

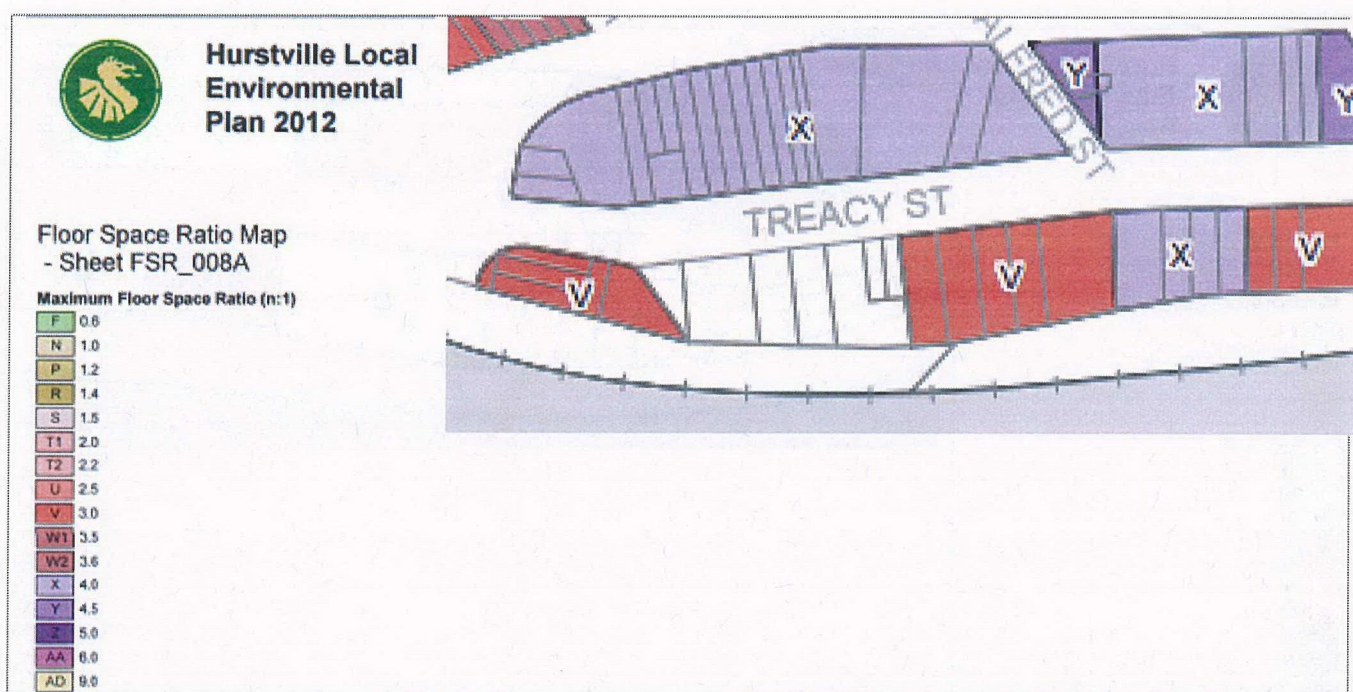


Figure 19: Extract Hurstville LEP 2012 – Floor Space Ratio Map (applies to surrounding sites)

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).

