

Attachment 1

Georges River Council Report and Minutes 5 June 2017,
Item CCL085-17 Planning Proposal, 37-41 Treacy Street, Hurstville
(including Attachment: Georges River Independent Hearing & Assessment Panel
Report 18 May 2017, Item 3.4 PP2015/0006 Planning Proposal, 37-41 Treacy
Street, Hurstville)

Item: CCL085-17 Planning Proposal - 37-41 Treacy Street Hurstville

Author: Manager Strategic Planning

Directorate: Environment and Planning

Matter Type: Environment and Planning

Recommendation

- (a) That Planning Proposal PP2015/0006 to amend Hurstville Local Environmental Plan 2012 as follows, in respect of the land known as 37-41 Treacy Street, Hurstville (Treacy Street Car Park Site), be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979:
- i. Amend the Land Application Map to remove the “deferred matter” status from the Site.
 - ii. Amend the Land Zoning Map to remove the “deferred matter” from the Site and zone the Site B4 Mixed Use.
 - iii. Amend the Height of Building Map (HOB) to specify a maximum building height of 55m.
 - iv. Amend the Floor Space Ratio Map (FSR) to specify a maximum floor space ratio of 7:1.
 - v. Amend the Active Street Frontages Map (ASF) to identify an active street frontage along the Treacy Street boundary of the Site.
 - vi. 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.
 - vii. Amend to include a site specific clause that requires the consent authority to be satisfied that any future development will provide for road and traffic upgrades in the local road network and contribute to measures that encourage the use of public transport.
- (b) That if it is determined by the Greater Sydney Commission or its delegate under Section 56 of the Environmental Planning and Assessment Act 1979 that the Planning Proposal referred to in Recommendation (a) should proceed, that an amendment to the *Hurstville Development Control Plan No 2 – Hurstville City Centre (Amendment No 6)*, in respect of the land known as 37-41 Treacy Street Hurstville (Treacy Street Car Park Site), be prepared and publicly exhibited at the same time that the Planning Proposal is publicly exhibited.
- (c) That the proponent be requested to prepare a draft amendment to the *Hurstville Development Control Plan No 2 – Hurstville City Centre (Amendment No 6)* include the following:
- i. To include the site in the land to which the development control plan applies;
 - ii. To include site specific provisions including (but not limited to):
 - vehicle access points,
 - site and boundary landscaping,
 - active street frontages and building rear setbacks,
 - building breaks,
 - minimising overshadowing of the public domain.
- (d) If it is determined by the Greater Sydney Commission or its delegate under Section 56 of the Environmental Planning and Assessment Act 1979 that the Planning Proposal referred to in Recommendation 1 should proceed, that the proponent prepare the following:

- i. A revised urban design analysis is to be undertaken and to be exhibited with the Planning Proposal that assesses the inter-relationship between the proposed height and floor space ratio as well as compliance with the Apartment Design Guide and avoids units with sole orientation to the railway line.
- (e) 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.
- (f) That
 - i. Council prepare a local housing strategy in accordance with Action L1 of the draft South District Plan,
 - ii. Steps 1, 2 and 3 of the local housing as generally outlined in this report, and
 - iii. Step 4 be prepared in association with the preparation of the comprehensive LEP for the Georges River LGA.
- (g) That:
 - i. The Car Parking Strategy (which is under preparation by Council) identify the location, implementation mechanisms and time frame for the provision of not less than 90 car parking spaces (lost from the site) within the Hurstville City Centre; and
 - ii. If no alternate suitable location for the public car parking can be found within the Centre, then a minimum of 90 spaces are to be provided on the Treacy Street site; with such requirement being linked to the sale/development of the site.

Executive Summary

1. The Independent Hearing and Assessment Panel (IHAP), at its meeting on **18 May 2017** considered a report on 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**):
 - 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. A copy of the report (and its attachments) considered by IHAP is contained in **Attachment 1**. The report is comprehensive in its assessment and should be read in conjunction with this report.



