

Planning Proposal Forest Road, Durham Street and Roberts Lane, Hurstville

Prepared by:

Dickson Rothschild
D.R. Design (NSW) Pty Ltd
9 Argyle Place Millers Point NSW
+612 8540 8720
ndickson@dicksonrothschild.com.au
www.dicksonrothschild.com.au

Project Ref: 14-121
Revision C
29 February 2015



Rev	Description	DATE	AUTHOR	CHECKED
A	For Preliminary Proposal	01.06.15	KM	CK
B	For Council Lodgement	28.08.15	KM	CK
C	For Council Lodgement	29.02.16	MG	

Dickson Rothschild
D.R. Design (NSW) Pty Limited
ABN 35 134 237 540

9 Argyle Place
Millers Point NSW 2000 Australia
Phone +612 9252 2215
www.dicksonrothschild.com.au



Table of Contents

Table of Contents	2
1 Introduction	5
1.1 Overview	5
1.2 The Report.....	6
1.3 Supporting Documentation.....	6
1.4 The Site	7
1.4.1 Site Area and Dimensions	7
1.5 Existing Site Development	8
1.6 Site Context	12
1.6.1 Transport.....	12
1.6.2 Buses	13
1.6.3 Cycling	13
1.6.4 Amenities	14
1.6.5 Open Space	14
1.7 Urban Morphology	15
1.7.1 Existing Built Form.....	15
1.7.2 Transport.....	15
1.7.3 Future Built Form	16
1.8 Regional Planning Context	17
1.9 Local Planning Context.....	18
1.9.1 Land Use Zone Context	18
1.9.2 Site Land Use Zone	19
1.10 Primary Development Controls.....	21
1.10.1 Height.....	21
1.10.2 FSR	21
1.10.3 Heritage	21
1.10.4 Acid Sulphate Soils	21
2 Objectives and Intended Outcomes of the Planning Proposal.....	22
2.1 Achieving the objectives and intended outcomes (Q1 and Q2 of the Guide).....	22
3 Explanation of Provisions	23
3.1 Proposed Land Use Zone.....	23
3.2 Proposed Maximum Building Height.....	24
3.3 Proposed Maximum FSR	24
4 Proposed LEP Standards and Mapping.....	25
4.1 Existing Land Use Zone	25

4.2	Proposed Land Use Zone.....	25
4.3	Incentives for Orderly and Economic Development and Key Land Uses	26
4.4	Existing FSR Standard.....	26
4.5	Proposed FSR Standard.....	26
4.5.1	Community Infrastructure.....	28
4.6	Existing Height of Buildings Standard	28
4.7	Proposed Height of Buildings Standard	29
5	<i>Concept Plan for Supporting the Planning Proposal</i>	30
6	<i>Justification</i>	32
6.1	Introduction	32
6.2	Urban Form and Context (Q4 of the Guide)	32
6.2.1	Built Form Context Analysis	32
6.2.2	Suitability of Industrial Zoning	33
6.2.3	Suitability of Mixed Use Zoning.....	34
6.2.4	Sydney Airport Restrictions.....	34
6.2.5	Developable Area	35
6.2.6	Accessibility	35
6.2.7	Agglomeration.....	35
6.2.8	Environment.....	35
6.3	State Strategies (Q3 of the Guide).....	36
6.3.1	A Plan for Growing Sydney’s Future.....	36
6.3.2	Sydney Visitor Economy Action Plan.....	37
6.3.3	South Subregional Strategy.....	37
6.3.4	Employment Lands Development Program	37
6.3.5	Draft Subregional Strategy South.....	38
6.3.6	Housing Targets for Population Growth.....	39
6.4	State Environmental Planning Policies (Q5 of the Guide)	40
6.4.1	SEPP 32 – Urban Consolidation	40
6.4.2	SEPP 65 – Design Quality of Residential Flat Buildings.....	41
6.4.3	SEPP (Infrastructure)	42
6.4.4	SEPP 55 – Remediation of Land.....	42
6.4.5	SEPP (State and Regional Development) 2011.....	42
6.5	Relevant Ministerial Directions (S117) (Q6 of the Guide).....	43
6.5.1	Business and Industrial Zones – Direction 1.1.....	43
6.5.2	Heritage Conservation – Direction 2.3	44
6.5.3	Residential Zones – Direction 3.1.....	46
6.5.4	Integrating Land Use and Transport – Direction 3.4	46
6.5.5	Approval and Referral Requirements – Direction 6.1	46
6.5.6	Site Specific Provisions – Direction 6.3.....	46
6.5.7	Implementation of A Plan for Growing Sydney – Direction 7.1	47
6.6	Environmental, Social and Economic Impact (Q7, Q8, and Q9 of the Guide)	48
6.6.1	Flora and Fauna Impacts	48