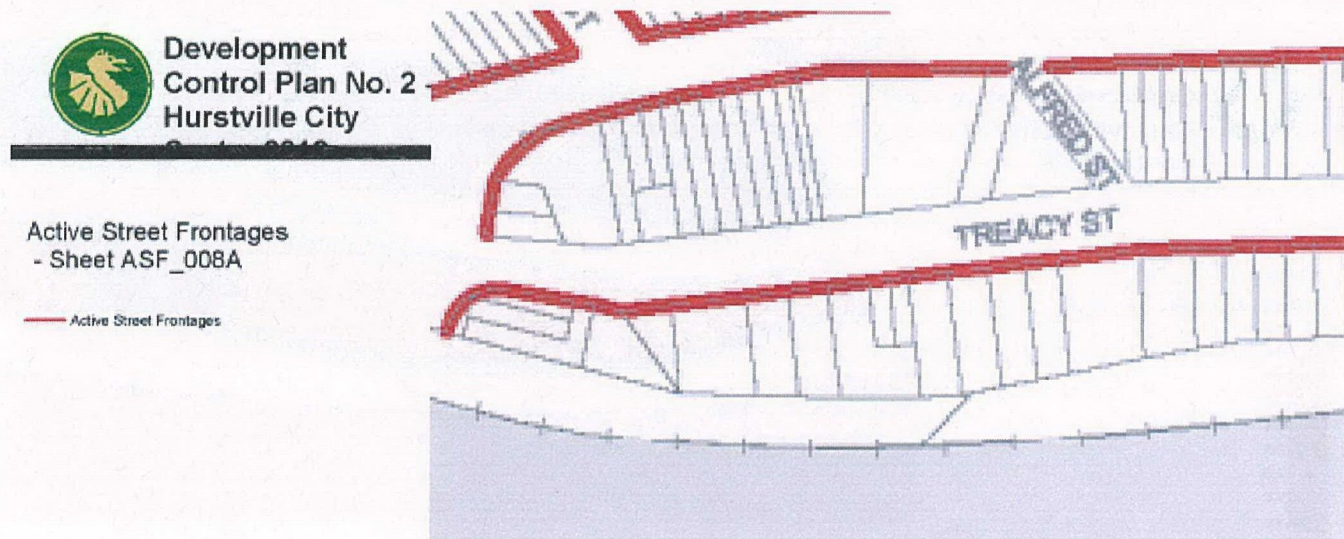


Figure 20: Extract of Hurstville DCP No.2 (Amendment No.5) – Active Street Frontages Map (applies to subject site only)

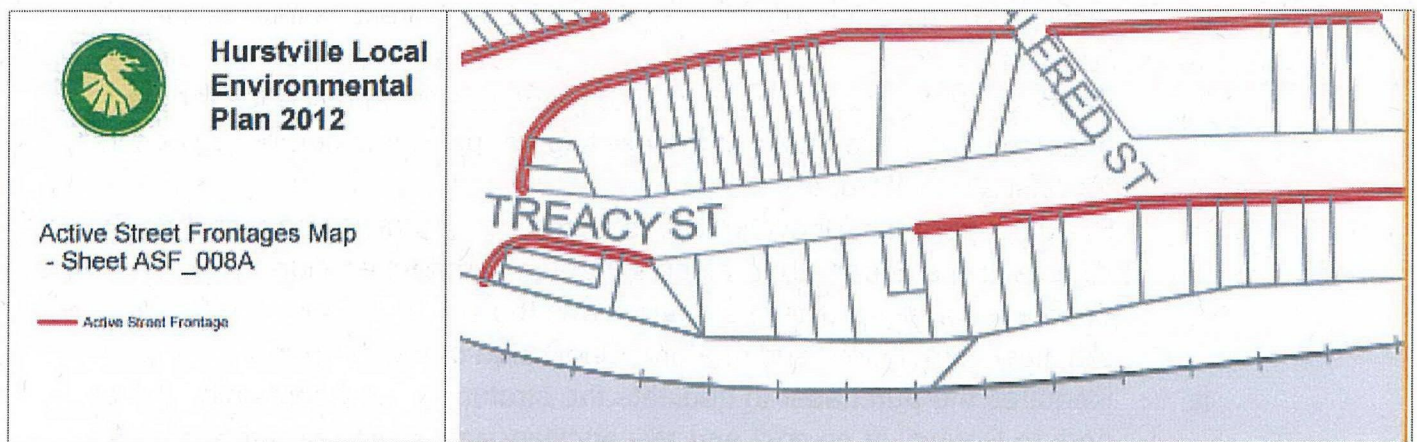


Figure 21: Extract of Hurstville LEP 2012 – Active Street Frontages Map (applies to surrounding sites)

3.2 Georges River Council Policy on Planning Agreements

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

As part of the Planning Proposal request for the Treacy Street Car Park site, the Applicant (Georges River Council) 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) was reported to the Georges River IHAP meeting of 18 May 20 and included as an attachment to the Georges River Council meeting 5 June 2017 report (**Attachment 1**). The letter of offer outlines the public benefits to be provided with any future redevelopment of the site, including:

- 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,
- Monetary contribution to be used for public purposes as described under Section 93F(2) of the *Environmental Planning and Assessment Act 1979*.

