

Ref No: D18/210966

Planning Proposal

**Roberts Lane Road Widening
Amendment to Land Reservation Acquisition Map**

PP2018/0002

53 Forest Road, 108 Durham Street and 9 Roberts Lane, Hurstville

Accompaniment to Planning Proposal (Department Ref: PP_2017_GRIVE_005_00) to rezone and amend planning controls for land at 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville (Landmark Square Precinct)

20 September 2018

Amendment No.1

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Attachments

- Attachment 1: Georges River Council Report Item ENV028-18 Planning Proposal - Road Widening at 53 Forest Road, 108 Durham Street and 9 Roberts Lane, Hurstville (includes as Attachment 1, Georges River Local Planning Panel Report and Minutes dated 19 July 2018)
- Attachment 2: *Hurstville Local Environmental Plan 2012* Proposed Amended Maps
- Attachment 3: SEPP & S9.1 Directions Compliance Tables

1. Introduction

Georges River Council considered a Planning Proposal (PP2018/0002) at its meeting on 27 August 2018 and resolved to support the amendment to the *Hurstville Local Environmental Plan 2012* (“HLEP 2012”) in relation to 53 Forest Road, 108 Durham Street and 9 Roberts Lane to:

- a) Amend the **Land Reservation Acquisition Map** to include a 3m wide local road widening along the Roberts Lane boundary; and
- b) Amend **Clause 5.1 Relevant acquisition authority** to nominate Council as the relevant acquisition authority to acquire the land for local road widening.

The purpose of the Planning Proposal is to enable two-way vehicle access, access for service vehicles such as delivery and waste collection trucks, and the provision of a continuous pedestrian footpath with street planting on Roberts Lane.

This is a separate Planning Proposal intended to accompany the Planning Proposal (Department Ref: PP_2017_GRIVE_005_00) to rezone and amend planning controls for land at 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville.

Background

The request to prepare a Planning Proposal (PP2015/0001, Department Ref: PP_2017_GRIVE_005_00) to rezone and amend planning controls for the Landmark Square Precinct bound by Forest Road, Durham Street and Roberts Lane was originally submitted by Dickson Rothschild on 16 June 2015 on behalf of One Capital Pty Ltd (now Prime Hurstville Pty Ltd); refer to location plan in **Figure 1** below.

The Landmark Square Planning Proposal, which received a Gateway Determination on 19 October 2017, is accompanied by various documentation including an Urban Design Report prepared by Dickson Rothschild and a Traffic and Transport Impact Assessment prepared by Mott MacDonald.

Since receipt of the Gateway Determination, the applicant has submitted a revised Planning Proposal for Landmark Square which seeks to retain the originally proposed development density but refine the building envelope through an amended Urban Design Report prepared by UrbanPossible.

The revised Planning Proposal seeking an Alteration to the Gateway Determination from the Department of Planning and Environment (“DPE”) was considered by the LPP at its meeting dated 21 June 2018 where it was generally supported and was subsequently endorsed by Council at its meeting on 23 July 2018. The Alteration to Gateway request was forwarded to the DPE on 28 August 2018.

A 3m wide strip of land along the Roberts Lane boundary of the Precinct has been explicitly nominated by both the original and amended Urban Design Reports and the Traffic Impact

Assessment to be dedicated for the purpose of road widening to enable two-way traffic access and MRV access on Roberts Lane (e.g. waste collection and delivery vehicles).

However, none of the revisions proposed an amendment to the Land Reservation Acquisition Map of the *HLEP 2012* for the purpose of local road widening despite the intention of the Landmark Square Planning Proposal to enable two-way vehicle access.

Accordingly, this Planning Proposal has been prepared to amend the Land Reservation Acquisition Map to include a 3m wide local road widening at 53 Forest Road, 108 Durham Street and 9 Roberts Lane along the Roberts Lane boundary.

It should be noted that the remaining allotment in the Precinct which has a frontage to Roberts Lane is located at 61-65 Forest Road. This allotment is one of the eight allotments affected by the Voluntary Planning Agreement (“VPA”) Offer associated with the Landmark Square Planning Proposal (PP2015/0001) which identifies a 3m wide strip of land adjoining Roberts Lane is to be dedicated at no cost to Council.

