

REPORT TO GEORGES RIVER COUNCIL

IHAP MEETING OF THURSDAY, 18 MAY 2017

IHAP Report No	3.4	Application No	PP2015/0006
Site Address & Ward Locality	37-41 Treacy Street Hurstville - Planning Proposal - Treacy Street Car Park Hurstville Ward		
Proposal	Planning Proposal to amend the Hurstville LEP 2012 in relation to the Treacy Street Car Park Site (37-41 Treacy Street, Hurstville) to zone B4 Mixed Use and increase the maximum building height and FSR development standards		
Report Author/s	Independent Assessment, Consultant Planner		
Owners	Georges River Council		
Applicant	Georges River Council		
Zoning	Zone 3(b) - City Centre Business Zone under the Hurstville LEP 1994 (a “deferred matter” in the Hurstville LEP 2012)		
Date Of Lodgement	16/10/2015		
Submissions	N/A		
Cost of Works	N/A		
Reason for Referral to IHAP	To seek endorsement to present the Planning Proposal report to Council		

Recommendation	1. THAT Georges River IHAP resolve to support the forwarding of the Planning Proposal to the NSW Department of Planning and Environment to request a Gateway Determination for an amendment to the Hurstville LEP 2012 in relation 37-41 Treacy Street, Hurstville (Treacy Street Car Park Site) to: a. Amend the Land Application Map to remove the “deferred matter” status from the Site. b. Amend the Land Zoning Map to remove the “deferred matter” from the Site and zone the Site B4 Mixed Use. c. Amend the Height of Building Map (HOB) to specify a maximum building height of 53m. d. Amend the Floor Space Ratio Map (FSR) to specify a maximum floor space ratio of 7:1. e. Amend the Active Street Frontages Map (ASF) to identify an active street frontage along the Treacy Street boundary of the Site. f. Amend Clause 4.4A of Hurstville LEP 2012 to include a provision requiring a minimum ‘non-residential’ floor space ratio of 1:1 on the Site. 2. THAT the Georges River IHAP also support the preparation of an amendment to the <i>Hurstville Development Control Plan No 2 – Hurstville City Centre (Amendment No 6)</i>, if Gateway Approval is granted, to include the Site in the land to which the DCP applies and include site specific provisions including (but not limited to) vehicle access points, site and boundary landscaping, active street frontages and building rear setbacks.
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3. THAT the Planning Proposal be placed on formal public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning and Environment.
4. THAT a Report to Council be prepared to advise of the IHAP recommendations.

Site Plan



Figure 1 – Locality

Executive Summary

1. This report provides an assessment of a Planning Proposal request submitted by Hurstville City Council (now Georges River Council) on 16 October 2015 and revised in November 2016 for the following changes to the Hurstville Local Environmental Plan ("LEP") 2012 for the Council owned Treacy Street Car Park Site (37-41 Treacy Street, Hurstville – refer to **Figure 1** above):
 - Zone B4 Mixed Use to permit business and residential land uses (shop top housing) and parking,
 - Amend the Height of Building Map (HOB) to specify a maximum building height of 53m (16 storeys),
 - Amend the Floor Space Ratio Map (FSR) to specify a maximum floor space ratio of 7:1 (increased in the revised Planning Proposal request to 7.2:1),
 - Include the Treacy Street frontage of the Site as "active street frontage" (included in the revised Planning Proposal request).
2. The Planning Proposal relates to a 2,497m² site within the Hurstville City Centre which is bounded by Treacy Street to the north and the railway corridor to the south. The Site is known as 37-41 Treacy Street and currently accommodates a public car park (approx. 90 spaces).

3. The report has been prepared based on an assessment undertaken by an independent planning consultant (DFP Planning Pty Limited), independent urban design advice (SJB Architects) and consideration by the St George Design Review Panel.
4. The Site is currently a “deferred matter” in the Hurstville LEP 2012 and the provisions of the Hurstville LEP 1994 apply including zoning of 3(b) City Centre Business Zone. The development standards (including maximum building height of 15m and FSR of 3:1) in the Hurstville DCP No.2 (Amendment No.5) also currently apply. The “deferred matters” of the Hurstville LEP 2012 are to be finalised by September 2017.
5. The anticipated development from the revised Planning Proposal request (November 2016) is a 16 storey mixed use development including:
 - 180 residential apartments (mix of 1, 2 and 3 bedroom),
 - 780m² ground level retail floor space,
 - 1,800m² commercial (office) floor space (Level 2),
 - 375 basement parking spaces including 90 public spaces (replacing existing), 237 residential and 48 commercial/retail spaces.
6. The Planning Proposal request has been considered by the St George Design Review Panel (“DRP”) at its meeting of 7 April 2016 and the revised Planning Proposal (November 2016) was supported at its meeting of 6 April 2017.
7. This report recommends that the IHAP support an amendment to the Hurstville LEP 2012 which:
 - Includes the Site in the Land Application Map and removes its “deferred matter” status (thereby removing the Site from the provisions of the Hurstville LEP 1994),
 - Amend the Land Zoning Map to remove the “deferred matter” from the Site and zone the Site B4 Mixed Use (currently 3(b) City Centre Business Zone under Hurstville LEP 1994),
 - Increasing the maximum building height from 15m (under Hurstville DCP No.2) to 53m,
 - Increasing the maximum FSR from 3:1 (under Hurstville DCP No.2) to 7:1 and including a minimum “non-residential” FSR of 1:1 (which will provide for ground level retail and one commercial level). The proposed increase in the FSR of 7.2:1 is not supported,
 - Identifying the Treacy Street frontage of the Site as “active street frontage”.
8. The preparation of an amendment to the *Hurstville Development Control Plan No 2 – Hurstville City Centre (Amendment No 6)*, if Gateway Approval is granted, is also recommended to include the Site in the land to which the DCP applies and introduce site specific provisions including (but not limited to) vehicle access points, site and boundary landscaping, active street frontages and building rear setbacks.
9. A Planning Agreement has been offered by the Applicant and this will be reported separately to Council. A summary of the Offer is included in Section 3.3 of this report.
10. An independent planning consultant (Don Fox Planning) was contracted to review the Planning Proposal request and commence the assessment which has informed this report. Urban design advice has been provided by the St George Design Review Panel and Independent Urban Design Advice. The report has been finalised by an Independent Assessment Consultant Planner contracted by Georges River Council.

REPORT IN FULL

1. INTRODUCTION

11. A request to prepare a Planning Proposal (PP2015/0006) for 37-41 Treacy Street, Hurstville (Treacy Street Car Park) was originally submitted by Hurstville City Council (“the Applicant”) on 16 October 2015 and revised on November 2016, and proposed the following amendments to the Hurstville LEP 2012 in relation to the Site:
 - Zone B4 Mixed Use to permit business and residential land uses (shop top housing) and parking,
 - Amend the Height of Building Map (HOB) to specify a maximum building height of 53m (16 storeys),
 - Amend the Floor Space Ratio Map (FSR) to specify a maximum floor space ratio of 7:1 (increased in the revised Planning Proposal request to 7.2:1),
 - Include the Treacy Street frontage of the Site as “active street frontage” (included in revised Planning Proposal request).
12. A copy of the Applicant’s revised Planning Proposal Request (November 2016) is included in **Attachment 1** and Attachment 7 (Transport Impact Assessment) and includes the following reports which are the subject of this assessment report:
 - Planning Proposal, Site Specific Land Use, Height and FSR Amendment, 37-41 Treacy Street, Hurstville, The Planning Group NSW Pty Limited (November 2016) which includes the following Appendices:
 - Hurstville LEP 2012 Maps (Land Zoning, Height, FSR, Active Street Frontage)
 - Transport Impact Assessment, GTA Consultants (04/10/16) (Attachment 7),
 - Plan Showing Selected Detail & Levels Over Treacy Street Car Park, Hurstville (Site Survey), Higgins Surveyors (05/12/14),
 - Compliance Tables Ministerial s117 Directions and State Environmental Planning Policies,
 - Indicative Design Concept, BKA Architecture, Revision A (undated)
13. The Applicant has stated that the basis for the requested amendment to the maximum building height and maximum floor space ratio development standards is to “*enable the development of a high density mixed use development within the Hurstville City Centre*”. The supporting documents note that “*the PP is considered to have strategic planning merit and appropriately aligns with Council’s strategic vision for the site set out within the Hurstville City Centre Concept Master Plan and Hurstville City Centre Urban Form Study*”.
14. The Treacy Street Car Park site is one (1) of three (3) Hurstville City Centre sites which were “deferred” from the Hurstville LEP 2012. The provisions of the Hurstville LEP 1994 and Hurstville DCP No.2 (Amendment No. 5) currently apply to these sites. The proposed changes in this Planning Proposal request will be implemented through an amendment to the Hurstville LEP 2012 to remove the “deferred matter” status of the site, zone the site B4 Mixed Use and amend LEP 2012 Maps (Land Zoning, Height of Buildings, Floor Space Ratio and Active Street Frontages) in line with the recommendations of this report.
15. Council has until September 2017 to submit a Planning Proposal to the Department of Planning for the Treacy Street Car Park Site (a “deferred matter”).
16. A Planning Agreement has been offered by the Applicant, and is considered in summary below, and will be reported to Council as a separate report.

2. SITE DESCRIPTION

2.1 Overview of the Site

17. The Site is known as 37-41 Treacy Street and includes seven (7) lots, as shown in **Figure 2**, legally described as:
 - Lots 1 & 2 in DP323090 (201.3m² & 638.9m²),
 - Lot 2 in DP11931 (402.0m²),
 - Lot B in DP31479 (408.3m²),
 - Lots 1, 2 & 3 in DP535805 (606.3m², 119.4m² & 120.9m²).
18. The trapezoid shaped lot is bounded by Treacy Street to the north and the Illawarra Rail Line to the south and existing commercial developments (single and two (2) storey) immediately to the east and west. The area to the east along Treacy Street is the subject of a significant increase in scale through recent development approvals.
19. The Site has an area of approximately 2,497m² and the following boundaries:
 - Treacy Street frontage of approx. 87.09m,
 - Illawarra Rail Line boundary of approx. 72.7m,
 - Eastern boundary approx. 36.0m,
 - Western boundary of approx. 30.39m.