6.6.2	Environmental Impacts	48
6.6.3	Amenity Impacts	48
6.6.4	Visual Impacts	51
6.6.5	Social Impacts.....	52
6.6.6	Economic Impacts	54
6.7	State and Commonwealth Interests (Q10)	55
6.8	Community Consultation	56
7	Conclusion.....	57
Appendix 1		
Appendix 2		
Appendix 3		
Appendix 4		
Appendix 5		
Appendix 6		
Appendix 7		
Appendix 8		
Appendix 9		

1 Introduction

1.1 Overview

This planning proposal has been brought forward in accordance with the NSW Department of Planning and Environment's (DP&E) Guidelines for the preparation of planning proposals. As is stated in the guide, it is expected that the applicant will enter into further discussions with Council and bring forward additional information as necessary but that the information provided is sufficient for the proposal to proceed to Gateway.

This proposal addresses the current zoning and permissible land uses on the site and describes the suitability of the site for a change of zoning and development controls.

This planning proposal seeks a change in zoning for the site known as Forest Road, Durham Street and Roberts Lane, Hurstville, from the existing IN2 Light Industrial (and small area of R2) to B4 Mixed Use contained in HLEP 2012. The proposed change to permitted land uses is desirable in strategic planning terms as follows:

- Site zoning is isolated and not complimentary to adjoining land uses which are zoned local centre and residential;
- Current land use is not compatible with surrounding residential sites;
- Its proximity to sustainable transport options;
- Its capacity to accommodate increased development densities and high density residential development while protecting the residential amenity of other sites in the immediate area;
- A change of zoning would be consistent with the Subregional Strategy which identifies Hurstville as an important strategic centre; and
- The proposed change in zoning does not hinder the attainment of the objectives of the Employment Lands Program, maintaining employment generating uses on the site.

In addition to the change in zoning to B4 Mixed Use, it is proposed to amend the maximum building height and floor space ratio (FSR) development standards in the *Hurstville Local Environmental Plan 2012* (HELP 2012). The amendments to these development standards include an increase in the building height limit to 65 m and FSR control up to 5:1 or Site, while for Site B the proposed maximum building height is 25m and proposed FSR is 1.5:1. These development standards would compliment the proposed zoning change.

The proposed land use zone change as well as the proposed amendments to the maximum building height and FSR development standards, would contribute to achieving strategic planning goals to provide high quality higher density housing and employment generating uses in accessible locations. It is proposed to vary Height and FSR controls over the site to reduce potential impacts of bulk and scale on existing lower scale areas to the east and north.

The site is a small isolated industrial site. The site is surrounded by a residential zone to the east, commercial zone to the north and west and mixed use zone to the south. The site is not well located in relation to the regional road network to serve industrial uses. The visual impact of the existing industrial uses is negative. Due to the increase in densities surrounding the industrial site

over time and the resulting increase in the number of people which reside in immediate proximity to the site, the environmental and amenity impacts of this particular industrial site have increased over time. The existing zoning itself gives rise to continued potential impacts given the range of permissible uses within the IN2 zone.

This report addresses the issues set out in the Department of Planning and Infrastructure's "A Guide to Preparing Planning Proposals (October 2012)" ('The Guide').