Subject Site

The Planning Proposal relates to three (3) individual lots within the triangular-shaped Landmark Square Precinct (formerly known as Hurstville East) bound by Forest Road to the north, Durham Street to the south and Roberts Lane to the east:

- 53 Forest Road, Hurstville (Lot A DP372835);
- 108 Durham Street, Hurstville (Lot D DP391801); and
- 9 Roberts Lane, Hurstville (Lot 1 DP172819).

The subject sites are located at the eastern edge of the Landmark Square Precinct immediately adjacent to Roberts Lane (refer **Figure 1** and **Figure 2** below). The allotment at 53 Forest Road is isolated from 108 Durham Street and 9 Roberts Lane by the allotment located at 61-65 Forest Road.

61-65 Forest Road is not included within this Planning Proposal as the allotment is subject to land dedication for the purpose of road widening under a Voluntary Planning Agreement in association with the Planning Proposal (PP2015/0001) for the Landmark Square Precinct at 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville.

Figure 1 – Aerial of the Landmark Square Precinct



Figure 2 – Subject Sites at 53 Forest Road, 108 Durham Street and 9 Roberts Lane



The Landmark Square Precinct currently accommodates a range of industrial and residential uses including a self-storage facility, automotive services and sales, community uses (Hurstville Scout Hall), funeral home, two storey residential flat building and single dwelling houses.

The existing buildings and land uses on the subject site at 53 Forest Road, 108 Durham Street and 9 Roberts Lane are described below in **Table 1**:

Table 1 – Existing Buildings and Uses on the Subject Sites

Address	Lot / DP	Existing Buildings
53 Forest Road	Lot A DP372835	Two storey residential building 'Baldovan' containing four individual dwellings in a manor house typology.
108 Durham Street	Lot D DP391801	Half of a freestanding residential dwelling house as the existing dwelling house is located on two allotments – Lot C & D of DP391801 (known as 108-110 Durham Street).
9 Roberts Lane	Lot 1 DP172819	Warehouse-style buildings for an automotive electrical and air conditioning service with car parking.

Surrounding Land

The Landmark Square Precinct is located on the eastern extent of the Hurstville City Centre, bounded by Forest Road to the west, Durham Street to the south and Roberts Lane to the east. There is a concentration of smaller industrial / retail businesses and a number of educational facilities situated along the northern side of Forest Road between Durham and Lily Street in this eastern bookend region of the Hurstville City Centre.

Roberts Lane currently functions as a one-way (southbound) narrow laneway approximately 3.6m wide for vehicle access with a total width measuring approximately 6m between the property boundaries on either side of the lane. Roberts Lane is a public road managed by Council.

The primary interfaces of the Landmark Square Precinct are described below in **Table 2**. The surrounding context is shown below in **Figures 3 to 7**.

Table 2 – Surrounding Land Uses

Aspect	Land Uses
North	A number of educational facilities are located to the north of the site along Forest Road including Hurstville Public School, Georges River College – Hurstville Boys Campus, Bethany College and Sydney Technical High School. There are also sites along Forest Road zoned

	B2 Local Centre which have recently been redeveloped with shops on the ground floor and generally 2 levels of residential apartments above.
East	R2 Low Density Residential area characterised by 1-2 storey dwelling houses, with the rear yards of properties along Lily Street backing onto Roberts Lane.
South	On the opposite side of Durham Street is a large development known as East Quarter which includes a number of mixed use buildings up to 19 storeys in height. The large open space area of Kempt Field (approx. 3 hectares) is also located opposite the site to the south and provides a direct pedestrian connection through the park to the Allawah Railway Station.
West	On the other side of Forest Road is an area of land zoned B2 Local Centre with a range of commercial uses. Residential land on Wright Street and Hudson Street is a mix of 1-2 storey dwelling houses and 3 storey residential flat buildings.

Figure 3 – View of rear boundary of Lily Street properties from Roberts Lane



Figure 4 – View of Kempt Field and the East Quarter development on the opposite side of Durham Street to the south of the site



Figure 5 – View to the north of the site on the opposite side of Forest Road at the intersection with Wright Street



Figure 6 – View along Forest Road of Hurstville Public School



Figure 7 - View of mixed use development along the southern side of Forest Road



Existing Planning Controls

The *HLEP 2012* applies to the subject sites which are located in the Landmark Square Precinct. There is no existing land reservation acquisition proposed at or surrounding the Precinct.

