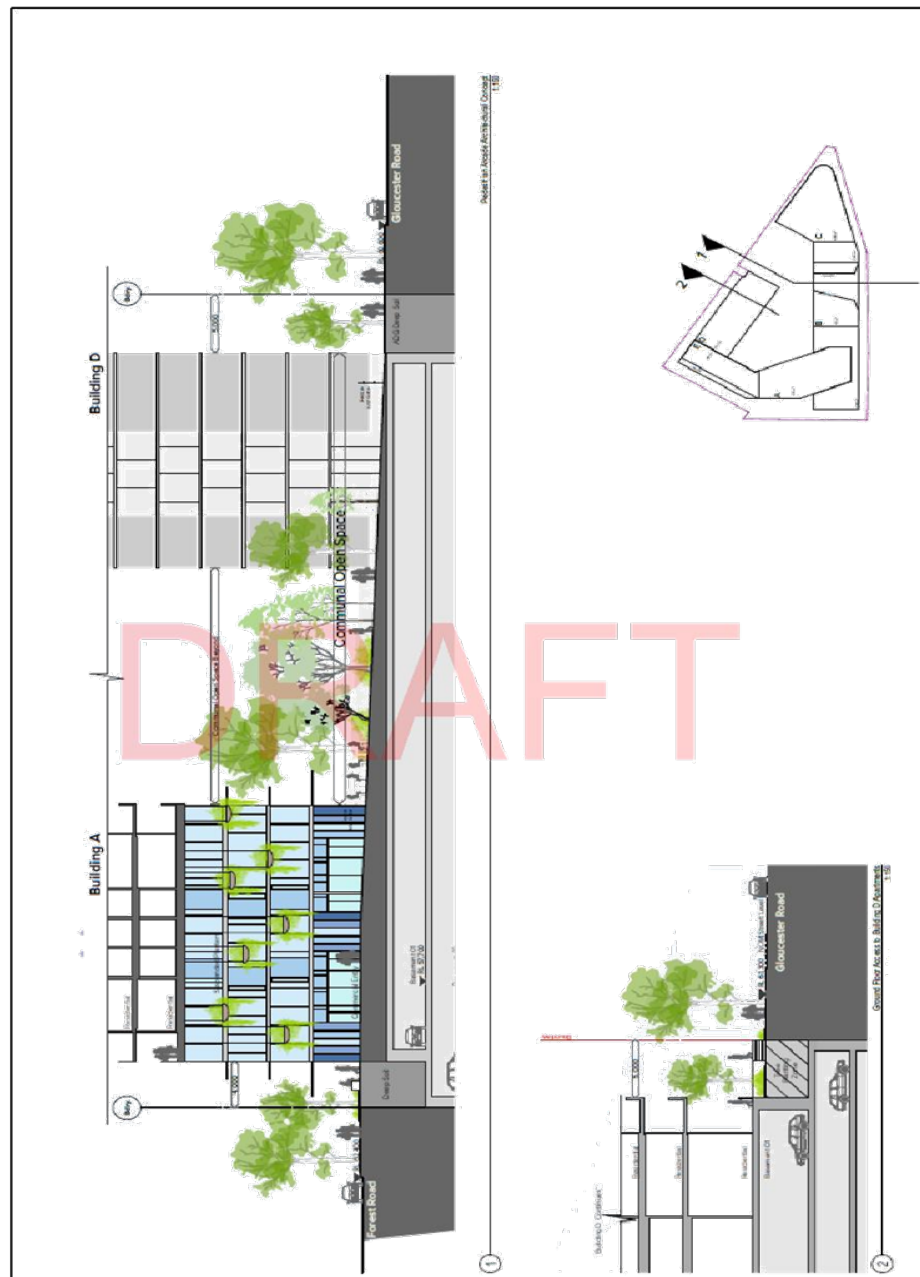


Figure 6: Section of four-storey through site link

8.3.3.6 Active Street Frontages

Active street frontages have been identified for the site in accordance with Clause 6.6 of the *HLEP 2012* as shown in **Figure 7**.