1.2 The Report

This revised Planning Proposal has been prepared in response to Council's request for additional information dated 9 June 2015, subsequent email correspondence from Council and the comments made by the Design Review Panel on 16 July 2015 in relation to the preliminary Planning Proposal.

1.3 Supporting Documentation

This Planning Proposal is supported by the following:

- Economic Assessment prepared by Hill PDA
- Heritage Impact Statement prepared by Rappaport Pty Ltd
- Hotel Demand Assessment prepared by Hill PDA
- Social Impact Assessment prepared by Hill PDA
- Preliminary Site Investigation (Contamination) prepared by Environmental Investigations Australia
- Staff Audit – Existing Premises prepared by Rappaport Pty Ltd
- Survey Prepared by W Buxton Pty Ltd
- Traffic and Transport Impact Assessment by Mott MacDonald
- Urban Design Report prepared by Dickson Rothschild

1.4 The Site

The subject site ('the site') is known as 53-71A Forest Road, 108-126 Durham Street and 6-15 Roberts Lane, Hurstville. The legal description of the site is

Lot A DP 372835;
Lot 1 DP 225302;
Lot 100 & 101 DP 776275;
Lot 1 DP 172819;
Lot 10 DP 621395;
Lot 1, 2, 3 & 4 DP 12517;
Lot 15 DP 601341;
Lot 1 DP 337499;
Lot 1 & 2 DP 213685;
Lot 5 DP 171179;
Lot A, B, C & D DP 391801.

The site is located within the Hurstville Local Government Area. The site has 3 frontages.



Figure 1: Site Location

1.4.1 Site Area and Dimensions

The site comprises an area approximately 1.4 ha. The approximate site dimensions are:

- 140 m to Durham Street
- 175 m to Forest Road; and
- 207 m to Roberts Lane

1.5 Existing Site Development

Current land use on the subject site is low density and consists of light industrial and commercial uses and includes a small number of low density residential dwellings.



Figure 2: Aerial image of site (SIX)

The Forest Road streetscape is characterised by strip development including a car dealership and car wash. Refer to the figures below.



Figure 3: Corner of Forest Road and Durham Street

The Forest Road streetscape is characterised by strip retail development including a car dealership and car wash. Refer to the figures below.



Figure 4: View of site from Forest Road looking north

Towards the northern end of the site at Forest Road is a large Storage King premises with surface car parking and a tyre shop. Refer to the figures below.



Figure 5: View of northern portion of site along Forest Road looking north



Figure 6: Storage King

A low rise apartment building is located at the northern corner of the site at the intersection of Forest Road and Roberts Lane. Refer to the figure below.



Figure 7: Residential development at corner of Forest Road and Roberts Lane

Roberts Lane is a rear service lane with rear access to retail and commercial properties on the subject site and the rear access to residential dwellings to the east of the site.



Figure 8: View of Storage King from Roberts Lane

Development on the site at Durham Street is generally of a low rise, commercial and residential character.



Figure 9: View of subject site along Durham Street

The existing built form on site is generally out of character with the desired future character of the area, which is largely signalled by the high rise mixed use development occurring directly south of the subject site at Durham Street.

1.6 Site Context

The site is located at the eastern boundary of the Hurstville City Centre on a prominent intersection.



Figure 10: Site Context

1.6.1 Transport

The site is well located within the subregional road network and it is also within 400 m of Allawah Railway Station and 800 m walking distance of Hurstville station. Refer to the figure below.

