



Ms Gail Connolly
Interim General Manager
Georges River Council
PO Box 205
Hurstville BC NSW 1481

16/07928

Dear Ms Connolly

Request for pre-Gateway review – PGR_2015_HURST_001_00

I refer to the request by KPoint Investments Pty Ltd for a pre-Gateway review to amend development controls for 29-31 MacMahon Street, Hurstville, under the *Hurstville Local Environmental Plan 2012*.

I have determined the proposal should proceed to Gateway determination stage. In making my decision, I considered the request for a pre-Gateway review, the recommendation of the Sydney East Joint Regional Planning Panel (the Panel) and advice provided by the former Hurstville City Council (now Georges River Council). Please find attached a copy of the Panel's review and recommendation for your information.

In making this determination, I have requested that the planning proposal be updated to reflect the following recommendations of the Panel:

- reducing the proposed maximum building height to 50m;
- reducing the proposed floor space ratio to 5.5:1; and
- removing the site specific 1:1 floor space ratio bonus for development involving a community facility.

I request that Council is to advise, in writing and within 28 days of this letter, if it would like to be the Relevant Planning Authority (RPA) for this matter. Should Council agree to be the RPA, Council will need to prepare a planning proposal under section 55 of the *Environmental Planning and Assessment Act 1979* and submit it for Gateway determination within 40 days.

If Council does not wish to progress this matter, an alternative RPA may be appointed to prepare the planning proposal.

If you have any further enquiries about this matter, I have arranged for Mr Martin Cooper of the Department's Sydney Region East section to assist you. Mr Cooper can be contacted on (02) 9228 6582.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

Encl: Panel Recommendation

30/06/2016

Department of Planning & Environment



**Joint Regional Planning Panel –
Pre-Gateway Review – Recommendation Report**

The Sydney East Joint Regional Planning Panel (JRPP) has considered the request for a review of the proposed instrument as detailed below.

The Pre-Gateway Review:

Dept. Ref. No:	PGR_2015_HURST_001_00
LGA:	Hurstville
LEP to be Amended:	Hurstville Local Environmental Plan 2012
Address / Location:	29-31 MacMahon Street, Hurstville
Summary of Proposal:	The planning proposal seeks to amend the draft Hurstville Local Environmental Plan (Hurstville City Centre) by increasing the building height from 40 m to 55 m and the FSR from 4.5:1 to 6:1 applying to land at 29-31 MacMahon Street, Hurstville
Panel Chair:	John Roseth
Panel Members:	David Furlong, Sue Francis, Con Hindi and Vince Badalati
Reason for review:	☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
	☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal

In considering the request, the JRPP has reviewed all relevant information provided by the proponent as well as the views and position of the Department and the relevant local government authority. Based on this review the JRPP recommends the following:

JRPP RECOMMENDATION:	☒	The proposed instrument should be submitted for a Gateway determination
	☐	The proposed instrument should not be submitted for a Gateway determination

Reasons for the Panel's decision

- 1) The Panel resolves unanimously to recommend to the Minister that the planning proposal proceed to a Gateway Determination subject to the following conditions/amendments:
 - a) The maximum building height to be 50m;
 - b) The maximum FSR to be 5.5:1;
 - c) The Department of Planning and Environment is to consult with the appropriate authorities about the height in relation to obstacle limitation surface.
- 2) The reason for the Panel restricting the maximum height to 50m is that the heights of the existing buildings in the immediate vicinity of the site are in the 40-45m range. These buildings are unlikely to be redeveloped in the near or medium future. A 50m high building on the subject site will be reasonably compatible with existing development, whereas a building of 55m is likely to be dominant. The Panel's decision to opt for a maximum FSR of 5.5:1 is that the applicant's urban design analysis suggests, on page 212, that this is the appropriate FSR for a height of 48m (ie approximately 50m).

- 3) The Panel is satisfied, on the basis of the applicant's urban design analysis, that the above density and height controls will produce a development on the subject site that will be compatible in its environment, with acceptable impacts on surrounding development.

Signed by

A handwritten signature in dark ink, appearing to read 'John Roseth'. The signature is fluid and cursive, with the first name 'John' and last name 'Roseth' clearly distinguishable.

Dr John Roseth
Chair
Sydney East Joint Regional Planning Panel
Date: 1 June 2016