Objectives:

- a) Ensure ground floor frontages are pedestrian oriented and of high design quality to add vitality to the streets.
- b) Encourage frequent building entries that face and open towards the street.

Controls:

- a) Active street frontages are to be provided along Forest Road in accordance with the *HLEP 2012* Active Street Frontage Map (the "ASF Map")
- b) Active street frontages are to contribute to the liveliness and vitality of streets by:
 - maximising entries and display windows to commercial premises or other uses that provide pedestrian interest and interaction;
 - providing a high standard of finish and appropriate level of architectural detail for shopfronts; and
 - providing elements of visual interest (minimising blank walls), such as display cases, or creative use of materials where fire escapes, service doors, equipment hatches and other services are provided.
- c) Generally, a minimum of 70% of the ground floor frontage is to be transparent glazing with a predominantly unobstructed view from the adjacent footpath to at least a depth of 6m within the building.
- d) Active frontages are to be designed with the ground floor level at the same level as the footpath.
- e) A continuous awning must be provided above all active street frontages.
- f) Security grilles may only be fitted internally behind the shopfront and are to be fully retractable and at least 50% transparent when closed.



Figure 7: Extract from the existing Hurstville LEP 2012 Active Street Frontages Map

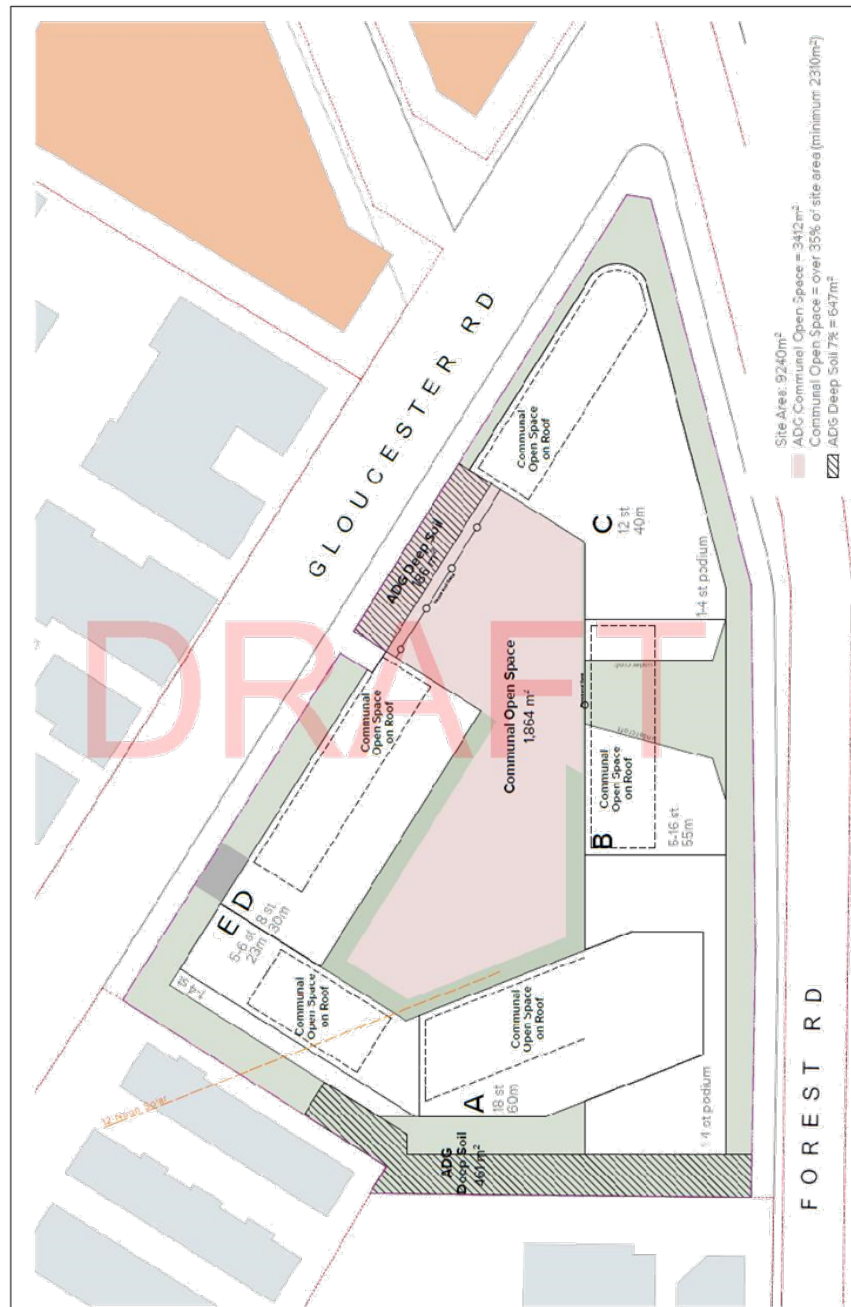
8.3.3.7 Open Space and Landscaping

Objectives:

- a) To provide residents with passive and active recreational opportunities.
- b) To provide designated areas within the site that enables soft landscaping and deep soil planting which will provide for the planting of trees that are, or will, grow to a large or medium size.
- c) To ensure that communal open space is consolidated, configured and designed to be useable and attractive.
- d) To provide a pleasant outlook and privacy for future residents of the development.
- e) To ensure that landscaping is integrated into the design of the development and improve the overall appearance of the development when viewed from neighbouring sites.
- f) To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.

Controls:

- a) A landscaped communal open space is to be provided generally in the location shown in **Figure 8** and is to include:
- A ground level communal open space of approximately 1,870sqm that is protected from the busier Forest Road environment and receives reasonable solar access;
 - Retention of trees and proposed street tree planting in accordance with **Section 8.3.3.7**.
- b) Landscape design is to be in scale with the development and should relate to building form; facilitate storm water infiltration through the use of permeable surfaces; and be easily maintained.