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.

The Offer (and the Heads of Agreement) was not presented as a separate report to Council at its meeting of 5 June 2017. Subsequent to the preparation and publishing of the IHAP Papers for 18 May 2017 meeting, Council received legal advice that a planning agreement is not the appropriate vehicle as the *Environmental Planning & Assessment Act 1979* doesn't contemplate it and the agreement could not be registered on title.

The legal advice states that the most appropriate way to proceed is as follows:

- a. Council proceed with its own planning proposal and rezone the land for the uses,
- b. Following gazettal (or just before) Council then prepares a contract of sale which:

- i. Allows Council to lodge a caveat on the title to protect its interests in the contract,
 - ii. Requires the purchaser/developer to grant Council and licence for the ongoing use by the public of the existing car park until demolition occurs (or until a defined date),
 - iii. Requires purchaser/developer to construct a car park of no less than 90 spaces to a standard that will be set out in an attached side deed. The side deed will contain provisions dealing with the specifications, certification, practical completion, and stratum subdivision of the car park,
 - iv. Requires the purchaser to dedicate the stratum of land containing the car park to Council at no cost and any ancillary easements or rights of way necessary to access and use the car park.
- c. Council then goes out to tender to sell the land, under the normal tendering process.

The Georges River IHAP was informed of the above legal advice through a memorandum dated 17 May 2017. The IHAP subsequently included the following proposed amendments to the Hurstville LEP 2012 (in addition to those recommended in the report) in its determination:

- 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,
- 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.

These two proposed amendments to the Hurstville LEP 2012 in relation to affordable housing and provision of public car park of the Treacy Street Car Park site were also included in the Georges River Council resolution (5 June 2017) and therefore form part of this Planning Proposal:

- 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.
- 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.

Council also resolved at the 5 June 2017 meeting 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 part (a) should proceed:

- i) A revised urban design analysis be undertaken and 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.
- ii) 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.
- iii) Noting Council will develop a Car Parking Strategy for Hurstville consideration be given to including additional parking spaces within the development to assist in improving parking availability within the centre."

4. THE PLANNING PROPOSAL

The Planning Proposal has been assessed under the relevant sections of the *Environmental Planning and Assessment Act 1979* and *Regulation 2000* and 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).

Section 55(2) of the Act states that a planning proposal must include the following:

- Part 1 – A statement of the objectives and intended outcomes of the proposed instrument
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument
- Part 3 – The justification for those objectives, outcomes and the process for their implementation
- Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- Part 5 – Details of community consultation that is to be undertaken on the planning proposal.
- Part 6 – A project timeline for the planning proposal.

These Parts are considered below:

Part 1: Objectives and Intended Outcomes

The objective of the Planning Proposal is to encourage the future redevelopment of the key corner site within the Hurstville City Centre site for employment and housing through increasing the maximum building height and floor space ratio development standards on the site and requiring a minimum “non-residential” FSR on the site of 1:1.

Part 2: Explanation of Provisions

As noted in Section 3 above, the Site is one of the three (3) sites “deferred” from the Hurstville LEP 2012 and to which the provisions of the Hurstville LEP 1994 currently apply. The intended outcomes of the Planning Proposal are to amend the Hurstville LEP 2012 in relation to 37-41 Treacy Street, Hurstville (the Treacy Street Car Park Site) as follows:

- Amend the Land Application Map to remove the “deferred matter” status from the site,
- Amend the Land Zoning Map to remove the “deferred matter” from the Site and zone the Site B4 Mixed Use,
- Amend the Height of Building Map (HOB) to specify a maximum building height of 55m,
- Amend the Floor Space Ratio Map (FSR) to specify a maximum floor space ratio of 7:1,
- Amend the Active Street Frontages Map (ASF) to identify an active street frontage along the Treacy Street boundary of the site,
- 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.

