

**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:**

<b>Dept. Ref. No:</b>	PGR_2015_HURST_001_00
<b>LGA:</b>	Hurstville
<b>LEP to be Amended:</b>	Hurstville Local Environmental Plan 2012
<b>Address / Location:</b>	29-31 MacMahon Street, Hurstville
<b>Summary of Proposal:</b>	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
<b>Panel Chair:</b>	John Roseth
<b>Panel Members:</b>	David Furlong, Sue Francis, Con Hindi and Vince Badalati

<b>Reason for review:</b>	<input checked="" type="checkbox"/>	The council has notified the proponent that the request to prepare a planning proposal has not been supported
	<input type="checkbox"/>	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:

<b>JRPP RECOMMENDATION: DEFERRED</b>	<input type="checkbox"/>	The proposed instrument <b>should</b> be submitted for a Gateway determination
	<input type="checkbox"/>	The proposed instrument <b>should not</b> be submitted for a Gateway determination

1. The Panel has considered the Department of Planning and Environment's briefing note, as well as the views of the Council and of the proponent. The proponent brought an analysis of the site and its surroundings to the meeting, which the Panel found useful. Each member is familiar with the site.
2. The Panel agrees that some variation in the controls may be justified on the site, mainly on the basis of previous approvals in the vicinity, many of which do not comply with the controls in the Hurstville LEP 2014. However, the Panel does not consider that a 1:1 bonus for the provision of community facilities is justified and is concerned that a building to the FSR of 7:1 on this site may be unachievable within the proposed height.
3. The Panel notes that the applicant had not done sufficient analysis to demonstrate that it could design a residential building to the density and height requested in the planning proposal, while also observing the separation distances required by the Apartment Design Guide (ADG).
4. The Panel requests the applicant to provide it, by 10 May 2016, with the following information:

- a. The height required by a residential building on the site, to the FSR of 4.5:1, 5:1, 5.5:1 and 6:1, that satisfies the requirements of the ADG. For this exercise the proponent should assume that the adjoining building to the west is developed as a mixed use development under the controls of the Hurstville LEP 2014.
5. Following receipt of this information, the Panel will arrange for another briefing meeting before reaching a decision. The Panel does not need any further reports from the Department or the council, only the information submitted by the applicant.

Signed by:

A handwritten signature in black ink, appearing to read "John Roseth". The signature is written in a cursive, flowing style.

**Dr John Roseth**  
**Chair**  
**Sydney East Joint Regional Planning Panel**  
**Date: 19 April 2016**