Figure 1 – Site (bounded in red)

3. As a result of the meeting, the IHAP resolved:

- (a) *The Georges River IHAP recommends to the Council that the Planning Proposal PP2015/0006 to amend Hurstville Local Environmental Plan 2012 as follows, in respect of the land known as 37-41 Treacy Street, Hurstville (Treacy Street Car Park Site), be forwarded to the delegate of the Greater Sydney Commission for a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979:*
- i) Amend the Land Application Map to remove the “deferred matter” status from the Site.*
 - ii) Amend the Land Zoning Map to remove the “deferred matter” from the Site and zone the Site B4 Mixed Use.*
 - iii) Amend the Height of Building Map (HOB) to specify a maximum building height of 55m.*
 - iv) Amend the Floor Space Ratio Map (FSR) to specify a maximum floor space ratio of 7:1.*
 - v) Amend the Active Street Frontages Map (ASF) to identify an active street frontage along the Treacy Street boundary of the Site.*
 - vi) 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.*
 - vii) Amend to include provision for affordable housing to be incorporated in any development on the site equivalent to not less than 5% of the gross floor area of the development.*
 - viii) Amend to include provision for public car parking to be provided in any development on the site equivalent to not less than 90 car spaces.*
- (b) *If it is determined by the Greater Sydney Commission or its delegate under Section 56 of the Environmental Planning and Assessment Act 1979 that the Planning Proposal referred to in Recommendation 1 should proceed, the Georges River IHAP recommends to the Council that an amendment to the Hurstville Development Control Plan No 2 – Hurstville City Centre (Amendment No 6), in respect of the land known as 37-41 Treacy Street Hurstville (Treacy Street Car Park Site), be prepared and publicly exhibited at the same time that the Planning Proposal is publicly exhibited:*
- i) To include the site in the land to which the development control plan applies;*
 - ii) To include site specific provisions including (but not limited to):*
 - vehicle access points,*
 - site and boundary landscaping,*
 - active street frontages and building rear setbacks,*
 - building breaks,*

- *minimising overshadowing of the public domain.*
3. *If it is determined by the Greater Sydney Commission or its delegate under Section 56 of the Environmental Planning and Assessment Act 1979 that the Planning Proposal referred to in Recommendation 1 should proceed, the Georges River IHAP recommends to the Council:*
 - a. *That a revised urban design analysis is to be undertaken and to be exhibited with the Planning Proposal that assesses the inter-relationship between the proposed height and floor space ratio as well as compliance with the Apartment Design Guide and avoids units with sole orientation to the railway line.*
 - b. *Consideration be given to the traffic impacts generated by the development of the site in accordance with the Planning Proposal and the contributions that can be made to offset that impact.*
 4. The IHAP does not have delegation to resolve to proceed with the rezoning of the land. In this regard, this component of the report is also being reported to Council for consideration and endorsement.

Background

5. 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).
6. This Council 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 and the Georges River Council IHAP.
7. 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.
8. The anticipated development from the 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.
9. 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.
10. A maximum FSR of 7:1 is being recommended by Council Officers 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. 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.

11. The report now before Council recommends that the Council 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 55m,
 - 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), and
 - Identifying the Treacy Street frontage of the Site as “active street frontage”.
12. 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.
13. The other recommendations made by IHAP regarding affordable housing and the provision of 90 public car parking spaces in any redevelopment of the site are discussed in this report under the heading - Discussion on IHAP Recommendation and Public Benefits.
14. 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.