- c) Landscaping is to ensure amenity of private and publicly accessible open spaces and solar efficiency of apartments by providing shade from the sun and shelter from the wind, including the use of deciduous trees for shading of windows and open space areas in summer and allowing solar access in winter.
- d) Deep soil planting is to be provided in accordance with the ADG and incorporated in the landscaped central common area – the deep soil area should not be above the basement parking.
- a. 6m wide deep soil landscaped screening along the interface with residential properties to the west (Refer **Figure 8**);
 - b. 6m wide deep soil planting along Gloucester Road (Refer **Figure 8**).
- e) Additional communal open spaces such as above podium and internal courtyards may be provided to ensure equitable access to all residents.
- f) All Development Applications are to include a landscaping plan for all landscaped areas prepared by a qualified landscape designer. The landscaping plan should demonstrate that there is no conflict with the location of services on the site and any deep soil planting area.



8.3.3.8 Tree Retention

The subject site contains large trees with dense canopies lining the street frontages, complemented by significant under-storey planting. There are mature trees on the south of the site as well which provides a significantly landscaped area that provides amenity, visual quality, enhanced streetscape, native fauna habitat, soil conservation, enhanced microclimatic conditions, solar access control and improved air quality. It is a requirement of this DCP that a number of trees be retained and a tree replacement strategy be implemented.

Objectives:

- a) To conserve trees of ecological, heritage, aesthetic and cultural significance.
- b) To protect and manage identified individual trees as an important site asset.
- c) To ensure all new development considers the trees proposed for retention and the proposed tree planting plan that provides opportunity for the healthy growth of large trees.

Controls:

- a) Any new development must retain identified trees in accordance with **Figure 9** and **Table 1** in this section.
- b) Any new development must propose new trees in the locations identified in **Figure 9**. Details of the proposed trees, including the species and size, will need to be provided with the Development Application to the satisfaction of Council. The proposed tree canopy must exceed the existing canopy cover on the site of 3,385sqm. The costs of the works are to be borne by the applicant.
- c) Any trees that are located on public land will be subject to the payment of security in accordance with Council's Tree Management Policy.