Landmark Square Planning Proposal (Department Ref: PP_2017_GRIVE_005_00)

The Landmark Square Planning Proposal, which received a Gateway Determination from the DPE on 19 October 2017, is accompanied by various studies including an Urban Design Report and a Traffic and Transport Impact Assessment.

A 3m wide strip of land along the Roberts Lane boundary of the Precinct has been explicitly nominated by both the original and amended Urban Design Reports and the Traffic Impact Assessment to be dedicated for the purpose of road widening to enable two-way traffic access and MRV access on Roberts Lane (e.g. waste collection and delivery vehicles).

The Traffic Impact Assessment proposes 2, two-way vehicle access points with one on Durham Street and another on Roberts Lane (refer **Figure 8** below) with the intention of consolidating access points to offer safe and efficient access to and from the surrounding road network. The traffic modelling utilised by the Traffic Impact Assessment is based on the condition that Roberts Lane is widened by 3m.

Figure 8 – Proposed Vehicle Access Points



Georges River Council Policy on Planning Agreements

A Voluntary Planning Agreement (“VPA”) is a mechanism which allows for negotiation and agreement between planning authorities and developers to extract public benefits from the planning process and ensure that development produces targeted public benefits over and above measures to address the impact of development on the public domain.

The subject Planning Proposal is a Council-initiated amendment to the Land Reservation Acquisition Map of the *HLEP 2012* and no development uplift is proposed. As such, Council’s VPA Policy is not applicable to the Planning Proposal.

However, it is to be noted that the Landmark Square Planning Proposal (PP2015/0001) is accompanied by a VPA. Council considered a report on the Heads of Agreement (“HoA”) to enter into a VPA at its meeting of 7 August 2017 (CCL147-17). The HoA outlines the terms of the VPA, which delivers additional public benefits over and above the usual Section 7.11 contributions (formerly Section 94) applicable to the development.

The VPA Offer applies to the eight lots owned by the applicant, Prime Hurstville Pty Ltd, at 61-75 Forest Road and 126 Durham Street, Hurstville. The following public benefits are identified by the HoA accepted by Council at its meeting on 7 August 2017:

- a) A monetary contribution of \$7,375,878 (indexed). The monetary amount is to be paid in stages as follows:
 - i) \$1 million within 30 days of Hurstville LEP 2012 Amendment,
 - ii) \$1 million immediately prior to the issue of a notice of determination granting the first Development Consent for the Developer’s Land,
 - iii) The remainder prior to the issue of any Construction Certificate for the Development on the Developer’s Land.
- b) The construction and dedication at no cost to Council of a 3m wide strip of land adjoining the Developer’s Land and Robert’s Lane prior to the issue of the first subdivision certificate or the issue of the first occupation certificate for building C as referred to in the Planning Proposal. The widened Robert’s Lane shall be constructed in accordance with Council’s standards and requirements. The estimated value of the land being dedicated and the road widening works totals \$514,122.
- c) An easement that benefits Council which will enable public access through the site.

Accordingly, the 3m wide road widening at the Roberts Lane boundary of 61-65 Forest Road will be executed in accordance with the VPA.

2. The Planning Proposal

The Planning Proposal has been assessed under the relevant sections of the *Environmental Planning and Assessment Act 1979* and *Regulation 2000* and the following advisory documents prepared by the Department of Planning and Environment:

- “A guide to preparing planning proposals” (August, 2016); and
- “A guide to preparing local environmental plans” (August, 2016).

The assessment includes a review of the strategic planning framework and a site-specific assessment as listed below:

- *Hurstville Local Environmental Plan 2012*;
- State Environmental Planning Policies;
- Ministerial Section 9.1 Directions;
- *Greater Sydney Region Plan – A Metropolis of Three Cities*;
- *South District Plan*; and
- Relevant Environmental, Social and Economic Impacts.

Section 3.33 of the *Environmental Planning & Assessment Act 1979* outlines that a planning proposal must explain the intended effect and the justification for making the proposed instrument and must include the following components:

- Part 1: A statement of the objectives and intended outcomes of the proposed instrument;
- Part 2: An explanation of the provisions that are to be included in the proposed instrument;
- Part 3: The justification for those objectives, outcomes and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1);
- Part 4: Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies; and
- Part 5: Details of community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

Parts 1 – 5 below address the information requirements for planning proposals.