Council at its meeting of 5 June 2017 also resolved to amend the Hurstville LEP 2012 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,
- 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.

Part 3: Justification

Section A – Need for the planning proposal

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

No. The planning proposal request is not the result of any strategic study or report. The planning proposal is in response to a request by Hurstville City Council (now Georges River Council).

Three (3) sites “deferred” from the Hurstville City Centre amendment to the Hurstville LEP 2012; which was finalised in July, 2015. These “deferred sites” must be included in the provisions of the Hurstville LEP 2012; this is the first of the three (3) sites to request Gateway.

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

The proposed changes to the development standards are the best means of achieving the objectives of the planning proposal.

Section B – Relationship to strategic planning framework

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

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 considered below.

A Plan for Growing Sydney (Metropolitan Strategy)

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

The Planning Proposal, specifically the 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 commercial, retail and services within the Hurstville City Centre. This will also assist in delivering more investment and business activity, increase productivity and 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.

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.”*

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

The Planning Proposal will provide approximately 180 new apartment dwellings based on the Indicative Concept Plans in the Planning Proposal request (November 2016) (refer **Attachment 1**). 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

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

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.

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

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

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, 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)

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.

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.

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.

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

In relation to the draft Plan Towards Our Greater Sydney 2056, the draft Plan includes the following vision and Metropolitan priorities:

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

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

Draft South District Plan

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:

	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

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 economic, social, services and 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.

Assessment Criteria:

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

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

A noted above, the proposal is consistent with *A Plan for Growing Sydney* and the draft *Plan Towards Our Greater Sydney 2056* and draft *South District Plan* as detailed above. This site is one of the three (3) “deferred matters” from the Hurstville LEP 2012.

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

There is no relevant local council strategy applying to the site. The B4 Mixed Use zoning of the site and the development standards were introduced through the Hurstville City Centre amendment to the Hurstville LEP 2012 which was finalised in July, 2015.

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

There has been no change in circumstances since the preparation of the planning controls introduced through the July 2015 amendment to the Hurstville LEP 2012. It is noted that the site is a “deferred matter” in the Hurstville LEP 2012 and that a Planning Proposal is to be submitted to the Department of Planning and Environment in relation to the site no later than September 2017.

The Guide notes that “*there will be a presumption against a Rezoning Review request that seeks to amend LEP controls that are less than 5 years old, unless the proposal can clearly justify that it meets the Strategic Merit Test*”.

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

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

The site is within the existing urban area of the Hurstville City Centre and does not have known significant environmental values, resources or hazards. The site is occupied an existing at grade public car parking; any future development application on the site would need to address SEPP 55 – Remediation of Contaminated Land in its assessment. The proposed change in the Planning Proposal to the B4 Mixed Use zoning (from the 3(b)(City Centre Business Zone) is an equivalent “business” type zone.

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

The site is located within the existing Hurstville City Centre and is surrounded by mixed use (residential and commercial) and residential development as detailed in Section 2 above.

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

The site is located in the Hurstville Strategic Centre and benefits from its proximity to the commercial, retail and services within the Hurstville City Centre

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

There is no local strategy endorsed by the Secretary applying to the Hurstville City Centre. As noted in Section 3 above, the land use zone and development standards were "deferred" for the site under the Hurstville City Centre LEP (which was finalised on 10 July, 2015) and which was prepared giving consideration to the Hurstville City Centre Master Plan (2004), Hurstville Transport Management and Accessibility Plan (TMAP).

Consideration of the Planning Proposal request in relation to the **Hurstville City Centre Master Plan (2004)** is provided below:

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.

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.

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

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 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.

These issues are still relevant for planning within the Hurstville City Centre.

Hurstville Transport Management and Accessibility Plan (TMAP)

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.

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.

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.

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.*

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).

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.

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..".

The Hurstville City Centre TMAP is currently under review.

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. However Council subsequently received legal advice that Council can't enter into a planning agreement with itself as it is legally defective, the Environmental Planning & Assessment Act doesn't contemplate it and the agreement could not be registered on title.

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

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.

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.

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) vehicle access points, site and boundary landscaping, active street frontages and building rear setbacks, building breaks and minimising overshadowing of the public domain.