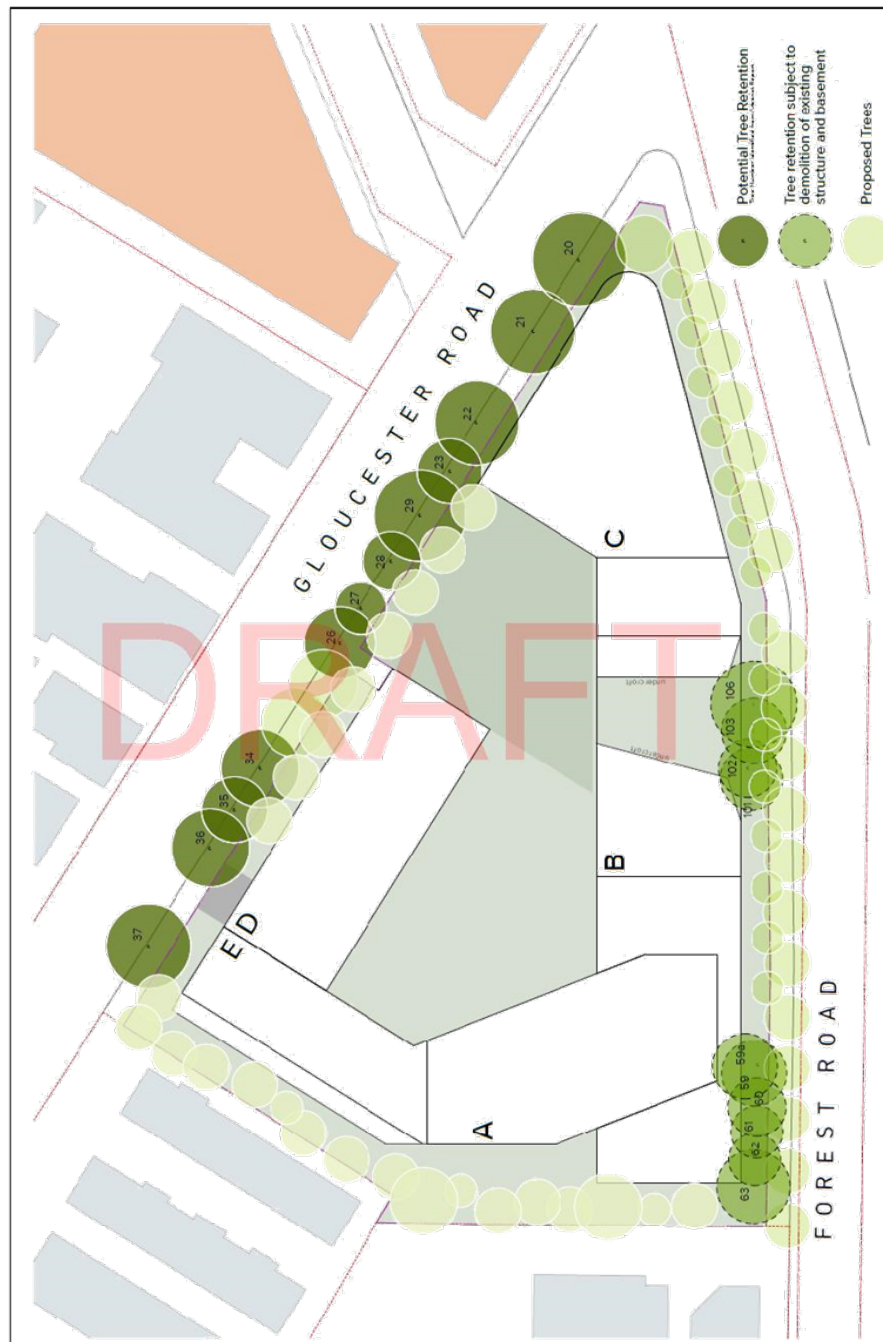


Figure 9: Potential Tree Retention and Proposed Trees

Tree number	Species	Location
20	London Plane	Gloucester Road
21	London Plane	Gloucester Road
22	London Plane	Gloucester Road
23	London Plane	Gloucester Road
26	London Plane	Gloucester Road
27	London Plane	Gloucester Road
28	London Plane	Gloucester Road
29	London Plane	Gloucester Road
34	London Plane	Gloucester Road
35	London Plane	Gloucester Road
36	London Plane	Gloucester Road
37	London Plane	Gloucester Road
59	Chinese Hackberry	Forest Road
60	Chinese Hackberry	Forest Road
61	Chinese Hackberry	Forest Road
62	Chinese Hackberry	Forest Road
63	Chinese Hackberry	Forest Road
59a	Evergreen Alder	Forest Road
101	Evergreen Alder	Forest Road
102	Evergreen Alder	Forest Road
103	Evergreen Alder	Forest Road
106	Evergreen Alder	Forest Road