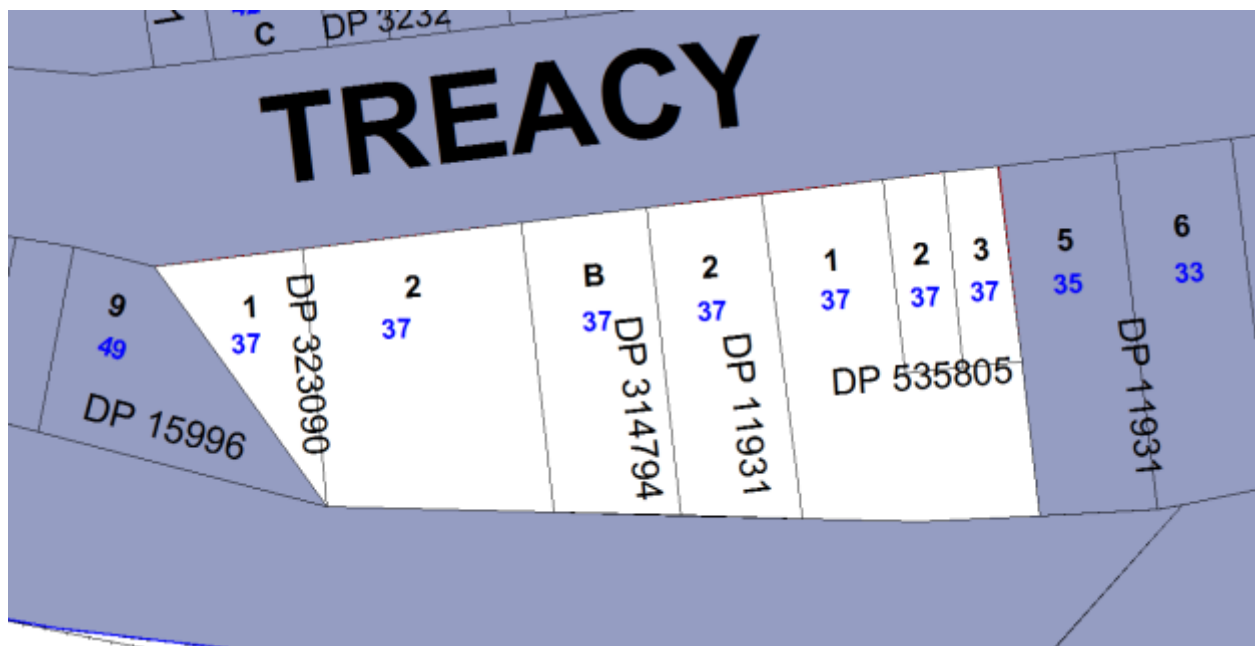


Figure 2: Treacy Street Car Park Site, 37-41 Treacy Street, Hurstville (shown uncoloured) (Source: Exponare, Georges River Council)

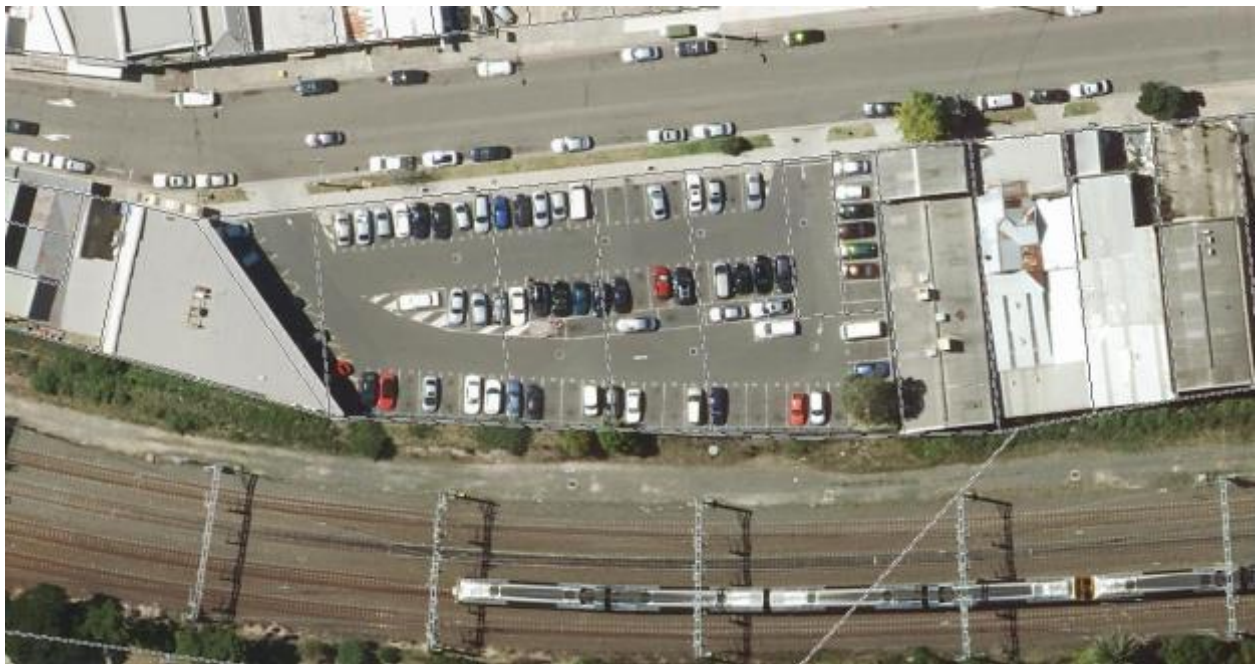


Figure 3: Aerial Photograph of Site and Surrounding Land (Source: SIX Maps NSW)

20. The Site is owned freehold by Hurstville City Council (now Georges River Council). Lots 1 and 2 in DP323090, Lot B in DP31479 and Lot 2 in DP11931 were acquired by Council on 1 June 1979. Lots 1, 2 and 3 in DP535805 were acquired on 3 December 1986. Since acquiring the land, Council demolished all buildings on the land and operated a public car park.
21. The Site is currently occupied by at-grade public car parking with access via Treacy Street (separate entry and exit points) – refer to **Figure 3**. There are 90 public parking spaces, including 80 standard public spaces, two (2) accessible parking spaces and eight (8) reserved spaces. Of the reserved spaces, four (4) are under a licence agreement with 3 Bridges Community Centre and four (4) are under an expired licence agreement with St Vincent De Paul Society. The Site is paved with a small area in the south eastern corner containing a large tree. There are no structures on the Site.
22. Views of the Site are shown in **Figures 4, 5 and 6** below.



Figure 4: Site photo showing car park eastern entry off Treacy Street (Source: Google Maps)



Figure 5: Site photo showing car park western exit off Treacy Street (Source: Google Maps)



Figure 6: Site photo showing view from south from Railway Parade

23. The ground surface of the Site gently slopes towards the south eastern boundary from an approx. RL68 at the Treacy Street (western) corner to RL65.5 at the south eastern corner (Illawarra Rail Line).
24. The Site occupies a key location in the Hurstville City Centre, within the “City Centre East Precinct” which is characterised by the extension of the retail strip along Forest Road and very under-utilised development along the railway line in Treacy Street. Treacy Street also provides the rear vehicle and service access to properties in Forest Road.

25. The rear of the Site has a prominent position when viewed from the railway line and residential properties (single dwelling houses and residential flat buildings) to the south along Railway Parade.
26. Treacy Street is a one-way east/west road which caters for westbound movements only, extending over the rail line (two way) and intersecting with Forest Road. The Site is within 350m of Hurstville Station and 450m to the bus interchange on Woodville Street and is in close proximity to the retail and entertainment offerings along Forest Road. Two (2) areas of open space are within walking distance, Woodville Park (approx. 650m or 8 minute walk) and Kempt Field (approx. 750m or 10 minutes) and provide for passive recreation opportunities.

2.2 Surrounding Development and Approvals

27. A summary of the surrounding land is provided below and shown in **Figures 7 to 11**:
- North: To the immediate north, the site adjoins a number of single and two (2) storey commercial developments with frontage to Treacy Street. Further north over Forest Road, the site adjoins more commercial development forming part of the central retail core of the City, with Hurstville Westfield further to the north.
 - East: To the east, the site adjoins one (1) and two (2) storey commercial premises and land upon which a Major Project approval has been issued, being 21-35 Treacy Street. Further to the east, the site adjoins commercial and mixed use developments (either existing or currently under construction), with the Eastern Quarter site located at the eastern end of Treacy Street.
 - South: To the immediate south, the site adjoins the railway corridor of the T4 Eastern Suburbs & Illawarra Line. Further south, the site adjoins Railway Parade and a mix of low, medium and high density residential development.
 - West: To the immediate west, the site adjoins two storey commercial developments on the southern side of Treacy Street, fronting the corner of Treacy Street and Forest Road. Further to the west, the site adjoins Hurstville City Centre commercial development and the Hurstville Railway Station.



Figure 7: View of one and two storey commercial premise to the west, adjacent to the Site
(Source: Google Maps)



Figure 8: View looking north to one and two storey commercial premises (Source: Google Maps)



Figure 9: View of the residential development (single dwellings and residential flat buildings) to the south along Railway Parade on the opposite side of the rail line



Figure 10: View of the frontage of the car park to Treacy Street looking east



**Figure 11: View of one and two storey commercial premises to the east, adjacent to the site
(Source: Google Maps)**

28. On 1 July 2011 the Minister for Planning and Infrastructure approved a Concept Plan (ref MP10_0101) for a residential, commercial and retail development at 21-35 Treacy Street under Part 3A of the Environmental Planning & Assessment Act, 1979 (Major Project

Approval). Modification 1 to the development was approved on 4 September 2012, while Modification 2 was refused on 30 May 2014.

The Mod 1 approved development (see **Figures 12 and 13**) comprises the following:

- Building envelope with a maximum building height of 55 metres (16 storeys),
- 283 dwellings (26,775m²),
- Ground floor retail floor area (1,499m²),
- Community floor space (200m²),
- Overall Gross Floor Area (GFA) of 28,474m² with a FSR of 6.78:1,
- 3 levels of basement parking for 377 vehicles,
- Public domain improvements to Treacy Street,
- On site landscaping.



Figure 12: Treacy Street perspective of approved Mod 1 development (Subject Site shown on the right) (Source: View Analysis prepared by Stanasic Architects)



Figure 13: View analysis of approved form looking north to Hurstville cityscape (Subject Site depicted in red outline) (Source: View Analysis prepared by Stanasic Architects)

29. The Planning Proposal request places considerable weight upon the height and FSR of the development approved at 21-35 Treacy Street as justification for the same controls being applied to the Subject Site.