The Planning Proposal

15. 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).
16. The assessment report in accordance with the Department of Planning and Environment “Guides” is included in **Attachment 1**.
17. 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.
18. The intended outcomes of the Planning Proposal as amended by IHAP 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 55 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,
 - Include provision for affordable housing to be incorporated in any development on the site equivalent to not less than 5% of the gross floor area of the development, and
 - Amend to include provision for public car parking to be provided in any development on the site equivalent to not less than 90 car spaces.
19. IHAP also recommended that a revised urban design analysis is to be undertaken and to be exhibited with the Planning Proposal that assesses the inter-relationship between the proposed height and floor space ratio as well as compliance with the Apartment Design Guide and avoids units with sole orientation to the railway line.

Public Benefits - Voluntary Planning Agreement

20. It should also be noted that Council's Property Section/Division provided a Letter of Offer to enter into a Planning Agreement dated 27 April 2017 in relation to the Planning Proposal. The letter of offer proposed to provide the following public benefits in relation to Planning Proposal on the site:
- a. Public car parking to be dedicated to Council (GRC) in stratum with the redevelopment of the site up to or greater than current number of spaces on the site; and or
 - b. Monetary contributions to be used by Council (GRC) towards public purposes as described under Section 93F(2) of the EPA Act from sale of land resulting from uplift via the LEP amendment – as per VPA policy equation.
21. Council has received advice from Henry Davis York (Law Firm) that as Council is the owner of the site, a Voluntary Planning Agreement (VPA) under Section 93F of the Environmental Planning and Assessment Act 1979 is not required to enable Council to 'lock in' the public benefits proposed to the land.
22. Nevertheless, IHAP at its Meeting of 18 May 2017 recommended inter-alai in relation to the public benefits offered that:
- a. Amend to include provision for affordable housing to be incorporated in any development on the site equivalent to not than 5% of the gross floor area of the development.
 - b. Amend to include provision for public car parking to be provided in any development on the site equivalent to not than 90 car spaces."
23. Whilst the letter of offer did not include affordable housing as one of the public benefits offered, affordable housing is mentioned as a potential public benefit that can be provided by VPAs.
24. Thus a VPA is not required to 'lock-in' the public benefits on the site, as special provisions can be inserted in the Hurstville LEP, as part of the Planning Proposal process, to ensure their delivery.

Discussion on IHAP recommendation & Public Benefits

Height:

25. The Planning Proposal as amended by the applicant seeks a maximum building height of 53m (16 storeys) over the site.
26. IHAP has recommended a maximum building height of 55m as the Urban Design Strategy for the Hurstville Centre which will be considered by Council in July is recommending a height of 55 metres for the block this site is contained within. The height of 55m is also consistent with the height approved at 21-35 Treacy Street by the Minister for Planning and Infrastructure (on 1 July 2011).
27. Therefore the recommendation of this report to Council is that the Height of Building Map be amended to specify a maximum height of 55m for the site.

Local provision on car parking

28. As stated above, Council's Property Section/Division provided a Letter of Offer to enter into a Planning Agreement dated 27 April 2017 in relation to the Planning Proposal. The letter of offer proposed to provide the public benefit of public car parking to be dedicated to Council (GRC) in stratum with the redevelopment of the site up to or greater than current number of spaces on the site.
29. Council received advice from Henry Davis York (Law Firm) that as Council is the owner of the site, a Voluntary Planning Agreement (VPA) under Section 93F of the Environmental Planning and Assessment Act 1979 is not required to enable Council to 'lock in' the public benefits proposed to the land.
30. IHAP at its Meeting of 18 May 2017 recommended that a provision for public car parking to be provided in any development on the site equivalent to not than 90 car spaces to replace the car parking currently provided on the site.
31. Council officers have commenced the preparation of a car parking strategy for the Georges River LGA. The strategy will consider the outcomes of the Hurstville City Centre Urban Design Strategy and the review of the Hurstville TMAP. The Car Parking Strategy will recommend the provisions for car parking within the Hurstville City Centre including the quantity and location of public parking and paid parking. Given that the future provision of public car parking within the Hurstville City Centre is under review, it is considered that at this point in time Council takes a flexible approach in "locking in" the future provision of car parking on this site.
32. In light of the strategies underway and the review of the Hurstville TMAP, it is suggested that a local provision requiring carparking to be provided on this site not be included in the planning proposal and that the following approach is followed:
 - a. The Car Parking Strategy identifies the location, implementation mechanisms and time frame for the provision of not less than 90 car parking spaces (lost from the site) within the Hurstville City Centre.
 - b. If no alternate suitable location and delivery for the parking can be found within the Centre, then a minimum of 90 spaces are to be provided on the Treacy Street site. The requirement for the parking would be linked to the sale/development of the site.