Part 1: Objectives or Intended Outcomes

The objective of the Planning Proposal is to enable two-way vehicle access, access for service vehicles such as delivery and waste collection trucks, and the provision of a continuous pedestrian footpath with street planting on Roberts Lane to support the future redevelopment of the Landmark Square Precinct.

The intended outcome of the Planning Proposal is to provide a consistent 3m wide local road widening along the Roberts Lane boundary of the properties at 53 Forest Road, 9 Roberts Lane and 108 Durham Street, Hurstville through an amendment to the Land Reservation Acquisition (“LRA”) Map of the *Hurstville Local Environmental Plan 2012* (“HLEP 2012”).

Part 2: Explanation of the Provisions

The proposed intended outcome (refer Part 1) will be achieved by amending the *HLEP 2012* as follows:

- Amend the **Land Reservation Acquisition Map** (Sheet LRA_008) to include a 3 metre wide local road widening along the Roberts Lane boundary (refer **Figure 9** below); and
- Amend **Clause 5.1 Relevant acquisition authority** to nominate Council to acquire the land for local road widening as follows:

Clause 5.1 Relevant acquisition authority

Subclause (2)

Type of land shown on Map

Zone B4 Mixed Use and marked "Local road widening"

Authority of the State

Council

Figure 9 – Proposed Land Reservation Acquisition Map (*HLEP 2012*)



Part 3: Justification

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

No, the Planning Proposal is not a direct result of any strategic study or report. However, the Planning Proposal has been prepared to accompany the existing Landmark Square Planning Proposal at 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville, which received a Gateway Determination on 19 October 2017.

The Landmark Square Planning Proposal is supported by various studies including an Urban Design Report and a Traffic and Transport Impact Assessment. A 3m wide strip of land along the Roberts Lane boundary of the Precinct has been explicitly nominated by both the original and amended Urban Design Reports and the Traffic Impact Assessment to be dedicated for the purpose of road widening to enable two-way traffic access and MRV access on Roberts Lane. However, the Landmark Square Planning Proposal does not propose an amendment to HLEP 2012 to provide a 3m wide local road widening along the Precinct's Roberts Lane boundary.

Due to the absence of a VPA and other statutory means to implement the widening of Roberts Lane along the entire length of the Landmark Square Precinct boundary, Council at its meeting dated 25 June 2018 resolved to prepare a Planning Proposal to amend the LRA Map of the *HLEP 2012* to include a 3m wide local road widening at the Roberts Lane boundary of 53 Forest Road, 108 Durham Street and 9 Roberts Lane.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best means of achieving the objectives and intended outcome of providing a consistent 3m wide road widening along the Roberts Lane boundary of the Landmark Square Precinct. The 3m road widening would enable Roberts Lane to be increased to a 9 metre wide public road which could accommodate a 2m wide pedestrian footpath on the western side of the Lane and a minimum 6m wide two-way carriageway.

Although land dedication for the purpose of local road widening is included in the VPA offer associated with the Landmark Square Planning Proposal, the fragmented ownership of the various allotments within the Precinct restricts the application of the VPA to only the eight lots owned by the proponent, legally described as Lot 1 in DP 225302, Lot 100 & 101 in DP 776275, Lot 1, 2, 3 & 4 in DP 12517, and Lot 10 in DP621395; known as 61-75 Forest Road and 126 Durham Street, Hurstville.

For this reason, the 3m local road widening of Roberts Lane as part of the VPA can only be applied to a segment of Roberts Lane which is under the possession of the applicant (i.e. 61-65 Forest Road) as identified in **Figure 10** below.

Figure 10 – Extent of Road Widening under VPA Offer



Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Consideration of the Planning Proposal in relation to current plans and strategies is provided below.

Greater Sydney Region Plan (A Metropolis of Three Cities)

The *Greater Sydney Region Plan* was finalised and released by the Greater Sydney Commission in March 2018 and establishes the aspirations for the region over the next 40 years. The Region Plan is framed around 10 Directions relating to infrastructure and collaboration, liveability, productivity and sustainability.