PLANNING STRATEGIES, POLICIES AND CONTROLS

3.1 Existing Planning Controls

30. Hurstville LEP 1994 applies to the Site (the site is one of the three (3) “deferred matters” of the Hurstville LEP 2012) and the following provisions are relevant to the Planning Proposal:
31. *Land Zoning*: The Site is zoned 3(b) (City Centre Business Zone) as shown on the extract of the Land Zoning Map (**Figure 14**). The relevant objectives of the 3(b) zone are:
- (a) to designate sufficient areas of land to meet the projected needs of the Hurstville Town Centre as a multi-functional regional centre,
 - (b) to facilitate development of land within the Hurstville Town Centre for commercial, retail, residential and community purposes,
 - (c) to provide a single business zone for the Hurstville Town Centre as a sub-regional centre,
 - (e) to improve traffic flow in and around the Hurstville Town Centre.

The 3(b) zone includes a wide range of permissible uses including business premises, office premises, shops, residential flat buildings and car parks, with prohibited development including industrial and warehousing type developments, amusement centres, boarding houses, sex services premises and caravan parks.

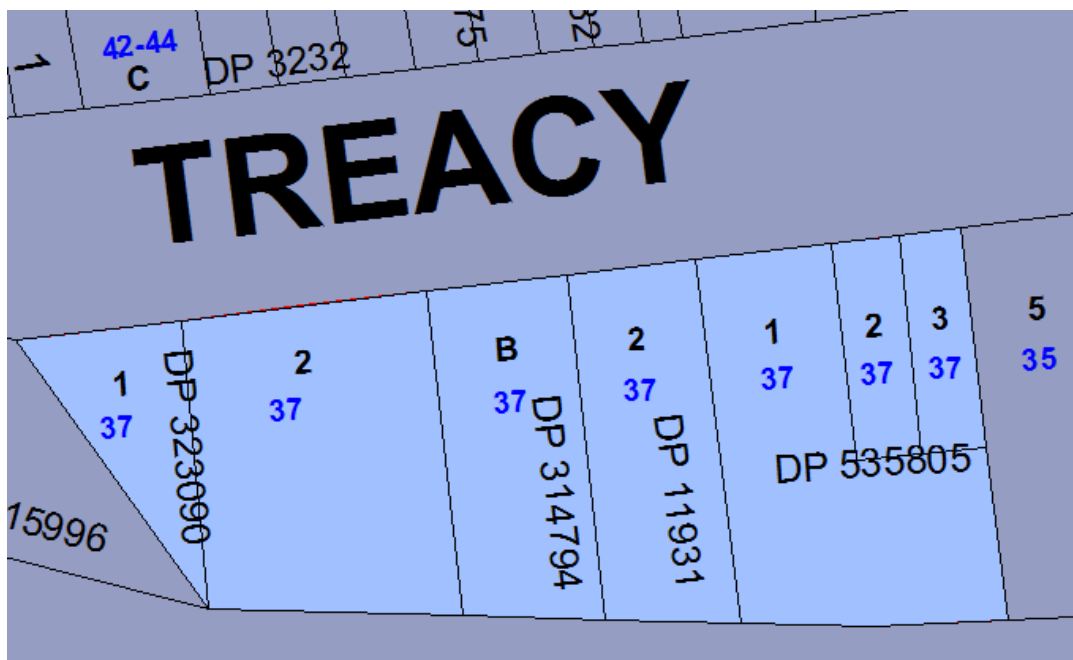


Figure 14: Extract of Hurstville LEP 1994 – Land Zoning Map 3(b)(City Centre Business Zone) (applies to subject site only)

32. *Heritage*: The site is not identified as a heritage item under the Hurstville LEP 1994 (listed in Schedule 2 of the Hurstville LEP 1994). There are four (4) heritage items located in the vicinity of the site (a range of inter-war commercial buildings) as shown on the extract of the Hurstville LEP 2012 – Heritage Map (**Figure 15**).

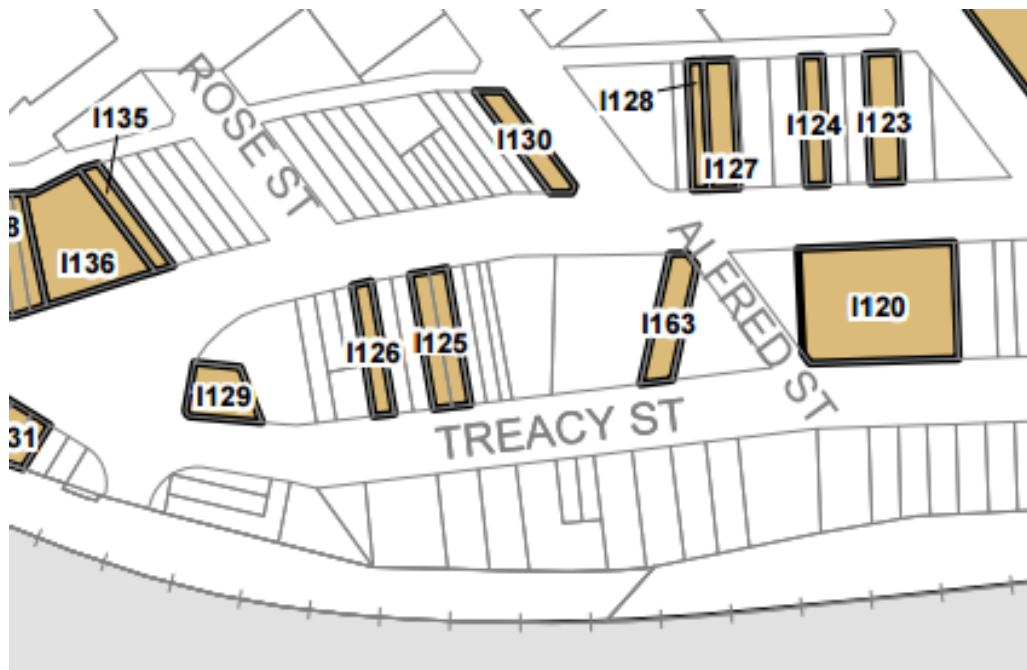


Figure 15: Extract of Hurstville LEP 2012 – Heritage Map (applies to surrounding sites)

33. Hurstville DCP No.2 (Amendment No.5) includes the height and FSR development standards for the site as it is a “deferred matter” from the Hurstville LEP 2012. All surrounding sites are subject to the development standards (including building height and FSR) in the Hurstville LEP 2012.
34. *Height of Buildings*: the Site has a maximum building height of 15m as shown on the extract of the Height of Buildings Map (**Figure 16**).

The adjacent and surrounding land has a range of maximum building heights (under the Hurstville LEP 2012) of 15m and 23m as shown in **Figure 17**. Note that recent development approvals in Treacy Street are significantly greater than the maximum building height development standard contained in the Hurstville LEP 2012 (refer **Figure 12**).



Height of Buildings Map
- Sheet HOB_008A

Maximum Building Height (m)

L	11
O	15
Q	19
S	23
U	30
V	35
W	40
X	45
Z	55
AA	60

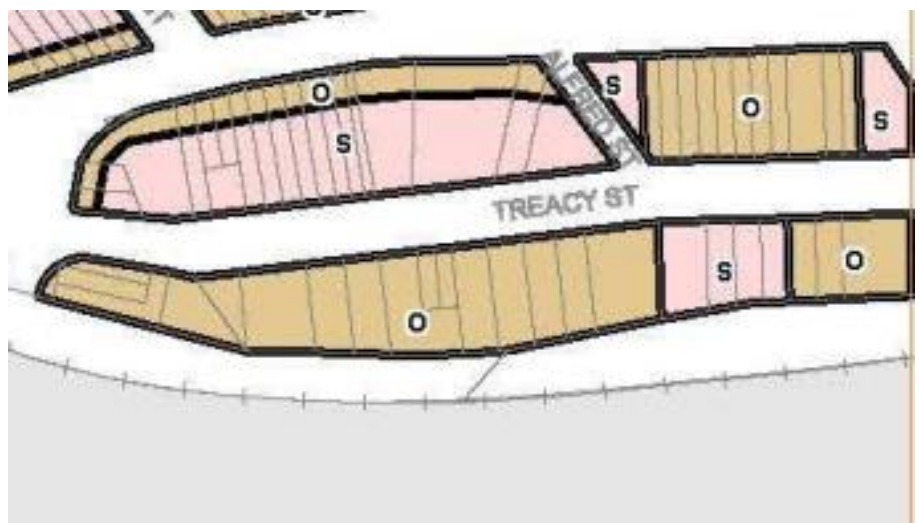


Figure 16: Extract Hurstville DCP No.2 (Amendment No.5) – Height of Buildings Map (applies to the subject site only)

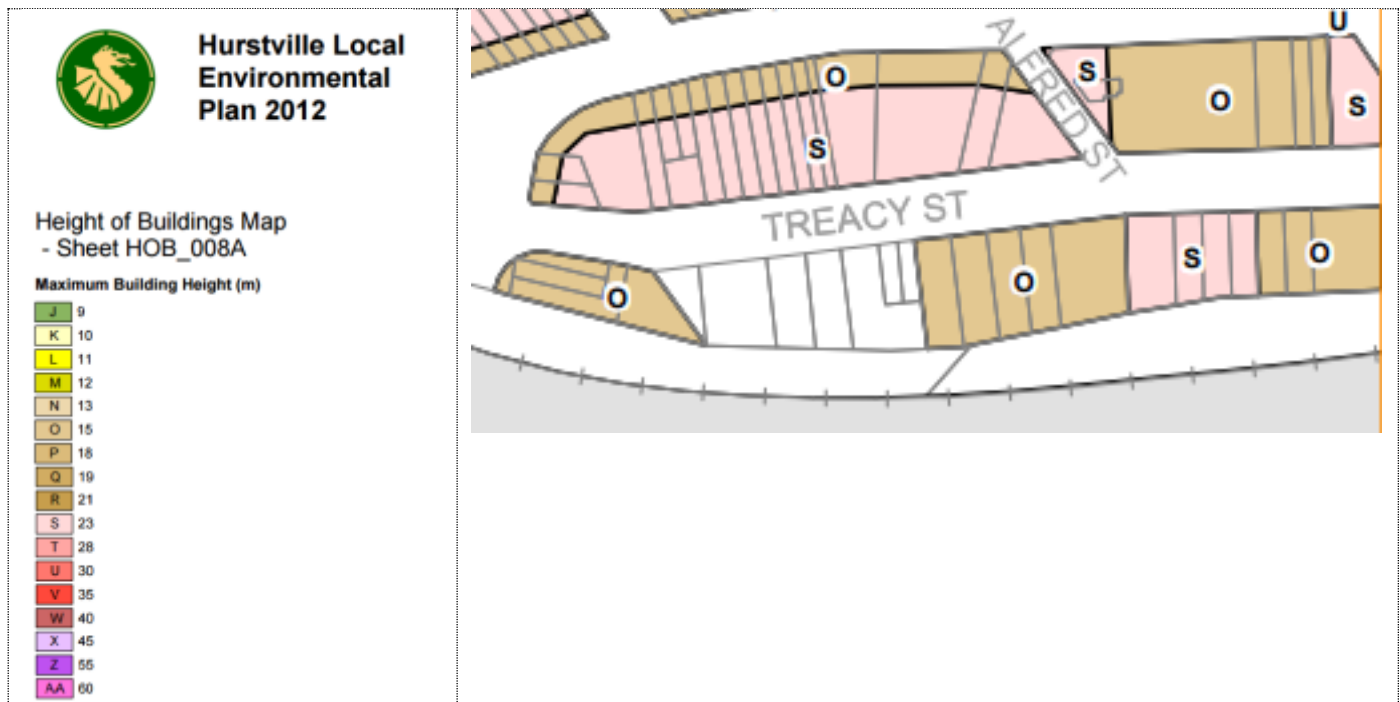


Figure 17: Extract Hurstville LEP 2012 – Height of Buildings Map (applies to surrounding sites)