Provision for a traffic study

33. IHAP at its Meeting of 18 May 2017 recommended that a traffic study be prepared that considers the traffic impacts generated by the development of the site in accordance with the Planning Proposal and the contributions that can be made to offset that impact
34. Council has already set a precedent for requiring local provisions to address traffic issues related to assessment of planning proposal. At its Meeting held 1 May 2017 Council resolved to request that the Department insert into the Hurstville LEP 2012 for 29-31 MacMahon Street Hurstville a site specific clause that requires the consent authority to be satisfied that any future development will provide for road and traffic upgrades in the local road network and contribute to measures that encourage the use of public transport.
35. The suggested approach to implementing the IHAP recommendation in respect of the Treacy Street Planning Proposal is to require a local provision requiring that the consent authority to be satisfied that any future development will provide for road and traffic upgrades in the local road network and contribute to measures that encourage the use of public transport.

Design Analysis

36. IHAP at its Meeting of 18 May 2017 recommended that a revised urban design analysis is to be undertaken and to be exhibited with the Planning Proposal that assesses the inter-relationship between the proposed height and floor space ratio as well as compliance with the Apartment Design Guide and avoids units with sole orientation to the railway line.
37. The IHAP's recommendation is supported and is consistent with Gateway Determination conditions that have been issued by the Greater Sydney Commission (GSC). In the Gateway Determination dated 24 February 2017 for the Bing Lee Site at 108, 112 and 124 Forest Road Hurstville the GSC required that a revised Urban Design report illustrating the proposed built form taking into consideration the requirement of a minimum non-residential floorspace of 0.5:1. The Report is to be placed on public exhibition with the planning proposal that is updated to reflect the revised Urban Design report.

Affordable Housing 5% requirement – alternative approach

38. IHAP at its Meeting of 18 May 2017 recommended that a provision for affordable housing be incorporated in any development on the site equivalent to not than 5% of the gross floor area of the development.
39. The 5% affordable housing requirement is based on the Affordable Rental Housing Target of 5% to 10% in the draft South District Plan for new urban renewal areas.
40. Council has not prepared a local housing strategy in accordance with Action L1 of the draft South District Plan. Action L1 states that Councils will prepare local housing strategies and need to consider:
 - *the planning principles and directions in A Plan for Growing Sydney*
 - *capacity to support the five year housing target*
 - *capacity to support the strategic housing need of the local government area for the next 20 years*
 - *local demographic and socioeconomic characteristics*
 - *the local housing market including the feasibility of development for different housing types*
 - *development staging and market take-up rates and how this aligns with demand*