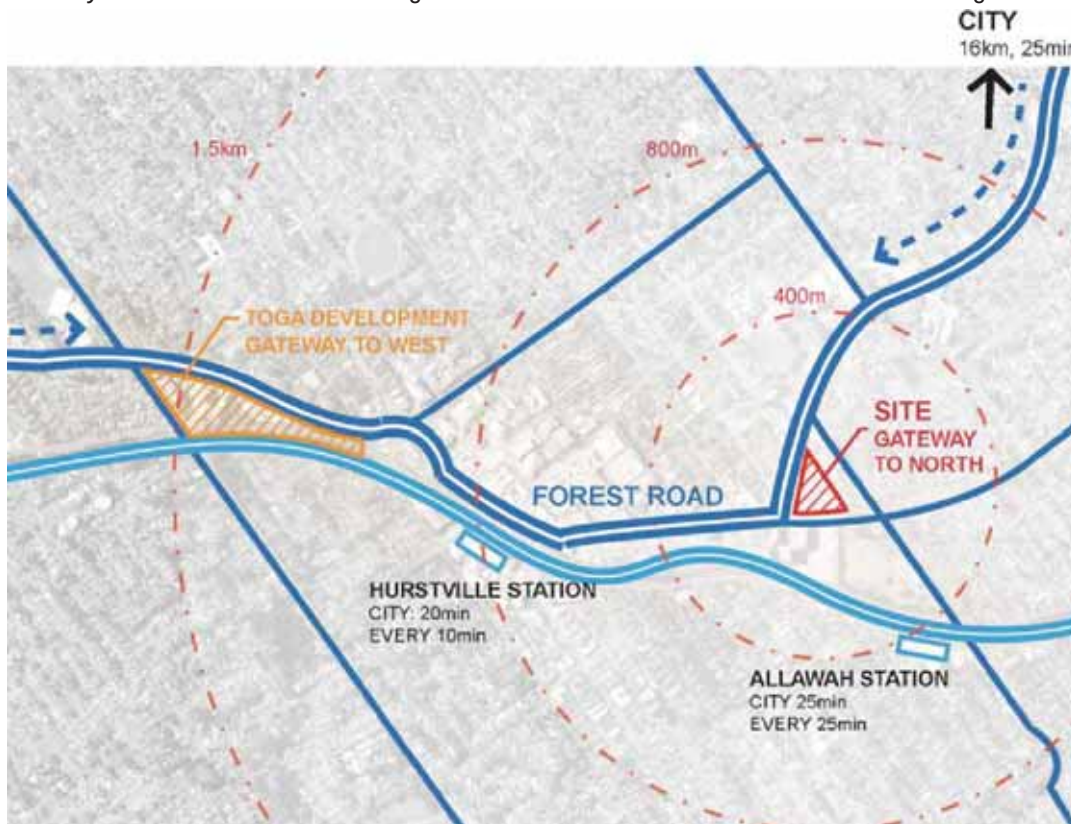


Figure 11: Transport Context

Allawah rail station is serviced by the T4 line and Hurstville rail station is serviced by both the T4 and south coast rail lines, which connect Hurstville and Sydney's southern subregion to Sydney CBD with frequent service.

1.6.2 Buses

There are two major bus interchanges (Woodville Lane and in Ormonde Parade) within 10 minute walk of the site. Both bus interchanges provide bus shelters, service information and accommodate high frequency services.

1.6.3 Cycling

The site is well located for cycling with an existing on road cycle lane located along the southern edge of the site. Council's cycle map is indicated in the Figure below.



Figure 12: Excerpt, Hurstville Cycle Map

The site is well located in terms of the regional road network and Stage 3 of the WestConnex project will have a significant impact on Hurstville. The figure below shows the new M5 upgrade and proposed southern extension.



Figure 13: WestConnex Plan (www.westconnex.com.au/assets)

1.6.4 Amenities

The proposed development is also well positioned in relation to local amenities including shopping and schools. Refer to the figure below.