35. *Floor Space Ratio*: the Site has a maximum floor space ratio of 3:1 as shown on the extract of the Floor Space Ratio Map below (**Figure 18**). The adjacent and surrounding land has a range of maximum floor space ratios of 3:1, 4:1 and 4.5:1 (refer **Figure 19**).

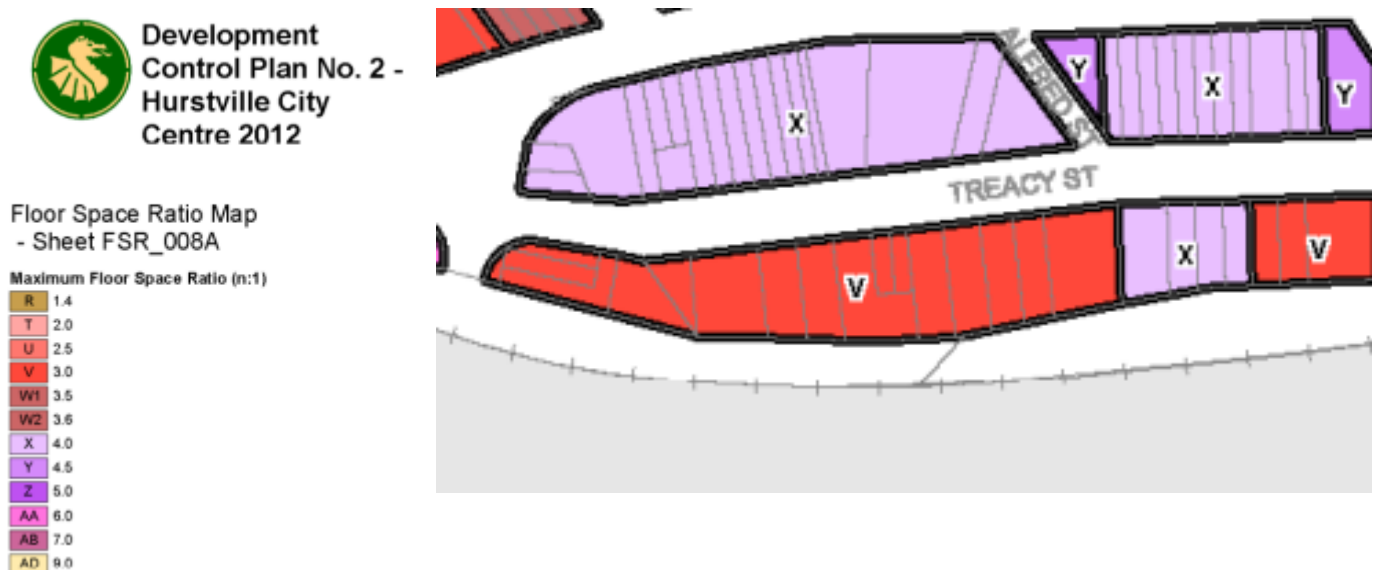


Figure 18: Extract of Hurstville DCP No.2 (Amendment No.5) – Floor Space Ratio Map (applies to subject site only)

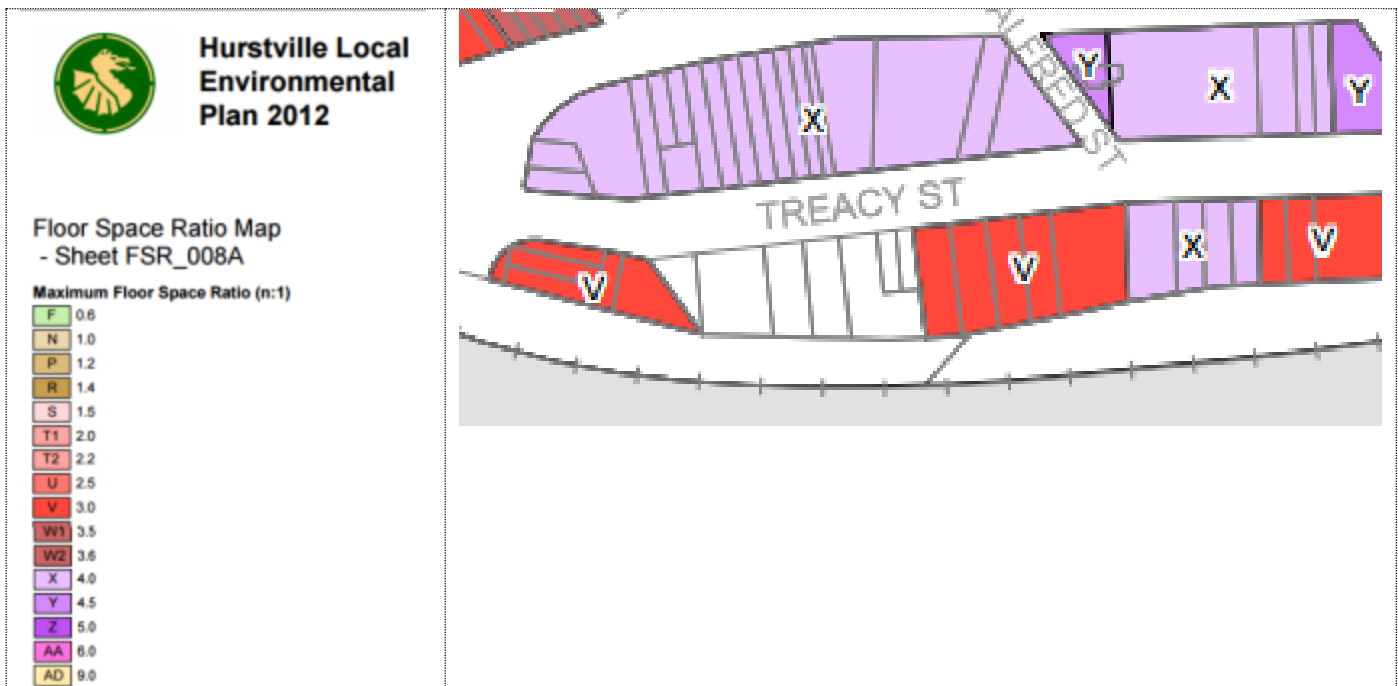


Figure 19: Extract Hurstville LEP 2012 – Floor Space Ratio Map (applies to surrounding sites)

36. *Active Street Frontage*: the site (along with the whole of Treacy Street) is identified as Active Street Frontage as shown on the extract of the Active Street Frontage Map – DCP No.2 (Amendment No.5) (Figure 20) and Hurstville LEP 2012 – Active Street Frontages Map (Figure 21).



Figure 20: Extract of Hurstville DCP No.2 (Amendment No.5) – Active Street Frontages Map (applies to subject site only)

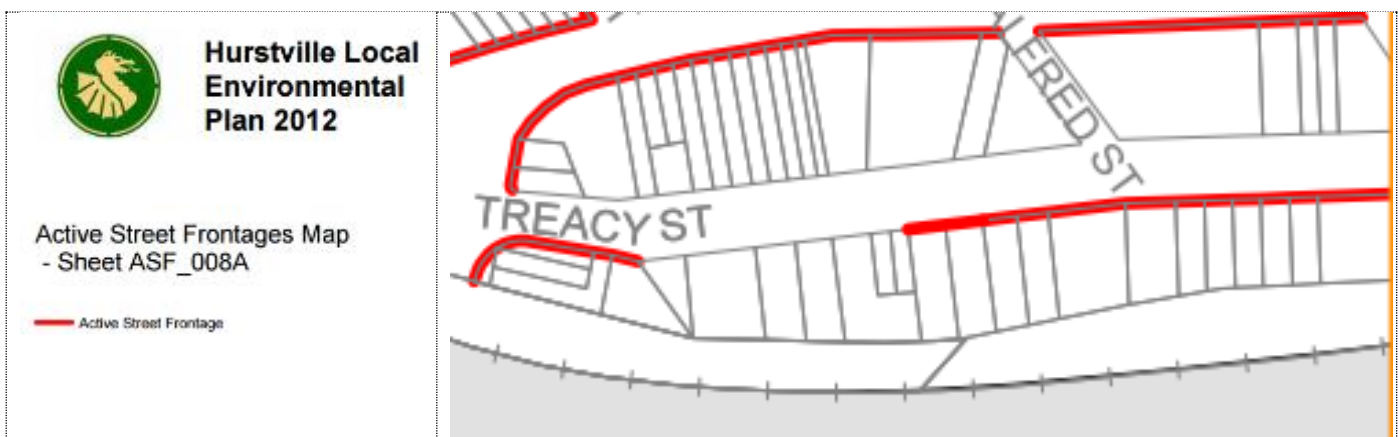


Figure 21: Extract of Hurstville LEP 2012 – Active Street Frontages Map (applies to surrounding sites)

3.2 Strategic Planning Context

The draft South District Plan (November 2016) and Towards our Greater Sydney 2056 (which will amend *A Plan for Growing Sydney*) were on public exhibition earlier this year (ending 31 March 2017) and will apply to the Georges River Council area.