The Planning Proposal is considered to be consistent with the following Directions and Objectives of the *Greater Sydney Region Plan*:

Direction 1: *A city supported by infrastructure*

Objective 3: Infrastructure adapts to meet future needs

The Landmark Square Planning Proposal seeks to deliver a large-scale mixed use development comprising of over 14,000sqm of employment generating floor space and approx. 450 new residential apartments. The supporting Traffic and Transport Impact Assessment submitted by the applicant nominates Roberts Lane to accommodate one of the two-way vehicle access points.

This Planning Proposal intends to widen an existing laneway to enable two-way traffic access and medium rigid vehicles (“MRV”) access on Roberts Lane (e.g. waste collection and delivery vehicles).

Direction 6: *A well-connected city*

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

The 3m road widening would enable Roberts Lane to be increased to a 9m wide public road which could accommodate a pedestrian footpath of approx. 2m on the western side of the Lane and a minimum 6m wide two-way carriageway. The provision of a dedicated pedestrian footpath would greatly enhance the pedestrian safety of Roberts Lane and provide an appropriate route for surrounding residents to access Kempt Field to the south and Allawah Railway Station beyond.

Direction 8: *A city in its landscape*

Objective 30: Urban tree canopy cover is increased

In addition to the provision of a pedestrian footpath, the road widening will also enable the provision of street trees to enhance the amenity and microclimate of Roberts Lane.

South District Plan

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.

The Planning Proposal is considered to be consistent with the following Planning Priorities of the *South District Plan*:

Direction 1: *A city supported by infrastructure*

Planning Priority S1: Planning for a city supported by infrastructure

The intent of the Planning Proposal is to widen an existing public road to enable improved traffic access and pedestrian amenity. The 3m road widening would enable Roberts Lane to be increased to a 9m wide public road which could accommodate a pedestrian footpath and verge of approx. 2m on the western side of the Lane and a minimum 6m wide two-way carriageway. This is aligned with the uplift and growth proposed in the Landmark Square Precinct.

Direction 6: A well connected city

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

In addition to the provision of increased safety and accessibility for vehicle access, the proposed road widening will deliver a much needed pedestrian footpath which would greatly enhance the pedestrian safety on Roberts Lane and provide an appropriate route for surrounding residents to access Kempt Field to the south and Allawah Railway Station beyond.

Direction 8: A city in its landscape

Planning Priority S15: Increasing urban tree canopy cover and delivering Green Grid connections

The proposed road widening will enable the provision of a pedestrian footpath and an associated landscaped verge within a 2m wide strip of land. Street trees will be a critical component of the landscaped verge for the purpose of expanding the urban tree canopy and enhancing Roberts Lane as a green connection to Kempt Field.

Assessment Criteria:

a) Does the proposal have **strategic merit**? Is it:

- *Consistent with the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or*

As detailed above in Q3, the Planning Proposal is consistent with the *Greater Sydney Region Plan* and the *South District Plan*.

- *Consistent with a relevant local council strategy that has been endorsed by the Department; or*

There is no relevant local council strategy applying to the site that has been endorsed by the Department. As considered below in Q4, the Planning Proposal is not inconsistent with the *Transport Management and Accessibility Plan (TMAP, 2013)*.

- *Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.*

There has been no change in circumstances, such as investment in new infrastructure or changing demographic trends in the Hurstville City Centre since the preparation of the planning controls introduced in the *HLEP 2012*.

However, this Planning Proposal intends to accompany the Landmark Square Planning Proposal so that adequate vehicle and pedestrian access and safety are provided to support the proposed mixed use development.

b) Does the proposal have **site-specific merit**, having regard to the following:

- *The natural environment (including known significant environmental values, resources or hazards), and*

The site is within the existing urban area of the Hurstville City Centre and does not have any known significant environmental values, resources or hazards.

The site is occupied by a range of industrial and commercial land uses; the assessment of the site in relation to land contamination has been undertaken by the proponent of the Landmark Square Planning Proposal and is considered below in relation to *State Environmental Planning Policy No.55 – Remediation of Contaminated Land*.

- *The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal, and*

Roberts Lane currently functions as a one-way (southbound) narrow laneway approximately 3.6m wide for vehicle access with a total width measuring approximately 6m between the property boundaries on either side of the lane.