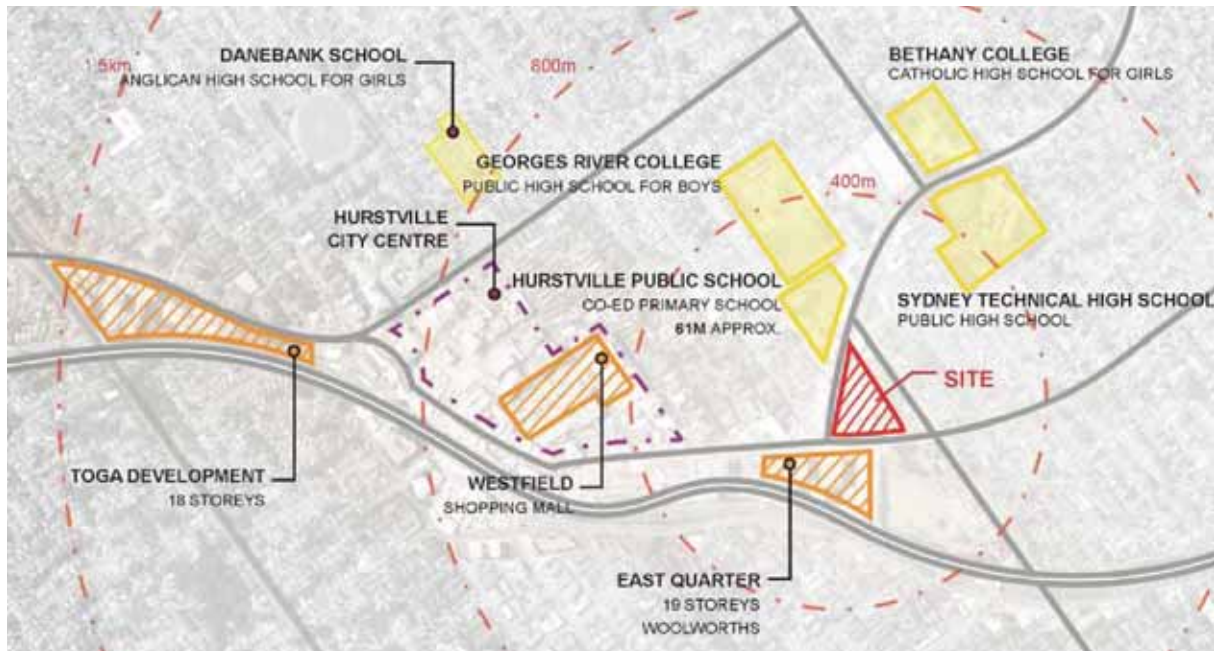


Figure 14: Local Context - Amenities

1.6.5 Open Space

There are also numerous public open spaces and recreational facilities in close proximity to the subject site. Refer to the figure below.