Consideration of the Planning Proposal request in relation to the current plans and strategies (*A Plan for Growing Sydney* (Metropolitan Strategy) and draft South Subregional Strategy (2007) and the draft plans *Towards our Greater Sydney 2056* and *draft South District Plan* is provided below.

A Plan for Growing Sydney (Metropolitan Strategy)

37. The Planning Proposal is consistent with the aims of A Plan for Growing Sydney (Metropolitan Strategy) and achieves the following relevant Goals and Directions:

Goal 1: A competitive economy with world-class services and transport

- Direction 1.7: Grow strategic centres – providing more jobs closer to home

38. The Planning Proposal, specifically the recommended minimum non-residential floor space requirement, will contribute towards achieving this Direction through providing updated employment floorspace within the Hurstville Strategic Centre, on a site which benefits from its proximity to the existing commercial, retail and services. This will also assist in delivering more investment and business activity, increase productivity and partly address the trend in the Hurstville City Centre of the dominance of residential development in the land use mix. It is noted that the site is located approximately 450m walking distance from the Hurstville Bus Interchange and 350m walking distance from the Hurstville Railway Station, well within the walkable catchments.

39. As noted in the Metropolitan Strategy “*Locating jobs in around 30 to 40 large centres will provide greater benefits to the overall productivity of Sydney. Strategic centres are areas of intense, mixed economic and social activity that are built around the transport network and feature major public investment in services such as hospitals and education and sports facilities. Together, these centres form a network of transport-connected hubs that help to make Sydney a networked and multi-centred city.*”

40. *Goal 2: A city of housing choice, with homes that meet our needs and lifestyles*

- Direction 2.1: Accelerate housing supply across Sydney
- Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs
- Direction 2.3: Improve housing choice to suit different needs and lifestyles

41. The Planning Proposal will provide approximately 180 new apartment dwellings based on the Indicative Concept Plans in the Planning Proposal request (November 2016). The site is suitable for this increase in dwellings as it is located within the Hurstville Strategic Centre, close to jobs and service by public transport (Hurstville railway 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 SEPP 65 and the apartment size mix in the Hurstville DCP No.2 (Hurstville City Centre).

Goal 3: Sydney's great places to live

- Direction 3.3: Create healthy built environments

42. The Planning Proposal assists in encouraging healthy communities by creating mixed-use development that provides a convenient focus for daily activities and benefits from its proximity to the retail and services within the Hurstville City Centre. The location of the site in relation to public open space and recreation facilities (including Kempt Field and Woodville Park) will also benefit future residents.

Sydney South Subregion

43. In relation to the priorities of the South Subregion, the Planning Proposal provides housing supply and choice in a suitable location for housing intensification and urban renewal within the established Hurstville City Centre serviced by a key public transport corridor (Illawarra Line). The Planning Proposal addresses the Hurstville Strategic Centres priorities of providing capacity for additional mixed use development in Hurstville including offices, retail, services and housing.
44. The Planning Proposal is also consistent with the "Planning Principles" for growth identified in the Metropolitan Strategy, including:
- Principle 1: Increasing housing choice around all centres through urban renewal in established areas
45. The Proposal (increase in maximum building height and FSR) will increase housing opportunities within Hurstville City Centre (with an estimated 180 new residential apartments) and within walking distance from the Hurstville Station and bus interchange and access to shops or services, travel to work or other centres and consequently will reduce car dependency. Increasing the variety of housing available will provide housing choice to suit different lifestyles, household sizes and affordability.
- Principle 2: Stronger economic development in strategic centres and transport gateways
46. The indicative development yield of the revised proposal includes an approximate area of commercial floorspace (1,800m²) and retail floorspace (780m²). This approx. 2,580m² of "non-residential" floorspace equates an FSR of 1:1. This could provide for an estimated 82 to 121 employees (refer **Table 3**), addressing Principle 2 through locating jobs within the strategic centre of Hurstville, an important hub for business and employment and one of Sydney's 'transport gateways'.

Draft South Subregional Strategy (2007)

47. The draft South Subregional Strategy (2007) includes key directions and strategies for economy and employment, centres and corridors and housing which are relevant to this Planning Proposal.
48. In relation to economy and employment, the key relevant directions include:
- Retain strategic employment lands including those required for utilities and local services

- Strengthen the commercial centre of Hurstville.
49. In relation to centres and corridors, the key relevant directions include:
- Increase densities in centres whilst improving liveability
 - Ensure sufficient commercial office sites in strategic centres.
50. In relation to housing, the key relevant directions include:
- Focus residential development around centres, town centres, villages and neighbourhood centres.

Draft Towards Our Greater Sydney 2056

51. The draft Plan Towards Our Greater Sydney 2056 includes the following vision and Metropolitan priorities:

Table 1

Vision	Metropolitan Priority
A productive Greater Sydney	A growing city A city with smart jobs A 30 minute city
A liveable Greater Sydney	An equitable, polycentric city A city of housing choice and diversity A collaborative city.
A sustainable Greater Sydney	A city in its landscape An efficient city A resilient city

52. The Planning Proposal is not inconsistent with the Visions and Metropolitan Priorities of the draft Plan.

Draft South District Plan

53. In relation to the draft South District Plan (November 2016) which proposes a 20-year vision for the South District, the following priorities and actions relevant to the Planning Proposal:

Table 2

	Priorities Relevant to the Planning Proposal
A Productive City	Planning for job target ranges for strategic and district centres Growing economic activity in centres Manage employment and urban services land across the District Access to a greater number of jobs and services within 30 minutes
A Liveable City	Improve housing choice Improve housing diversity and affordability Create great places Respond to people's need for services
A Sustainable City	Creating an efficient South District Integrate land use and transport planning to consider emergency evacuation needs

54. The proposed height and FSR increases for the site in the Planning Proposal will increase housing availability and choice in the Hurstville City Centre, addressing a number of the priorities in relation to "A Liveable City". Information was provide with the

Planning Proposal in relation to the transport impacts to address the Proposal's consistency with the three (3) visions and associated priorities in both the draft Plan Towards Our Greater Sydney 2056 and draft South District Plan.

Hurstville City Centre Master Plan (2004)

55. The Hurstville City Centre Concept Master Plan (2004) includes the following key objectives relevant to the Planning Proposal:
- Consolidating Hurstville's regional role,
 - Improving pedestrian movement,
 - Providing a framework by which improvements to infrastructure may be facilitated,
 - Introducing a balanced approach to height and density.
56. The subject site is located within the "City Centre East Precinct" which is described as characterised by the extension of the retail strip along Forest Road and very under-utilised development along the railway line in Treacy Street. Treacy Street provides the rear vehicle and service access to properties in Forest Road.
57. The Master Plan identifies the potential to provide more commercial and other job opportunities for its surrounding catchment population and the imbalance between new residential development and employment floorspace. It also identifies the advantages that the Hurstville CBD has in relation to commercial development:
- High rate of train usage on a well patronised line,
 - 1000 bus movements per day in the CBD,
 - Strong retail, restaurant and food sectors,
 - Excellent proximity to Sydney Airport, M5 and Port Botany,
 - Large skilled workforce catchment in southern Sydney and the Illawarra
58. The Master Plan also includes the establishment of parks, green gateways and street trees, with the creation of a new park on the triangular area at the junction of Treacy Street and Forest Road (currently used for public car parking). The Planning Proposal request, and the Offer being considered in relation to the Treacy Street Car Park Site that *"public car parking to be dedicated to Council in Stratum, which will replace the current number of public spaces on the site, or a greater amount"* (as discussed below) provides an opportunity to consider the relocation of these parking spaces into the Site to allow for a new park and public open space area on the Forest Road and Treacy Street corner.
59. The Master Plan also identified the need to:
- Examine the viability of increased commercial development,
 - Attract commercial development,
 - Ensure employment opportunities are maximised,
 - Ensure commercial development complements the new public infrastructure and facilities.
60. These issues are still relevant for planning within the Hurstville City Centre.

Hurstville Transport Management and Accessibility Plan (TMAP)

61. During the development of planning controls for the Hurstville City Centre, Council was required to undertake a Transport Management and Accessibility Plan (TMAP) exercise in response to the amount of floor space (1,141,000m²) contained in the draft City Centre LEP, the potential accessibility and infrastructure implications and inconsistency with s.117 Direction 3.4 Integrating Land Use and Transport.

62. The purpose of the TMAP was to recommend the amount of additional GFA which can be developed in the Hurstville City Centre while giving consideration to potential accessibility and infrastructure implications.
63. The TMAP adopted by Council in June 2013 recommended a potential to develop 363,000m² additional GFA resulting in a total of approximately 861,354m² in the City Centre by 2036. A level of inconsistency with s.117 Direction 3.4 currently exists because the total GFA allowed for by the planning controls adopted in the City Centre is 1,091,000m² which is 229,646m² more than recommended in the TMAP. The TMAP was adopted by Council in June 2013 and informed the finalisation of planning controls for the Hurstville City Centre which were incorporated into Hurstville LEP 2012 on 10 July 2015.
64. The Site is within the boundaries of the Hurstville City Centre, and was included in the area considered by the TMAP, and located within the City Centre East Precinct which has the following attributes:
- *Characteristics*
 - *City Centre East is characterised by the extension of the retail strip along Forest Road and underutilised development along the railway line in Treacy Street.*
 - *Treacy Street provides the rear vehicular and service access to properties in Forest Road.*
 - *Activity*
 - *Concentration of pedestrian activity related to smaller business and car parking areas.*
 - *High traffic activity area offering access to the city centre via The Avenue, Park Road and the Westfield shopping centre.*
 - *Key crossing point over the rail line for city centre traffic and other traffic travelling between Hurstville and Kogarah LGAs via Treacy Street and The Avenue.*
65. The TMAP provides a number of key recommendations for road and traffic infrastructure in the City Centre. In particular it recommends policies with *“road infrastructure improvements which are targeted at increasing road capacity on rail crossing and network reliability on both regional roads and city centre access routes”* (RN1).
66. Hurstville City Centre Action Plan (Table 52) in the TMAP report provides a list of road network and intersection improvements along with other transport and land use works and actions required in the short, medium and long term to support the future planning of the City Centre and to provide an efficient road network.
67. The TMAP states that the road and traffic works will need to be funded by a mix of sources including State Government funding, Section 94 and VPAs. It states that “private sector funding for land use development will play a critical role in delivering the bulk of the Action Plan in partnership with local Councils”. “Developers will contribute to the cost of transport infrastructure provision through value or cost-sharing mechanisms..”.
68. The Hurstville City Centre TMAP is currently under review.
69. Planning Agreements are the key mechanism available to Council to ensure developments assist in contributing towards road and traffic infrastructure upgrades in the City Centre. Consideration of the Planning Agreement is provided below.