Table 1 – Trees to be retained (Refer Figure 9)

Notes:

1. The London Plane trees along Gloucester Road tabulated in **Table 1** are of high value to the streetscape and are suitable for retention. An exclusion zone should be established for the design of buildings and basement levels that ensures the protection of trees.
2. The dense foliage of Evergreen Alder planted along Forest Road creates a dense canopy and creates a visual barrier from the street to the communal open spaces within the site.
3. The Chinese Hackberry provides a continuous landscaped edge along Forest Road and is thus recommended for retention.



8.3.3.9 On-Site Parking

Objectives:

- a) To provide adequate car parking for the buildings' users and visitors.
- b) To integrate the location and design of car parking with the design of the site and the building.
- c) To ensure that car parking, loading/unloading and servicing access is accommodated within the property and not on public roads.

Controls:

- a) Car parking must be located underground in a basement and be designed in accordance with *Section 5.4 Transport, Traffic, Parking and Access* of this DCP.
- b) Car parking rates must comply with RMS car parking rates in accordance with the Apartment Design Guide.
- c) All loading and unloading of goods is to be accommodated within the property and off the public roads, including garbage pickup.
- d) All vehicles are to enter and leave the site in a forward direction at all times.
- e) The designs for all the levels of the basement car park are to adhere to the latest edition of relevant AS/NZS 2890.1, 2890.2 and 2890.6.
- f) Safe and secure access is to be provided for building users, direct access to residential apartments and convenient access to customers /staff of the commercial uses.
- g) Ventilation grilles or screening devices of car park openings are to be integrated into the overall façade and landscape design of the development and must not be located above existing or proposed footpath levels along Forest Road and Gloucester Road.

8.3.3.10 Vehicle Access

Objectives:

- a) To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.
- b) To encourage the active use of street frontages.

- c) To ensure that vehicle access to buildings is not incompatible with pedestrian movements and the public domain.

Controls:

- a) Vehicular access to the site is to be provided in accordance with *Section 5.4 Transport, Traffic, Parking and Access* of this DCP.
- b) Vehicle access to the site is to be located off Gloucester Road.
- c) The appearance of car parking and service vehicle entries are to be improved by screening and locating garbage collection, loading/unloading and servicing areas within the basement of the development. Refer to *Section 6.2.2 Waste Minimisation and Management* of this DCP.
- d) Vehicle access to the site is to be setback from the neighbouring residential properties to provide for a landscaping buffer as shown in **Figure 10**.