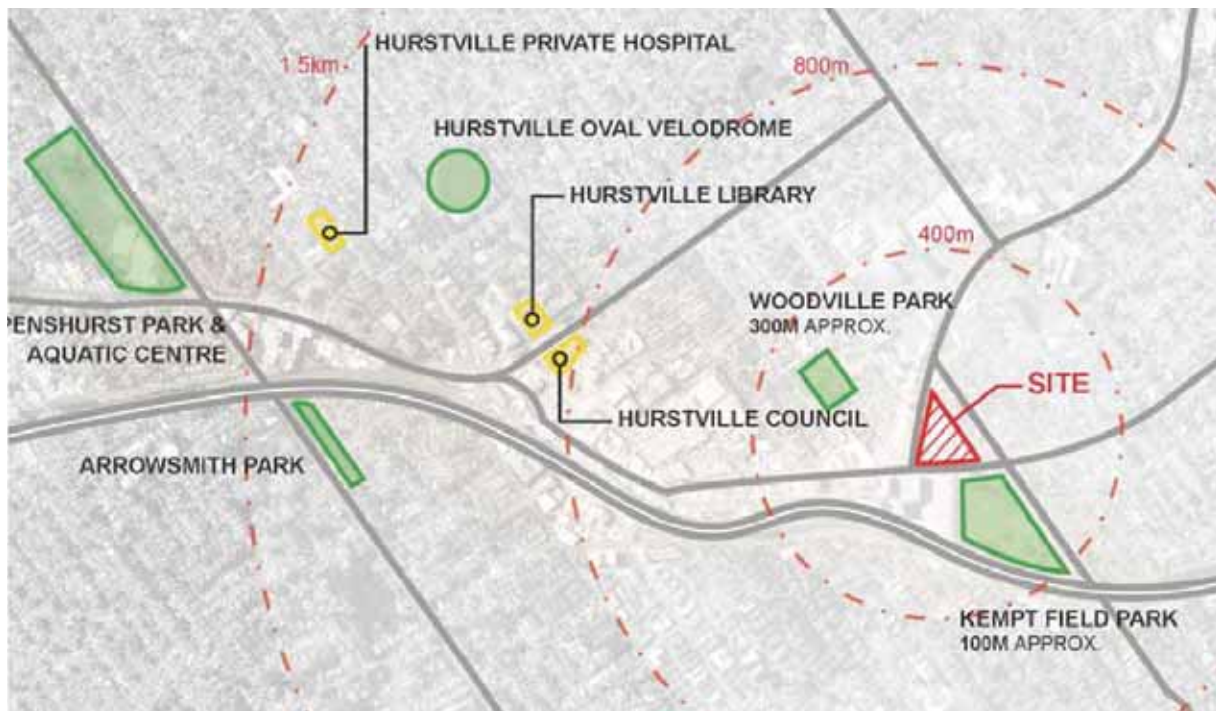


Figure 15: Open Space Context

1.7 Urban Morphology

An Urban Design Report forms part of this application and includes urban form analysis, options testing, and an assessment of a preferred outcome for the site. Below, an overview analysis of the site context is provided.

1.7.1 Existing Built Form

The core of the Hurstville City Centre is highly constrained by existing built form, the existing road network and minimal connections across the railway line. Opportunities for redevelopment are more feasible at the edges of the city centre near the rail line. Potential for greater density in close proximity to rail infrastructure has already been realised on sites adjoining the subject site, namely the East Quarter Development which is comprised of high rise mixed use development. Refer to the figure below.



Figure 16: East Quarter development viewed from near Forest Road

A low density residential zone and SP2 – Education zones are located east and north of the subject site. The residential area is separated from the subject site by Roberts Lane and the nearest school ground by Forest Road.

1.7.2 Transport

Railway stations (Penshurst, Hurstville, Allawah, and Carlton) are located at intervals of approximately 800 m to 1 km, making the Transit Oriented Development (TOD) model compatible with the spatial proportions of urban form in the area.



Figure 17: Railway Stations

The subject site, being approximately 800 m from the Hurstville Station and 400 m from Allawah Station makes it optimally located for sustainable transport based on TOD principles.

1.7.3 Future Built Form

With the population increases earmarked for Hurstville as described by Hill PDA in the Social Impact Assessment which forms part of this application, and the guiding principle behind the Plan for Growing Sydney to locate housing within walking distance of existing town centres with public transport infrastructure, the subject site and surrounds are optimally suited for contributing to housing supply via higher density residential and mixed use development. In particular, given there is a large portion of the existing R2 zoned land just east of the subject site which is within a 5 minute walk of Allawah Station, does not have high concentration of heritage items, is not within a conservation area and which does not have a high concentration of strata titled developments, the area is suitable for increased residential densities to better utilise existing rail infrastructure at Allawah.

It is also expected that built form within the Hurstville City Centre boundary will continue to densify based on new planning controls, recent developments and a suite of current planning proposals. In this respect an increase in development density on the subject site shall be compatible with the future character of built form in the area.

1.8 Regional Planning Context

The site is located 16 km southwest of the Sydney CBD and south west of Kingsford Smith Airport, and west of Botany Bay, key components of the Global Economic Corridor. Hurstville forms part of an identified “Urban Renewal Corridor” and Hurstville itself is considered a “Strategic Centre”. Refer to the figure below.

Hurstville is identified as a strategic centre in the new Metropolitan Strategy earmarked for the following:

- Retaining the commercial core as required for long term employment growth
- Providing capacity for additional mixed use development including offices, retail, services and housing.

Refer to the Figure below.