Hurstville Development Control Plan No.2 (Hurstville City Centre)

70. As noted above, the Site is situated within the boundaries of the Hurstville City Centre and therefore the provisions of Hurstville DCP No.2 – Hurstville City Centre (Amendment No.5) currently apply to the Site, including building form character principles, built form controls and controls relating to transport, traffic, parking and access.

71. The City Centre East Precinct is characterised in DCP No.2 as:

- *Characteristics:* City Centre East is characterised by the extension of the retail strip along Forest Road and under-utilised development along the railway line in Treacy Street. There are minimal trees in the area, especially along Forest Road, other than those around St George Anglican Church.

Treacy Street provides the rear vehicular and service access to properties in Forest Road. The Precinct is a high traffic activity area offering access to the City Centre via The Avenue, Park Road and the Westfield shopping centre and includes the key crossing point over the rail line for City Centre traffic and other traffic travelling between Hurstville and Kogarah LGAs via Treacy Street and The Avenue.

- *Desired future character:* The City Centre East provides a focus for residential development outside the B3 Commercial Core Zone, being close to public transport nodes. The ground levels will house uses that will activate the streets. This precinct will create strong pedestrian networks and linkages with surrounding areas.
- *Key land use principles* include promoting residential / mixed use development with built form having a dominant residential focus and with active street frontages, encouraged. Activation of the Street Active uses are to be promoted at the ground and lower levels of development to promote vibrancy and passive and active surveillance of the public domain.

72. A site specific amendment to the Hurstville Development Control Plan No.2 (Hurstville City Centre) is proposed to accompany the draft amendment to the Hurstville LEP 2012 (if the Planning Proposal is supported). The amendment will include the site within the provisions of the Hurstville DCP No.2 (Amendment No.6) and address the issues including (but not limited to) site setbacks (and interface with rail corridor), landscaping and deep soil areas, car park access and layout and vehicle and pedestrian access points.

Hurstville Section 94 Development Contributions Plan 2012

73. The Hurstville Section 94 Development Contributions Plan 2012 (Section 94 Plan) applies to all land in the Hurstville LGA and includes specific provisions which levy development in the Hurstville City Centre for non-residential floor space (public domain improvements in the City Centre) and deficient car parking spaces. These provisions will apply to development on the Site which is located within the boundaries of the Hurstville City Centre. The Section 94 Plan also includes levies for residential development.

3.3 Offer to Enter into a Planning Agreement

74. As part of the Planning Proposal, the Applicant has submitted an Offer to enter into a Planning Agreement with Council in accordance with Section 93F of the *Environmental*

Planning and Assessment Act 1979. The Letter of Offer dated 27 April 2017 is attached (**Attachment 6**) and outlines the public benefits to be provided with any future redevelopment of the site. In short the public benefits to be provided are:

- Public car parking to be dedicated to Council in Stratum, which will replace the current number of public spaces on the site, or a greater amount; and
- Monetary contribution to be used for public purposes as described under Section 93F(2) of the *Environmental Planning and Assessment Act 1979*.

75. A 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.
76. As Council is the current owner of the site and is seeking the Planning Proposal to uplift the planning controls, the VPA once entered into and registered on the title of the land, serves the purpose of locking in future owners of the site to provide the public benefits.
77. The Offer (and the Heads of Agreement) will be presented in a separate report to Council at its meeting of 5 June 2017. If supported by Council and subject to the Planning Proposal also being supported by Council and receiving a Gateway, public notice of the proposed Planning Agreement will be undertaken in accordance with the legislation and Council's Policy on Planning Agreements. The offer to enter into a Planning Agreement is being negotiated and assessed in accordance with Council's Policy on Planning Agreements; separate from the assessment of the Planning Proposal request.
78. The Heads of Agreement is currently under preparation and will accompany the Planning Proposal for a Gateway Determination.

4. APPLICANT'S PLANNING PROPOSAL REQUEST

4.1 Background

79. The Planning Proposal request (PP2015/0006) was initially submitted by Hurstville City Council (Acting General Manager) on 16 October 2015 and was supported by the following documents:
 - Planning Proposal, Site Specific Land Use, Height and FSR Amendment, 37-41 Treacy Street, Hurstville (The Planning Group NSW Pty Limited, 8 October 2015),
 - Transport Impact Assessment, 37-41 Treacy Street, Hurstville (GTA Consultants, 2 September 2015).
80. A letter requesting additional information, based on the independent assessment of the Planning Proposal request by DFP Planning Pty Limited, was issued to the Applicant requesting additional information and clarification in relation to analysis of development options and preparation of indicative concept plans, demonstration of public benefit, retention of public car parking spaces, consideration of adjoining sites, active street frontages and additional information in relation to transport including assessment against the Hurstville City Centre TMAP, impacts on road network and SIDRA modelling for surrounding intersections.
81. The Applicant provided indicative concept plans with the revised Planning Proposal request and has identified "active street frontage" along the Treacy Street frontage. Updates of the Transport Impact Assessment (28 April 2016 and 4 October 2016) were provided; and are currently being reviewed by Council's Infrastructure section. The

Planning Proposal request now an indicative design concept, and comments raised by the St George Design Review Panel (7 April 2016 meeting) have been addressed in the revised Planning Proposal request (November 2016) as considered below.

82. The development standards along the whole southern side of Treacy Street (including the adjacent sites No.49 Treacy Street and No.183C Forest Road) are currently being revised as part of the Hurstville City Centre Urban Design Strategy.
83. The key dates for the Planning Proposal request are detailed in the Table in Section 5.

4.2 Summary of Planning Proposal Request

84. A revised Planning Proposal request (refer **Attachment 1**) was submitted on 10 November 2016 and included the following amended documents which form the basis of the Planning Proposal request being considered in this report:
 - Planning Proposal, Site Specific Land Use, Height and FSR Amendment, 37-41 Treacy Street, Hurstville (The Planning Group NSW Pty Limited, November 2016),
 - Design Concept, Planning Proposal, 37-41 Treacy Street, Hurstville (BKA Architecture, undated) (included as Appendix E of Planning Proposal),
 - Transport Impact Assessment, Planning Proposal, 37-41 Treacy Street, Hurstville (GTA Consultants, 4 October 2016) (included as **Attachment 7**).
85. The revised Planning Proposal request proposes the following amendments to the Hurstville LEP 2012 in relation to the Site:
 - Zone the site B4 Mixed Use (currently 3(b) City Centre Business under Hurstville LEP 1994),
 - Increase the maximum FSR to 7.2:1 (currently 3:1 under Hurstville DCP No.2),
 - Increase the maximum height to 53m (currently 15m under Hurstville DCP No.2),
 - Identify the Treacy Street frontage of the site as “active street frontage”.
86. In summary, the revised Planning Proposal request (and supporting Indicative Design Concept) anticipates that the development resulting from the changes to the maximum building height (53m) and maximum floor space ratio of 7.0:1 to 7.2:1 would have an indicative yield of:
 - Gross floor area of 18,160m²,
 - 180 residential apartments (approx.) with a mix of 1,2 and 3 bedroom dwellings,
 - 1,800m² first floor level commercial floor space (NLA),
 - 780m² ground floor retail floor space (NLA),
 - 375 parking spaces (6 basement levels) (including 237 residential spaces and 48 commercial space and 90 public car parking spaces replacing the existing).
87. A comparison of the original and revised Planning Proposal request is provided in **Table 3** below.

Table 3: Comparison of Planning Proposal (Initial and Revised) Proposed Development Standards and Yield

	Current Controls	Planning Proposal (Oct 2015)	Planning Proposal (Revised) (Nov 2016)
Site Area	--	2,497m ²	2,497m ²
Land Use Zone	3(b) City Centre Business Zone (LEP 1994)	B4 Mixed Use (LEP 2012)	B4 Mixed Use (LEP 2012)
FSR	3:1 (DCP No.2)	7.0:1 (17,479m ²)	7.2:1 (17,978m ²)

	Current Controls	Planning Proposal (Oct 2015)	Planning Proposal (Revised) (Nov 2016)
Height	15m (DCP No.2)	53m (16 storeys)	53m
Active Frontage	Included (DCP No.2)	Included	Included
Gross Floor Area	--	Not stated (estimated 17,480m ²)	18,160m ² (FSR of approx. 7.3:1)
Indicative Residential Yield	--	131 apartments: 27 x 1 bed apartments 92 x 2 bed apartments 12 x 3 bed apartments	180 apartments: 40 x 1 bed apartments 128 x 2 bed apartments 12 x 3 bed apartments
Retail Floor Space (NLA)	--	1,431m ²	780m ²
Commercial Floor Space (NLA)	--	2,251m ²	1,800m ²
Car Parking	--	318 parking spaces: 90 public parking spaces (existing) 228 residential, retail & commercial	375 parking spaces: 90 public parking spaces (existing) 237 residential spaces 48 commercial spaces

4.3 Traffic and Transport Analysis

88. Council's Manager of Infrastructure Planning reviewed the initial Traffic Impact Assessment (2 September 2015) submitted with the Planning Proposal and was not satisfied that adequate assessment was provided as to how the proposed development aligned with the Hurstville City Centre TMAP. Further concern was raised in regard to consideration of the cumulative impact on the road network and other developments/planning proposals within the precinct. Council requested additional information to address these matters which was provided in a revised Transport Impact Assessment (28 April 2016).
89. Following review of the revised Transport Impact Assessment (28 April 2016) which incorporated additional road network analysis, Council's Infrastructure Planning section agreed with the findings and conclusions and raised no objections to the planning proposal on traffic grounds, noting the following:
- *The forecast traffic generation from the proposed planning proposal is similar to the predicted traffic generating parameters of the site under the Hurstville CBD TMAP*
 - *Road network surrounding the proposed development has adequate capacity to cater for the additional traffic generated from the development; GTA Consultant's assessment in this regard is acceptable.*
90. The Applicant has subsequently lodged a second revised Transport Impact Assessment (4 October 2016) which updated the report to consider the revised development yield (refer **Table 3**). This revised report is currently being considered by Council's Infrastructure section. The revised assessment is required as the Indicative Design Concept demonstrated an increase in estimated apartments from 131 to 180 and a decrease in the retail and commercial floor space as summarised in **Table 3**.