Under Section 3.14(1)(c) of the *Environmental Planning and Assessment Act 1979*, an environmental planning instrument may make provisions to reserve land for the purpose of a public place within the meaning of the *Local Government Act 1993*. Roberts Lane is a public road, which is defined by the *Local Government Act 1993* as a type of public place. The proposed land reservation acquisition intends to designate land for the purpose of widening an existing public road.

The proposed road widening will enable Roberts Lane to be increased to a 9m wide public road which could accommodate a pedestrian footpath of approx. 2m on the western side of the Lane and a minimum 6m wide two-way carriageway to support the future large-scale mixed use development at the Landmark Square Precinct comprising of over 14,000sqm of employment generating floor space and approx. 450 new residential apartments.

- *The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.*

The Planning Proposal will not generate any additional demands on existing services and infrastructure. On the contrary, the proposed road widening is intended to provide pedestrian and two-way vehicle access.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Consideration of the Planning Proposal in relation to Council's *Hurstville Transport Management and Accessibility Plan (TMAP, 2013)* is provided below.

During the development of planning controls for the Hurstville City Centre, Council was required to develop a *Transport Management and Accessibility Plan* ("TMAP") in response to the amount of floor space (1,141,000sqm) contained in the draft *City Centre LEP (Amendment No.3)*, the potential accessibility and infrastructure implications and inconsistency with S9.1 Direction 3.4 Integrating Land Use and Transport. The purpose of the TMAP was to recommend the amount of additional GFA which can be accommodated in the Hurstville City Centre with consideration to potential accessibility and infrastructure implications.

The Hurstville City Centre TMAP is currently under review. The modelling and assessment undertaken as part of the review will consider the development potential (residential, retail, commercial and hotel floor space) in relation to the Landmark Square Precinct. The proposed widening of Roberts Lane will also be considered in the TMAP review.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The full assessment of the Planning Proposal against all the State Environmental Planning Policies ("SEPPs") is provided in **Attachment 3**. Consideration of the SEPPs relevant to the Planning Proposal is provided below:

State Environmental Planning Policy No. 55 – Remediation of Land

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.

The Detailed Site Investigation submitted by the proponent to accompany the Landmark Square Planning Proposal concludes that the Precinct is not currently considered suitable for future residential with gardens / accessible soil land use from a contamination perspective but can be made suitable for the proposed residential with gardens / accessible soil land use following the implementation of a Remediation Action Plan, which will be developed in accordance with the relevant regulatory requirements to address the identified contamination issues.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (S9.1 directions)?

Yes. A checklist of the Planning Proposal's consistency with the full set of Section 9.1 Ministerial Directions is included in **Attachment 3**. The Directions that are relevant to the Planning Proposal are considered in **Table 3** below.

Table 3 – Consistency with S9.1 Ministerial Directions

S9.1 Direction	Assessment
1.1 Business and Industrial Zones	The Planning Proposal affects two parcels of land which are currently zoned IN2 Light Industrial and proposed to be rezoned to B4 Mixed Use under the Planning Proposal (PP2015/0001) for the Landmark Square Precinct. This Planning Proposal only involves the inclusion of land on the LRA Map. The proposal does not seek to alter the applicable zoning boundaries, zone and development controls and accordingly is considered to be consistent with this Direction.
3.1 Residential Zones	The Planning Proposal affects one parcel of land which is currently zoned R2 Low Density Residential and proposed to be rezoned under the Planning Proposal (PP2015/0001) to B4 Mixed Use which permits shop top housing. The addition of this land to the LRA Map is consistent with this Direction as the 3m wide road widening will ensure new housing has appropriate vehicle access and pedestrian safety.
3.4 Integrating Land Use and Transport	The Planning Proposal intends to ensure a consistent 3m wide road widening is carried out so that a continuous pedestrian footpath may be provided. This is consistent with this Direction as the provision of a new footpath significantly improves pedestrian access to Kempt Field and Allawah Railway Station, which are within 400m walking distance from the site.
6.2 Reserving Land for Public Purposes	The Planning Proposal is consistent with this Direction as it facilitates the provision of public services and facilities by reserving land for a public purpose. Roberts Lane is a public road, which is defined by the <i>Local Government Act 1993</i> as a type of public place. The proposed land reservation acquisition intends to designate a 3m wide strip of land for the purpose of widening an existing local road.
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 above.
8. Local Planning Panels Directions – Planning Proposals	The Planning Proposal was considered by the Georges River Local Planning Panel at its meeting dated 19 July 2018, where the Planning Proposal was endorsed by the Panel to be forwarded for Gateway Determination. Refer to Attachment 1 for the meeting minutes.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is located within the established Hurstville City Centre and there is no likelihood that critical habitats or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

As discussed above in relation to *SEPP No.55 – Remediation of Land*, the Preliminary Site Investigation report and the Detailed Site Investigation report commissioned by the proponent of the Landmark Square Planning Proposal identifies land contamination on the site.