DRAFT

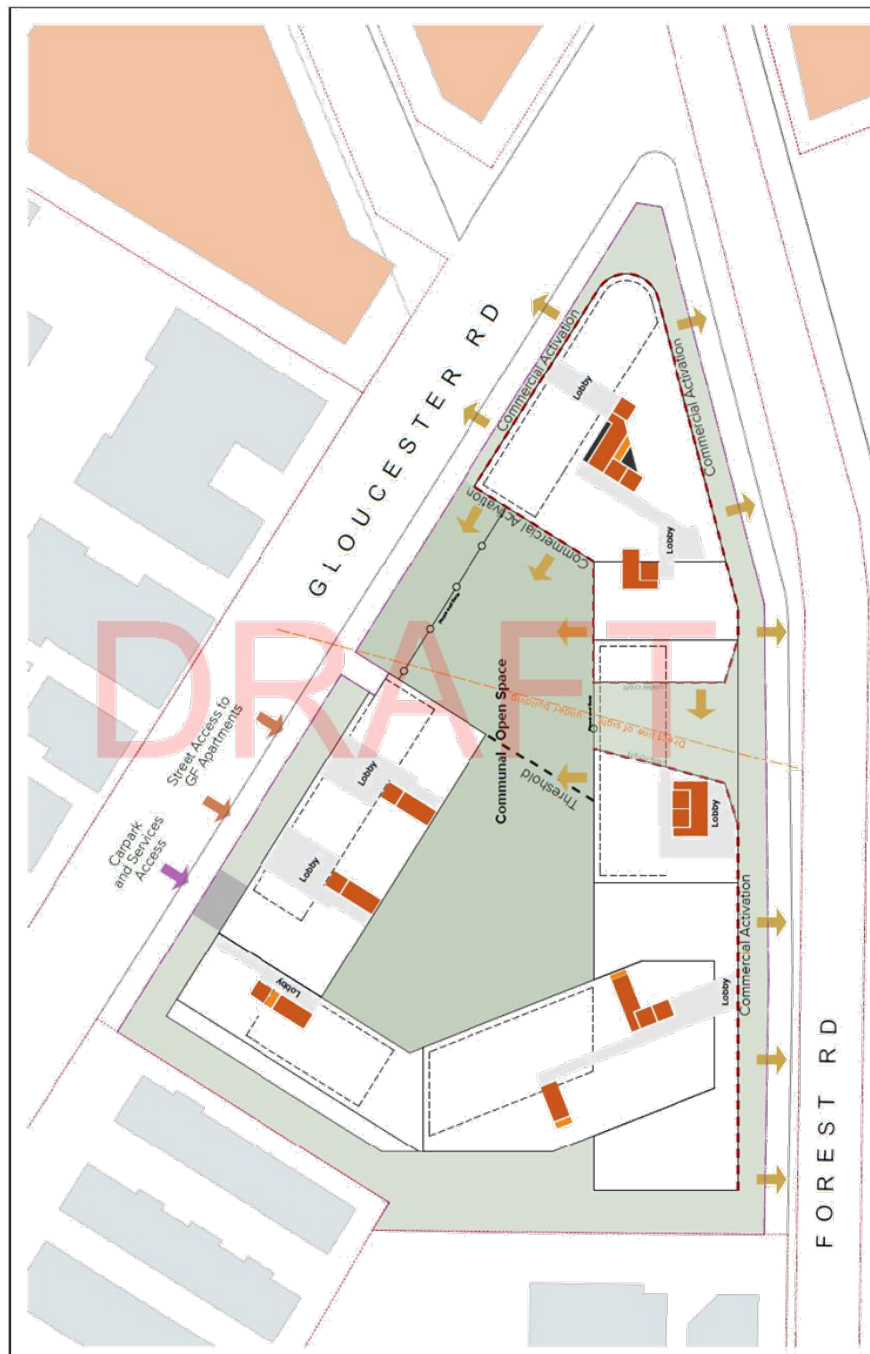


Figure 10: Vehicular and Pedestrian Access



Transport
for NSW

3 March 2020

TfNSW Reference: SYD20/00100/01
Council Reference: PP2015/0005

The General Manager
Georges River Council
PO Box 205
Hurstville BC NSW 1481

Attention: Michaela Newman

Dear Ms Connolly,

**PLANNING PROPOSAL AND DCP AMENDMENT FOR A MIXED USE DEVELOPMENT
9 GLOUCESTER ROAD, HURSTVILLE**

Transport for NSW (TfNSW) advises that legislation to bring Roads and Maritime Services and TfNSW together as one organisation came into effect on 1 December 2019 so we can deliver more integrated transport services across modes and better outcomes to customers and communities across NSW.

We appreciate the opportunity to provide comment on the above proposal as referred by Council by letter dated 22 January 2020, and advise that this letter represents the views of the new TfNSW organisation.

It is noted that the planning proposal seeks to amend planning controls within the Hurstville Local Environmental Plan 2012 (HLEP 2012) for the subject site as follows:

- increase the maximum floor space ratio (FSR) from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1);
- increase the maximum Height of Buildings control from 23 metres to a range of heights of 23m, 30m, 40m, 55m and 60m; and
- it is noted that a Voluntary Planning Agreement detailing local infrastructure contributions to support the planning proposal is also proposed.