4.4 Social Analysis

91. The revised Planning Proposal request did not include a separate Social Impact Assessment but has included consideration of the public benefits within the Planning Proposal report (November 2016) (**Attachment 1**), which concluded that:

“The PP will result in a net community benefit as it will allow future development to take full advantage of its location in close proximity to transport hubs and infrastructure in the form of a transit oriented development, which has wider benefits than just for the local community. This encourages sustainable transport use and discourages car dependence, which in turn has positive flow-on effects for the local and wider traffic network such as reduced energy consumption and a smaller ecological footprint”.

92. In relation to affordable housing, the Applicant has advised that no affordable housing will be provided as part of the Planning Proposal request.

4.5 Economic Analysis

93. The revised Planning Proposal request did not include a separate Economic Impact Assessment report but has included consideration of economic effects within the Planning Proposal report (November 2016), noting:
- *The 180 residential units, 780m² of retail floorspace and 1,800m² of commercial office space will support existing town centre economic in terms of growth and sustainability. It is intended to support population growth, which in turn will result in greater utilisation of existing retail and transport infrastructure.*
 - *The works proposed at the ground level and the intended integration with the existing public realm is aimed at improving resident and community amenity and quality of life as well as support economic development and revitalisation in the immediate locality.*
 - *Council’s strategic intent to provide public car parking on the site or suitable CBD location subject to the findings of a car parking study. The increase in height and FSR for the subject site will provide incentive for the inclusion of public car parking facilities by assisting to offset cost imposts of providing such infrastructure.*
 - *There will be little change (if any) to the actual amount of retail and commercial floor space on the site as a result of the PP than is otherwise permitted by the current development controls pertaining to the site. Shop top development with retail at street level and commercial office at the first level is currently permitted and encouraged within the precinct by HDCCP 2.*
 - *It is therefore considered that further economic review and analysis is not necessary. There will not likely be any impact on the retail hierarchy of the centre due to this proposal. The economic considerations are favourable with the future development of the site providing improved and revitalised facilities for business and contributing to broader dwelling supply.*
94. As the Planning Proposal request did not include employment generation estimates, an assessment based on employment rate figures provided by SGS Economics & Planning (June 2016) has been used to estimate the potential jobs resulting from the proposed ground level retail floor space and upper level commercial floor space in the original and revised Planning Proposal request (refer **Table 4**).

Table 4: Employee Estimates based on indicative retail and commercial floor space
***Estimates based on a range of rates provided by SGS Economics and Planning Pty Ltd**

Employee Estimates*	Planning Proposal (Oct 2015)	Planning Proposal (Revised) (Nov 2016)
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Employee Estimates*	Planning Proposal (Oct 2015)	Planning Proposal (Revised) (Nov 2016)
Office Space 1 employee / 20-30sqm	2,251m ² (75 to 112 employees)	1,800m ² (60 to 90 employees)
Retail Space 1 employee / 25-35sqm	1,431m ² (40 to 57 employees)	780m ² (22 to 31 employees)
Estimated Employees (Total)	115 to 169 estimated employees	82 to 121 estimated employees

4.6 Urban Design Analysis

95. The revised Planning Proposal (**Attachment 1**) includes an Indicative Design Concept which would be achievable under the development standards proposed in the Planning Proposal request and tests this design concept against SEPP 65 – Design Quality of Residential Apartment Development responding to:
- The site's location in close proximity to the Hurstville train station,
 - The railway reserve located immediately south which enables a taller built form to be achieved on the site without significant overshadowing of residential land,
 - Recent approvals and developments demonstrate that a significant increase of density is currently occurring in the vicinity of the site, particularly the adjacent 16 storey development at 23-35 Treacy Street providing an opportunity to consider a response to scale and density commensurate with the emerging context of the immediate locality.
96. The indicative development concept provided within the urban design feasibility provides the following development data (**Table 5**) which shows a FSR range of 7.0:1 to 7.2:1 for the development concept. In relation to affordable housing, the Applicant has advised that no affordable housing will be provided as part of the Planning Proposal request (the extract Table below is indicative only).

Development Data

Site Area	2,497 sq.m
GFA	18,160 sq.m (allows for flexibility in DD stage)
FSR	7/ 7.2:1
Number of Units	180
Unit Mix	40 One Bedroom (22%) 128 Two Bedroom (72%) 12 Three Bedroom (8%)
Car Parking	375 spaces (6 levels of basement req.)
	237 spaces for Residential 90 spaces for Public Parking 48 spaces for Commercial
Affordable Housing	- 50% accommodation dedicated for 10 years and no parking req. for component

Table 5: Source: SEPP 65 Compliance Table and Development Data, Indicative Development Concept (BKA, undated)

97. The Indicative Development Concept also demonstrates aerial and street views from Treacy Street of the indicative built form (refer **Figures 22 to 25**). The views show the Site and the approved building envelope for 21-35 Treacy Street (immediately to the east).



Figure 22: Indicative concept plan aerial view showing the Site and the approved envelope of 21-35 Treacy Street (Source: BKA Architects, undated)



Figure 23: Indicative concept plan – view from Treacy Street western end (Source: BKA Architects, undated)

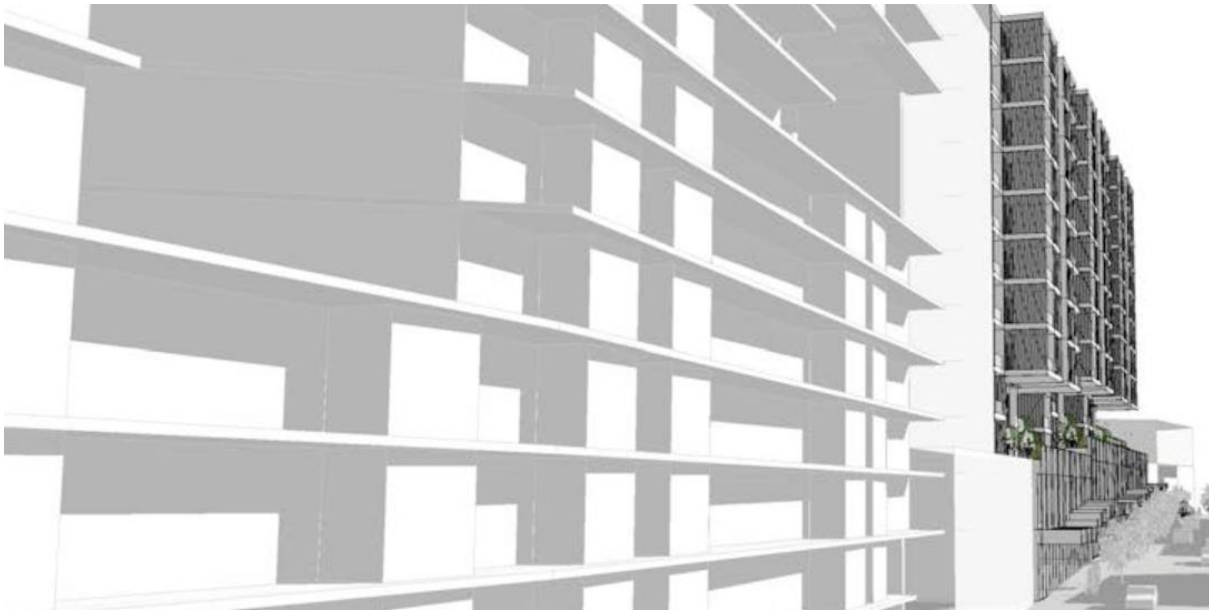


Figure 24: Indicative concept plan – view from Treacy Street eastern end showing the Site and the approved envelope of 21-35 Treacy Street (Source: BKA Architects, undated)



Figure 25: Indicative concept plan – podium level sky garden (Source: BKA Architects, undated)

98. It is noted that the Indicative Design Concept shows a development with an FSR of approx. 7.3:1 (refer **Table 3**). The review of the Planning Proposal request by the St George Design Review Panel (**Attachment 3**) and the Independent Urban Design Advice (**Attachment 5**) identified a number of design issues which would impact on the achievable maximum FSR, including rearrangement of the building layout to reduce overshadowing to other properties (to the south), no single aspect south facing apartments and consideration of roof level open space. Therefore, the lower range of the proposed FSR (7:1 as identified in the Indicative Design Concept (**Attachment 1**)) is being recommended in this report. In addition, the Concept Plan approval on the adjacent site (21-35 Treacy Street), and to which this Planning Proposal request makes reference to, has an FSR of approx. 6.78:1 as detailed in Section 2.2 above.

99. An analysis of the solar access impact of the proposed development concept is provided in the Indicative Concept Plan (**Attachment 1**), and demonstrates the impacts on properties on the southern side of Railway Parade as shown in **Figures 26 to 28** below. The issue of impact of overshadowing of neighbouring properties to the south is considered below in relation to the independent urban design advice commissioned by Council (**Attachment 5**) and the comments of the St George Design Review Panel (**Attachment 3**).

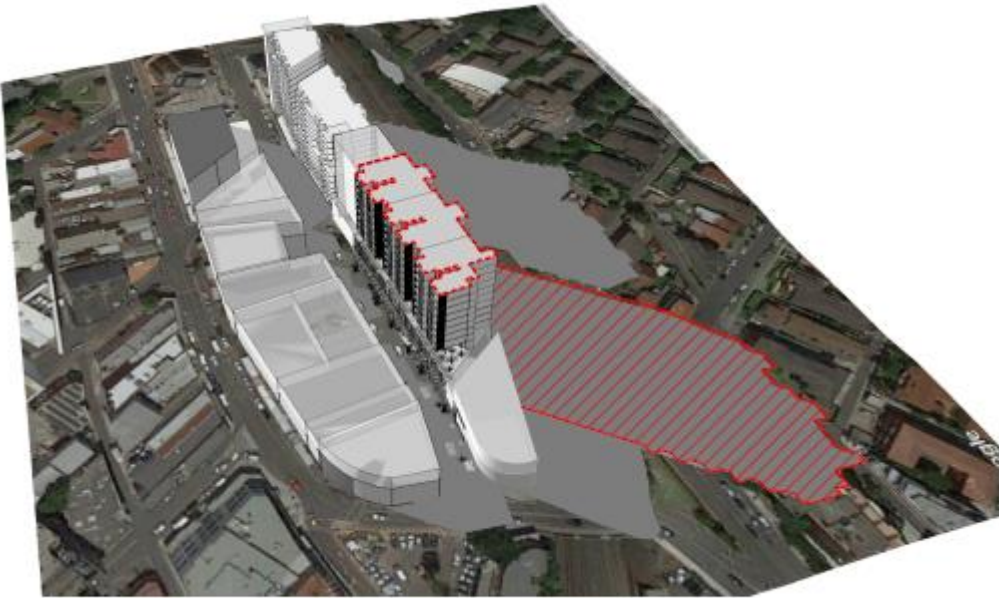


Figure 26: Indicative concept plan – solar analysis – proposed June 21 9am (Source: BKA Architects, undated)