Hurstville Section 94 Development Contributions Plan 2012

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.

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

The full assessment of the Planning Proposal against all the State Environmental Planning Policies ("SEPPs") is provided in below and within the Applicant's submission (Attachment 1). Consideration of the SEPPs relevant to the Planning Proposal is provided below:

SEPP No.65 – Design Quality of Residential Apartment Development

The Planning Proposal has been considered against the SEPP's nine (9) Design Quality Principles by the St George Design Review Panel which functions under Part 3 of the SEPP. A copy of the DRP meeting minutes and recommendations is included in **Attachment 1** and consideration of the advice provided by the DRP is included in the report. Any future development application on the site for residential development will be required to address the provisions of the SEPP and the Apartment Design Guide. It is noted that the Georges River IHAP recommended an increase in the maximum building height from the proposed 53m (which was supported by the St George DRP) to 55m. This maximum height (55m) was also endorsed by Council.

Q6: *Is the planning proposal consistent with applicable Ministerial Direction (s.117 Directions)?*

A checklist of the Planning Proposal's consistency with the full set of Section 117 Ministerial Directions is included in Attachment 1. The Directions that are relevant to the Planning Proposal are:

- Direction 1.1 – Business and Industrial Zones
- Direction 3.1 – Residential Zones
- Direction 3.4 – Integrating Land Use and Transport
- Direction 6.3 – Site Specific Provisions
- Direction 7.1 – Implementation of A Plan for Growing Sydney

Direction 1.1 Business and Industrial Zones

The objectives of Direction 1.1 – Business and Industrial Zones are:

- Encourage employment growth in suitable locations,
- Protect employment land in business and industrial zones, and
- Support the viability of identified strategic centres.

The inclusion of a minimum non-residential FSR of 1:1 on the site will ensure that employment floor space is provided on the site (ground level retail and first level commercial) which will encourage the development of modern commercial and retail

floorspace on the site and provide employment and support the viability of the Hurstville City Centre.

Direction 3.1 Residential Zones

The objectives of Direction 3.1 – Residential Zones are:

- To encourage a variety and choice of housing types to provide for existing and future housing needs,
- To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- To minimise the impact of residential development on the environment and resource lands.

While not proposing the rezoning of the site to a residential zone, the proposed B4 Mixed Use Zone and the proposed increases in maximum building height and maximum FSR on the site will allow a greater provision of housing in an existing urban area, improve housing choice, and increase the efficiency of existing infrastructure, services and amenities.

Direction 3.4 Integrating Land Use and Transport

The objectives of Direction 3.4 – Integrating Land Use and Transport is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- Improving access to housing, jobs and services by walking, cycling and public transport, and
- Increasing the choice of available transport and reducing dependence on cars, and
- Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- Supporting the efficient and viable operation of public transport services, and
- Providing for the efficient movement of freight.

The Planning Proposal is consistent with Direction 3.4 as it would allow for additional housing in a location with good access to the facilities within the Hurstville City Centre, in particular public transport. Additional housing in this location will ease traffic demand on the Sydney road network generally when compared with additional housing in a less accessible location.

The Site is strategically positioned in term of proximity to the Hurstville City Centre and the Hurstville Railway Station and Bus Interchange. Consideration of the Proposal in relation to the Hurstville City Centre TMAP (refer Section 3 above).

Direction 6.3 Site Specific Provisions

Direction 6.3 aims to discourage unnecessarily restrictive site specific planning controls. The Planning Proposal includes a minimum non-residential FSR of 1:1 on the site which is considered a means to ensure employment uses continue on the site. The requirement will be included in the Hurstville LEP 2012 through an amendment to the existing clause 4.4A.

Council also resolve to amend the Hurstville LEP 2012 to include the following two (2) site specific provisions:

- 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. This is proposed to be undertaken through a new affordable housing clause in the Hurstville LEP 2012,
- 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.

Direction 7.1 Implementing of A Plan for Growing Sydney

A Plan for Growing Sydney (December 2014) is the NSW Government's plan for the future of the Sydney Metropolitan Area over the next 20 years. The Plan provides key directions and actions to guide Sydney's productivity, environmental management and liveability – including the delivery of housing, employment, infrastructure and open space.