Future redevelopment of the Landmark Square Precinct will require the implementation of a Remediation Action Plan, which will be developed in accordance with the relevant regulatory requirements to address the identified contamination issues.

The proposed road widening of Roberts Lane is not anticipated to generate additional environmental effects.

Q9. Has the planning proposal adequately addressed any social and economic effects?

No negative social or economic effects are anticipated from the proposed amendments.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The proposal will not require any additional public infrastructure. Conversely, the Planning Proposal seeks to provide a 3m road widening along Roberts Lane to accommodate a pedestrian footpath and two-way carriageway.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?

State and Commonwealth public authorities will be consulted following the outcomes, and in line with any recommendations, of the Gateway Determination.

Part 4: Mapping

The maps included in **Attachment 2** have been prepared, consistent with the “Standard Technical Requirements for LEP Maps” and identify the site and the proposed development standards including:

Hurstville Local Environmental Plan 2012

- Land Reservation Acquisition Map - Sheet LRA_008

Part 5: Community Consultation

It is anticipated that the Planning Proposal will be exhibited for a minimum period of twenty eight (28) days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Regulation 2000* and any requirements of the Gateway Determination.

Exhibition material, including explanatory information, land to which the Planning Proposal applies, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.

Notification of the public exhibition will be through:

- Newspaper advertisement in The Leader
- Exhibition notice on Council's website
- Notices in Council offices and libraries
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination (if required)
- Letters to affected landowners of 53 Forest Road, 108 Durham Street and 9 Roberts Lane
- Letters to adjoining landowners (if required, in accordance with Council's Notification Procedures)

Part 6: Project Timeline

The anticipated project timeline for completion of the Planning Proposal is shown below:

Task	Anticipated Timeframe
Council endorsed the preparation of Planning Proposal	25 June 2018
Referral to the Local Planning Panel	19 July 2018
Report to Environment and Planning Committee on Planning Proposal	13 August 2018
Report to Council on Planning Proposal	27 August 2018
Anticipated commencement date (date of Gateway Determination)	September 2018
Anticipated timeframe for the completion of required technical information	October 2018
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	November 2018
Commencement and completion dates for public exhibition period	December 2018-February 2019 (concurrent public exhibition with the Landmark Square Planning Proposal PP2015/0001, DCP and VPA)
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	February-March 2019
Timeframe for the consideration by Council of a proposal post exhibition	March 2019
Date of submission to the Department to finalise the LEP	April 2019

It is noted that the anticipated project timeline may be amended by the Gateway Determination.

3. Conclusion

In summary, this Planning Proposal seeks to amend the Land Reservation Acquisition Map of the *Hurstville Local Environmental Plan 2012* to include a 3m wide local road widening along the Roberts Lane boundary of the properties at 53 Forest Road, 9 Roberts Lane and 108 Durham Street, Hurstville.

A consistent 3m road widening on Roberts Lane will enable two-way vehicle access, access for service vehicles such as delivery and waste collection trucks, and the provision of a continuous pedestrian footpath with street planting on Roberts Lane.

It is anticipated that the road widening will occur when a future development application is lodged seeking consent for the redevelopment of 53 Forest Road, 108 Durham Street and/or 9 Roberts Lane. When acquisition is required, negotiations between Council and the property owner will be conducted in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

Road widening at 61-65 Forest Road will be carried out as per the conditions of the VPA for the Planning Proposal (PP2015/0001) for the Landmark Square Precinct at 53-75 Forest Road, 108-126 Durham Street and 9 Roberts Lane, Hurstville and will not be affected by the proposed amendments to the Land Reservation Acquisition Map and Clause 5.1 of the *HLEP 2012*.

For the reasons outlined above, Council requests the Minister to issue a Gateway Determination for this Planning Proposal.