Detailed comments on the proposal are provided at **Attachment A** for Council's consideration. These comments should be addressed prior to the making of the plan.

Thank you for the opportunity to provide advice on the subject planning proposal. Should you have any questions or further enquiries in relation to this matter, Amanda Broderick would be pleased to take your call on phone 8849 2391 or email: development.sydney@transport.nsw.gov.au

Yours sincerely,

Cheramie Marsden
**Senior Manager Strategic Land Use
Sydney Planning, Sydney Division**

Transport for NSW

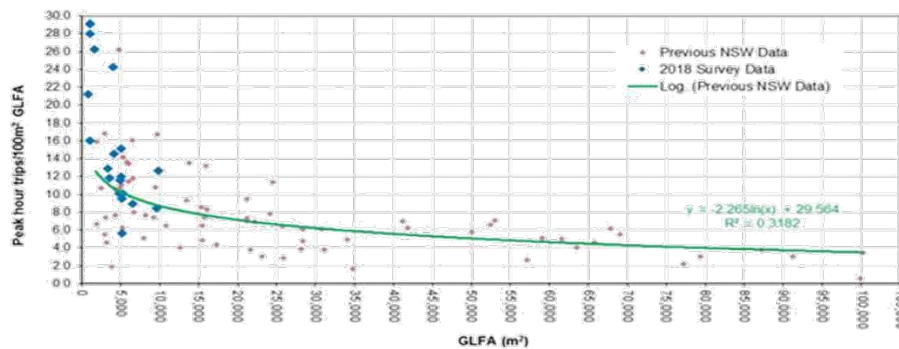
27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973, Parramatta CBD NSW 2124
P 131782 | W transport.nsw.gov.au | ABN 18 804 239 602

Attachment A: Detailed Comments

TfNSW provides the following detailed comments on the proposal and strongly recommends these matters are addressed prior to the finalisation of the planning proposal:

Traffic assessment:

1. The existing traffic flows used in the report are from 2014/17. Hurstville CBD has seen significant changes in developments within the precinct, land uses and public transport facilities. This significantly changes the traffic flow distribution and movement patterns.
2. The traffic report is largely referencing the previous Hurstville City Centre Transport Management and Accessibility Plan (TMAP) prepared by Council in 2013. It seems the traffic report compares the traffic generation of the proposal against the land use proposed in the TMAP. For example, the traffic report indicates that the subject site was zoned commercial in the previous TMAP while the current planning proposal is looking at a mixed use zone (page 13).
3. Figure 12 (page 20) of the report compares the difference in traffic generation between the TMAP assumptions and the current planning proposal. However, it is not evident whether this comparison has taken into account of the differences in land uses (i.e. commercial vs mixed use). Clarification in relation to this is required.
4. Though the traffic report explains that the reduced traffic generation (as compared to the TMAP assumption) is because of the removal of the then-proposed supermarket, it has not discussed the change between the inbound and outbound traffic (i.e. more outbound traffic for mixed use zone due to residential component in the mixed use zone as compared to a commercial zone which generates mostly inbound trips in the morning peak). It is therefore not clear how this would impact the intersection performance (more traffic loaded onto the critical approach at intersection at peak times).
5. The traffic report suggests no retail uses will be pursued, however the planning proposal report identifies that retail may be developed on the ground floor level (page 10 - 4,620 m² GFA 'commercial premises - predominately street retail & offices'. No split between these two uses has been provided).
6. Trip generation associated with potential retail uses should be considered, particularly in the PM peak. Recent survey data (excerpt provided following) shows surveys of smaller format retail generate higher traffic rates than those assumed in the TMAP. The blue diamonds are the results from the recent surveys of smaller shopping centres. The small dots in the following graph shows peak hourly trip generation rates for shopping centres, generally larger format, from surveys undertaken on behalf of (then) Roads and Maritime since the 1970s. Note that in the older surveys the peak was on Thursday night; however later surveys show the weekly peak on a Saturday. Weekday PM peak also tends to be high in the recent surveys.