The Planning Proposal is consistent with the Goals and Directions within the Plan for Growing Sydney as detailed in Section 3.2 and in the main body of the report.

Section C – Environmental, social and economic impact

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

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

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

It is not envisaged that there will be any adverse environmental effects resulting from the proposed change in maximum building height and floor space ratio controls for the Site.

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

The Planning Proposal will have a positive social effect in relation to the provision of 180 residential apartments (with a range of sizes) within close proximity to the services, retail offerings and public transport options in the Hurstville City Centre; being approximately 500m (6 minutes walk).

There will be a number of economic benefits associated with the Planning Proposal, including:

- Providing additional housing supply to meet the strong demand for housing in the area,
- Providing additional residential population to stimulate demand and employment within the Hurstville City Centre,
- Provide significant opportunities for employment within the Hurstville City Centre, well in excess of that provided on other B4 Mixed Use zoned sites,

- Providing residential and employment opportunities which can take advantage of the close proximity to Hurstville City Centre's major public multi-modal transport interchange and amenities.

Section D – State and Commonwealth interests

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

Public authorities will be consulted as part of any future public exhibition, including public transport and road authorities, education and service suppliers.

Q11: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth public authorities will be consulted following the outcomes, and in line with any recommendations, of the Gateway Determination. Consultation with the Sydney Airport Authority will also be undertaken in relation to the proposed maximum building heights.

Part 4: Mapping

The maps included in **Attachment 2** have been prepared, consistent with the "Standard Technical Requirements for LEP Maps" and identify the Site and the proposed development standards.

Part 5: Community Consultation

If a Gateway Determination 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.

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

Notification of the public exhibition will be through:

- Newspaper advertisement in The 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; and
- Letters to adjoining landowners (in accordance with Council's Notification Procedures).

Part 6: Project Timeline

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

Task	Anticipated Timeframe
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

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.

5. CONCLUSION

Georges River Council at its meeting of 5 June 2017 resolved to support a Planning Proposal for the Council owned Treacy Street Car Park Site within the Hurstville City Centre. The Site is a “deferred site” in the Hurstville LEP 2012 and the provisions of the Hurstville LEP 1994 and Hurstville DCP No.2 currently apply.

The Planning Proposal requests that the Hurstville LEP 2012 be amended for the Treacy Street Car Park Site (37-41 Treacy Street, Hurstville) as follows:

- remove the “deferred matter” status and zone the site B4 Mixed Use,
- increase the maximum building height from 15m (in DCP No.2) to 55m,
- increase the maximum floor space ratio from 3:1 (in DCP No.2) to 7:1,
- identify an active street frontage along the Treacy Street boundary of the site,
- require a minimum ‘non-residential’ floor space ratio of 1:1 on 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.
- include provision for public car parking to be provided in any development on the site equivalent to not less than 90 car spaces.

Council also resolved (if Gateway Approval is granted) to:

- Prepare a site specific development control plan amendment,
- Require a revised urban design analysis,
- Consideration be given to the traffic impacts generated by future development and contributions that can be made to offset the impact,
- Consider to including additional parking spaces within the development to assist in improving parking availability within the centre.

The Planning Proposal will remove one of the three (3) “deferred matters” from the Hurstville LEP 2012 and provides for the B4 Mixed Use zoning of the land, consistent with surrounding land within the Hurstville City Centre. The increase in the maximum building height and maximum FSR will provide for additional commercial and residential development within the Hurstville City Centre, which has excellent access to public transport and other services. In addition, the requirement for a minimum ‘non-residential’ FSR of 1:1 on the site will potentially allow for two (2) levels of retail/commercial floorspace, providing employment opportunities within City Centre.

This Planning Proposal report has considered the objectives and intended outcomes of the proposed amendment to the Hurstville LEP 2012 and an explanation of the provisions. The Proposal is consistent with the objectives and actions of the Metropolitan and District Plans, State Environmental Planning Policies and s.117 Ministerial Directions and the Georges River local planning strategies.