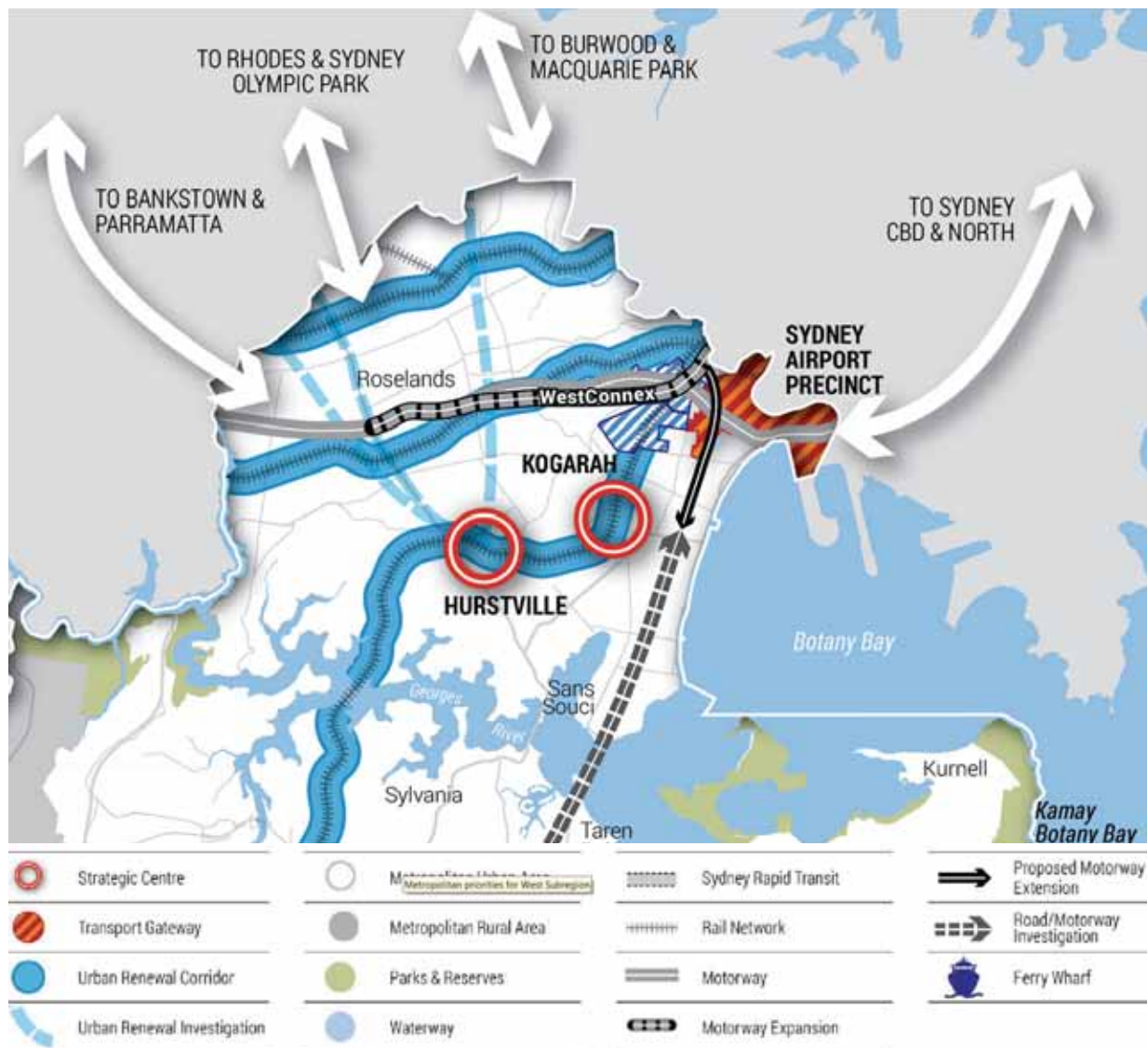


Figure 18: South Subregion Map, A Plan for Growing Sydney

1.9 Local Planning Context

1.9.1 Land Use Zone Context

The site is surrounded by a residential zone to the east, commercial zone to the north and west and a mixed use zone to the south west. To the south and south east is Kempt Field, a large public open space. Directly south of Kempt Field and 370 m walking distance from the subject site is Allawah Railway Station.