- *challenges and opportunities relating to infrastructure provision urban form and place making*
 - *accessibility of housing to employment opportunities*
 - *opportunities to improve housing affordability*
 - *ways to address housing diversity that are relevant to the needs of the existing and future local housing market including opportunities for, and blockages to, housing diversity and adaptability*
 - *the prospective displacement of affordable housing*
 - *opportunities for additional capacity around strategic and district centres and other areas with good transport connectivity and service provision*
 - *specific local market complexities including addressing ways to incentivise for the provision of larger group homes, smaller homes for singles and couples only, intergenerational homes and medium density housing required by the local community*
 - *ways to provide adaptable housing in accordance with guidelines from Liveable Housing Australia.*
41. No analysis of the need for housing – affordable, key workers etc, has been undertaken to date. To have a provision requiring 5% of the units designated as affordable housing is an ad hoc approach and has no justification. In this case 180 apartments are provided – and therefore 9 would be allocated for affordable housing.
42. There are two options for the Council to consider in dealing with the IHAP's recommendation of a provision for affordable housing be incorporated in any development on the site equivalent to not than 5% of the gross floor area of the development. These are:
- a. Require the provision of 5% affordable housing – i.e. 9 apartments; or
 - b. Alternatively prepare a local housing strategy.
43. The approach recommended by officers is to prepare a local housing strategy. A local housing strategy will enable Council to:
- a. Investigate the capacity for housing within the LGA – both the 5 year target and the strategic housing needs of the LGA for the next 20 years,
 - b. Investigate the local housing market including local demographics and socio economic characteristics, the feasibility of development for different housing types, and
 - c. Investigate housing affordability, key worker housing and social housing.
44. A local housing strategy provides a holist approach to housing supply and demand for the LGA and will allow Council to have a defined policy that can be argued in discussions with applicants and proponents for applications and planning proposals within the LGA.

Local Housing Strategy

45. Action L1 of the draft South District Plan requires Councils to prepare local housing strategies. Affordability of housing is a key component of a local housing strategy.
46. The key steps in preparing a local housing strategy according to the Centre for Affordable Housing are as follows:

Step 1: Getting started

- What is a housing market?
- Defining the local housing market Identifying participants
- Analysing the strategic context

- Establishing study objectives

Step 2: Understanding the housing market

- Analysing and estimating trends
- Demographic trends
- Economic context
- Housing supply issues
- Council policies

Step 3: Assessing trends

- House prices
- Rents
- Housing affordability
- Housing stress
- Vacancy rates

Step 4: Interpretation

- Is a large new stock of housing likely to be required? ·
- Is this need for new stock related to employment trends? ·
- Is existing housing stock a good match for the demographic profile of the area? ·
- Is there a particular group who are missing out? ·
- Has there been a marked loss of low-priced stock in recent times? ·
- Are there large concentrations of low-income households in the area? ·
- Is affordability a major concern?
- This step also identifies the local opportunities.

Step 5: Monitoring

47. Preparing a Local Housing Strategy is a major project and it is envisaged that Steps 1, 2 and 3 could be carried out now with Step 4 being carried out as part of the comprehensive LEP preparation for the LGA.

Community Consultation

48. Should the Planning Proposal be supported it will be forwarded to the NSW Department of Planning and Environment requesting a Gateway Determination.
49. 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.
50. 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.
51. 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).

52. 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

53. 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

54. 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 55m,
 - Supported in relation to the increase in maximum FSR from 3:1 to 7:1, and
 - Supported in relation to the identification of the Treacy Street frontage of the Site as "active street frontage".

55. The Planning Proposal will be amended to include a local provision that requires the consent authority to be satisfied that any future development will provide for road and traffic upgrades in the local road network and contribute to measures that encourage the use of public transport.
56. 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).
57. 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,
 - Non-residential floor space 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

58. 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*.
59. The proponent will be requested to prepare a draft amendment to the Hurstville Development Control Plan No 2 – Hurstville City Centre (Amendment No 6) include the following:
- a. To include the site in the land to which the development control plan applies;
 - b. To include site specific provisions including (but not limited to):
 - c. vehicle access points,
 - d. site and boundary landscaping,
 - e. active street frontages and building rear setbacks,
 - f. building breaks, and
 - g. minimising overshadowing.
60. Council officers will prepare a brief for a local housing strategy and commence Steps 1, 2 and 3.
61. 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.

Financial Implications

62. Within budget allocation.

File Reference

63. Trim File: PP2015/0006

ATTACHMENTS

Attachment [View](#)1 Attachment 1 - Report to IHAP 18 May 2017 - Treacy Street Car park