SIDRA Modelling Review

TfNSW has reviewed the submitted SIDRA traffic modelling for the subject site and notes a number of inconsistencies and errors that should be amended before the planning proposal is finalised. This includes accurately reflecting the existing and future land use and access arrangements at the subject site. Accurate modelling is required for TfNSW to make a holistic assessment of the Planning Proposal.

Specific revisions in relation to the proposed model are:

Forest Rd / Gloucester Rd

- The model shows a dual left for Gloucester Rd with a shared right. Looking at Google map it shows it should be a single dedicated left and right turn. The existing AM, AM+Dev and PM+Dev needs to be corrected.
- The cycle time should be consistent between the existing and future scenarios. The maximum cycle time should be set at 100s according to SCATS signal settings.

Forest Rd / Bridge St

- The model shows a single left and right turn out of Bridge St. SCATS shows the existing arrangement as a dual right and with shared left on the kerb side lane.
- The cycle time should be consistent between the existing and future scenarios. The maximum cycle time should be set at 140s SCATS.

Bus Services

All bus stop infrastructure and locations will need to be maintained. Opportunities to improve place making at the site frontages should be investigated. Any future Development Application should seek to enhance pedestrian and cycling access and improve facilities on key desire lines such as to the bus stop at the Forest Road site frontage. Appropriate setbacks and footpaths should be provided to cater for increased pedestrian demands associated with the redevelopment of the subject site and the growth envisaged for Hurstville CBD generally.

Developer contributions for regional infrastructure

TfNSW notes the subject site falls within the Hurstville CBD which was investigated for uplift potential under previous studies for the CBD, including the Hurstville City Centre Urban Design Strategy and accompanying 2018 Hurstville City Centre TMAP (adopted 24 June 2019). The TMAP identified various local road network upgrade works and bus priority improvement measures required to support growth within the Hurstville CBD. As suggested in the former Roads and Maritime and TfNSW submission of 1 March 2019 on the Hurstville TMAP, a funding mechanism/contribution plan should be identified for

the collection of equitable developer contributions towards State and regional road improvements for the town centre in order to achieve the objectives and proposed upgrades set out in the TMAP. This funding mechanism should be identified and implemented prior to finalisation of any amendment to the LEP for the city centre to ensure that infrastructure to support future growth can be delivered.

Travel demand management

It is noted that one of the recommendations of the Hurstville City Centre TMAP was to adopt recommendations from the ongoing Parking Study and to update the DCP to mandate Green Travel Plans as part of the development applications for major new developments.

To further promote the use of public and active transport for the future development of the site, Council may wish to implement/investigate a range of measures which include reducing parking rates in conjunction with local area parking schemes and on-street parking restrictions. It is noted that the original Hurstville City Centre TMAP had recommended a restrained commercial parking rate in the order of 1 space per 200m² with the measured benefits on the surrounding road network. Council may wish to consider appropriate maximum parking controls in its DCP or LEP to limit the provision of parking at the subject site and reduce reliance on private vehicle trips.

Clearways

The Hurstville TMAP recommends that the road network should consider expanding clearways to ease accessibility during peak periods particularly on Forest Road (page 60). Currently there are Clearway restriction for morning weekday peak times. An amendment to the current Clearway restriction to include both AM and PM peak times should be considered in any future Development Application.

Street Trees

Whilst TfNSW supports increasing tree canopy to provide shade along key walking and cycling routes and assist in combating the heat island effect, the species of vegetation and planting locations requires careful consideration. Any street trees proposed within the kerbside clear zone of arterial roads should be frangible for road safety reasons. Any infrangible street trees (and the like) within the footway adjoining classified roads should be set back from trafficable lanes to comply with minimum kerbside clear zones to provide a more forgiving roadside environment and reduce road safety hazards. In this regard, AUSTRROADS 'Guide to Road Design – Part 6: Roadside Design, Safety and Barriers' specifies that the minimum clear zone for a low speed (60km/hr or less) urban road ranges from 3 metres to 5.5 metres, depending on the average daily traffic and other geometric factors. Street trees should not reduce sight lines to critical road infrastructure. Species with invasive roots should also be avoided to avoid impacts to utilities and lifting footpath pavement which can lead to trips and obstructions to people who use a wheelchair or people with prams. Clear zones must be provided and maintained.