Figure 27: Indicative concept plan – solar analysis – proposed June 21 12 noon (Source: BKA Architects, undated)



Figure 28: Indicative concept plan – solar analysis – proposed June 21 3pm (Source: BKA Architects, undated)

100. An independent urban design assessment of the Indicative Concept Plan was prepared by SJB Architects (Urban Design Advice, Planning Proposals in Hurstville City Centre, SJB Architects, February 2017) and included in **Attachment 5**. In summary, the report *“supported the proposal in principal given the program and overall built form are consistent with the adjacent context, and recently approved and completed developments”*.
101. The recommendations included:
 - Detailed design is require to ensure adequate street frontage activation,
 - Development should not preclude neighbouring sites from developing,
 - Layout of the building be rearranged to reduce overshadowing to other properties, and enhance the quality and landscape potential of the communal open space,
 - Car park is to be laid out to minimise congestion, and to ensure safety between the public and private car parks,
 - Require the achievement of a Green Star Rating with the Green Building Council of Australia (GBCA),
 - Communal open space to provide abundant planting and different areas that accommodate a range of activities,
 - That the layout of the building be further refined to meet the requirements of the ADG, and to ensure amenity is maximised for apartments,
 - That no single aspect south facing apartments are to be provided,
 - That passive surveillance of the street be provided through the design of the building, bringing dwellings closer to the street,
 - That consideration is given in the detailed design stage as to the safety of residents and workers due to the shared lobby arrangement from the street and the basement,
 - That a minimum target of affordable housing provision is achieved. In line with the Draft District Plans, our recommendation is a minimum of 5-10%. Given that the predominant demographic resides in rental accommodation, with a median income lower than that of Greater Sydney, Council is encouraged to investigate whether an increased provision may be appropriate,
 - That consideration be given to spatial methods able to encourage social interaction.

102. The report provides detailed shadow analysis (**Attachment 5**) based on a 3D model of the Hurstville City Centre as part of the Urban Design Strategy (currently being prepared) and recommends that overshadowing caused to surrounding properties should be minimised and ensure that residential private outdoor spaces can receive 2 hours of direct sunlight between 10am-2pm.
103. The report also considered a visual analysis of the proposal, noting that the *“development would be visible at the end of the Forest Road corridor, and does not impact upon the character of the road, as it is a marker at the end of the road”*.

4.7 St George Design Review Panel

104. The St George Design Review Panel (“DRP”) considered the Planning Proposal request at two (2) meetings: 7 April 2016 and 6 April 2017.
105. In response to the DRP comments on 7 April 2016, an Indicative Concept Plan was provided in the revised Planning Proposal request (November 2016) (**Attachment 1**). These Indicative Concept Plans were considered at the 6 April 2017 meeting and a number of comments were made including:
- Proposal fits comfortably within the evolving pattern of development both in terms of height and FSR, and site configuration,
 - Attention given to the extent of overshadowing of properties on the south side of the railway line and in terms of overall height and setback of the top four floors from the rear elevation,
 - Need to investigate constraints relating to the proximity to the rail corridor,
 - Proposed FSR of 7.2:1 appears to be consistent with the density of the adjoining development in Treacy Street; this is subject to confirmation of shadow impact limits on sites across the railway line,
 - Deep soil zone landscaping adjacent to the rail corridor not supported. The two storey communal open spaces at Level 3 is supported, however to ensure some communal open space provided with solar access year round a component should be considered on roof level,
 - Provision of continuous street awning on Treacy Street,
 - Adaptable dwellings are to be included in the development.

106. The Panel recommended that:

“The Panel supports the application subject to the changes described above..”

107. A copy of the St George DRP Minutes (7 April 2016 and 6 April 2017) is included in **Attachment 3**.

5. THE PLANNING PROPOSAL

108. The Planning Proposal has been assessed under the relevant sections of the *Environmental Planning and Assessment Act 1979* and *Regulation 2000* and against the following advisory documents prepared by the Department of Planning and Environment:
- “A guide to preparing planning proposals” (August 2016)
 - “A guide to preparing local environmental plans” (August 2016).
109. The assessment report in accordance with the Department of Planning and Environment “Guides” is included as **Attachment 4**.

110. The objective of the Planning Proposal is to enable the future development of the site to accommodate a mixed use development that will include ground floor commercial/ retail, first floor commercial and upper level residential land uses. In addition to these land uses, it is the Georges River Council's intent that any future development of the subject site provide for a public car parking facility to ensure adequate provision of public car parking is maintained in the Hurstville City Centre, especially given the site's current use as an at grade public car park.
111. The intended outcomes of the Planning Proposal are to amend the Hurstville LEP 2012 provisions in relation to the Site as follows:
- Amend the Land Application Map 001 to remove the "deferred matter" reference from the Site,
 - Amend the Land Use Zoning Map 008A to zone the site to B4 Mixed Use (currently identified as a "deferred matter"),
 - Amend the Floor Space Ratio Map 008A to set a maximum FSR of 7.0:1, where no maximum FSR limit is currently in effect within Hurstville LEP 2012,
 - Amend the Height of Buildings Map 008A to set a maximum height of 53 metres, where no maximum height limit is currently in effect within Hurstville LEP 2012,
 - Amend the Active Street Frontages Map 008A to identify the Site's Treacy Street frontage as an active street frontage', where no active street frontage is currently in effect within Hurstville LEP 2012,
 - Amend Clause 4.4A (Exceptions to floor space ratios for buildings on land in certain zones) to require a minimum "non-residential" FSR on the site of 1:1 and amend the Floor Space Ratio Map to identify the clause amendment to the Site.
112. The maximum FSR of 7:1 is being recommended based on consideration of the proposed range of 7:1 – 7.2:1 in the Indicative Concept Plans and the design issues raised by the St George Design Review Panel and the Independent Urban Design Advice which would impact on the achievable maximum FSR (as considered in Section 4.2).

Community Consultation

113. Should the Planning Proposal be supported it will be forwarded to the NSW Department of Planning and Environment requesting a Gateway Determination.
114. If a Gateway Determination (Approval) is issued, and subject to its conditions, it is anticipated that the Planning Proposal will be exhibited for a period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979* and *Regulation, 2000* and any requirements of the Gateway Determination.
115. 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.
116. Notification of the public exhibition will be through:
- Newspaper advertisement in The St George and Sutherland Shire 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,

- Letters to adjoining landowners (in accordance with Council's Notification Procedures).

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

Task	Anticipated Timeframe
Lodgement of Planning Proposal request	October 2015
Consideration by St George Design Review Panel	7 April 2016
Lodgement of Revised Planning Proposal request	November 2016
Consideration by St George Design Review Panel	6 April 2017
Reporting to Georges River IHAP on Planning Proposal	18 May 2017 (this report)
Reporting to Council on Planning Proposal	5 June 2017
Anticipated commencement date (date of Gateway determination)	August/September 2017
Anticipated timeframe for the completion of technical information (if required)	August 2017
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	September 2017
Commencement and completion dates for community consultation period	October/November 2017
Dates for public hearing (if required)	
Timeframe for consideration of submissions	November 2017
Reporting to Georges River IHAP on community consultation	November 2017
Reporting to Council on community consultation and finalisation	December 2017
Submission to the Department to finalise the LEP	December 2017
Anticipated date for notification.	December 2017

118. It is noted that the project timeline will be assessed by the Department of Planning and Environment and may be amended by the Gateway Determination.

SUMMARY OF ASSESSMENT / CONCLUSION

119. In summary, the Planning Proposal request for the Council owned Treacy Street Car Park Site (37-41 Treacy Street, Hurstville) is:

- Supported in relation to the zoning of the site to B4 Mixed Use,
- Supported in relation to the increase in maximum building height from 15m to 53m,
- Supported in relation to the increase in maximum FSR from 3:1 to 7:1 (the maximum FSR of 7.2:1 in the revised Planning Proposal request is not supported),
- Supported in relation to the identification of the Treacy Street frontage of the Site as "active street frontage".

120. In addition, to ensure the provision of employment within the Hurstville City Centre, and to reflect commercial and retail floor space identified the Indicative Concept Plans, a minimum “non-residential” FSR of 1:1 will be required on the site (through an amendment to clause 4.4A of the Hurstville LEP 2012).
121. The key reasons for support include that the proposed B4 Mixed Use zone, increases to the development standards (maximum height and FSR), minimum “non-residential” FSR of 1:1 and identification of ‘active street frontage’ will facilitate future development of the highly accessible site within the Hurstville City Centre, including:
- Residential accommodation within close proximity to the retail and other facilities within the Hurstville City Centre and excellent public transport options,
 - Retention of existing 90 public car parking spaces, with an opportunity to provide additional spaces within the Hurstville City Centre,
 - Non-residential floorspace of approximately 2,580sqm which will provide for employment opportunities within the Hurstville City Centre, and equating to approximately 80-120 jobs,
 - Urban design analysis and requirements through an amendment to the Hurstville (City Centre) DCP No.2 which will address a range of issues identified by the St George DRP and in the independent urban design advice in relation to future development’s consistency with SEPP 65 – Design Quality of Residential Apartment Development.

NEXT STEPS

122. The Planning Proposal, along with a report on the Planning Agreement for the site, will be considered at a future Georges River Council meeting (“the relevant planning authority”) for consideration, including the IHAP recommendations. If the Planning Proposal is endorsed by Council it will be submitted to the NSW Department of Planning and Environment for a Gateway determination in accordance with section 56 of the *Environmental Planning and Assessment Act, 1979*.
123. If Council resolves not to support the Planning Proposal, the Applicant has the opportunity to request a pre-Gateway Review by the Department of Planning and Environment. An applicant has 40 days from the date of notification of Council’s decision to request a review.

ATTACHMENTS

- Attachment 1 Revised Planning Proposal Request
- Attachment 2 Hurstville LEP 2012 Draft Maps
- Attachment 3 St George Design Review Panel Minutes
- Attachment 4 Planning Proposal Assessment
- Attachment 5 Extract of Independent Urban Design Assessment
- Attachment 6 Signed Letter of Offer
- Attachment 7 Transport Impact Assessment