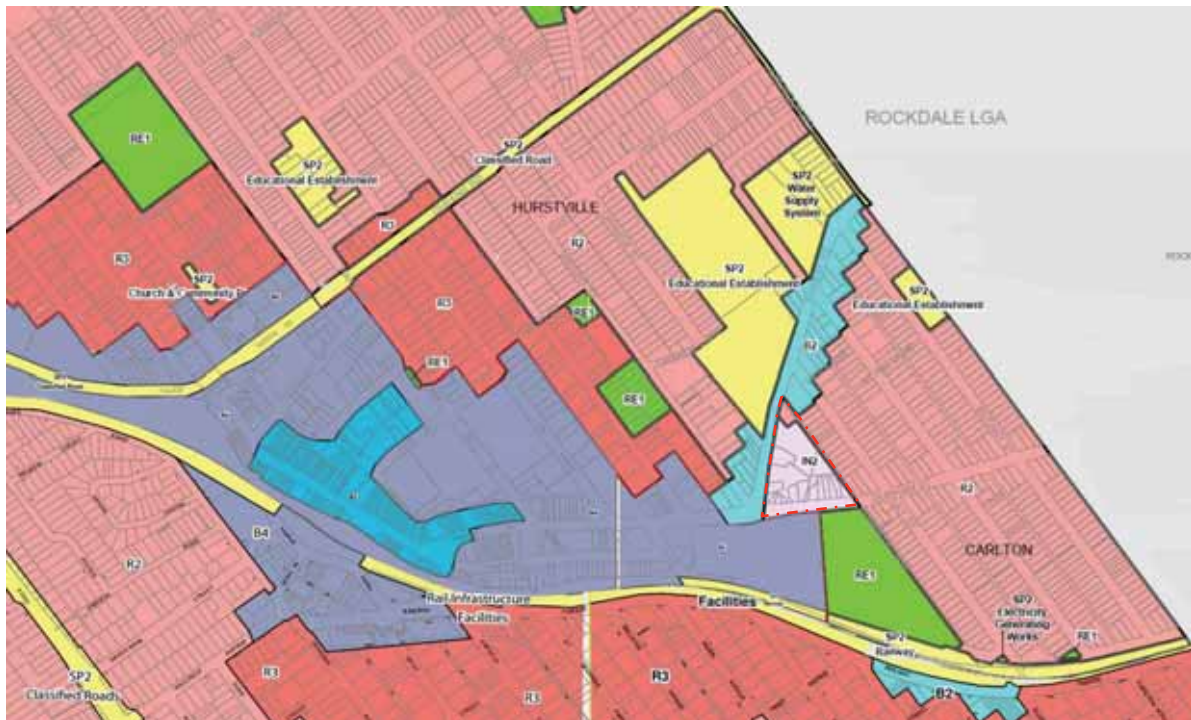


Figure 19: Zoning Map, composite - Hurstville (city centre) Draft LEP, Hurstville LEP 2012 and Kogarah LEP 2012

Land uses surrounding the site consist of low density residential dwellings to the east (Lily Street), reflecting its R2 zoning, recreation in Kempt Field and high density mixed use development directly to the south of the site in the B4 zone. The Forest Road corridor north of Durham Street is undergoing transition. While the sites along Forest Road (except for the subject site) are zoned B2-Local Centre their character is of strip retail development of 1 and 2 storeys with irregular setbacks.

In addition to this, Hurstville Public School is situated immediately to the north-west of the site, on the west side of Forest Road and is highly visible from the street. There are a number of other educational establishments in the immediate vicinity.

Higher density mixed use and commercial precincts are located to the west in the City Centre area.

The site is the only remnant industrially zoned land in the area and is located in immediate proximity to residentially zoned land and existing dwellings.

The industrial zoning has the potential to cause adverse impacts on surrounding land and due to these impacts greatly restricts the land uses, which are both permissible in the IN2 zone and appropriate to the surrounding land uses.

1.9.2 Site Land Use Zone

The subject site is zoned IN2-Light Industrial under the Hurstville LEP 2012 with the northernmost corner of the site being zoned R2 – Low Density Residential.

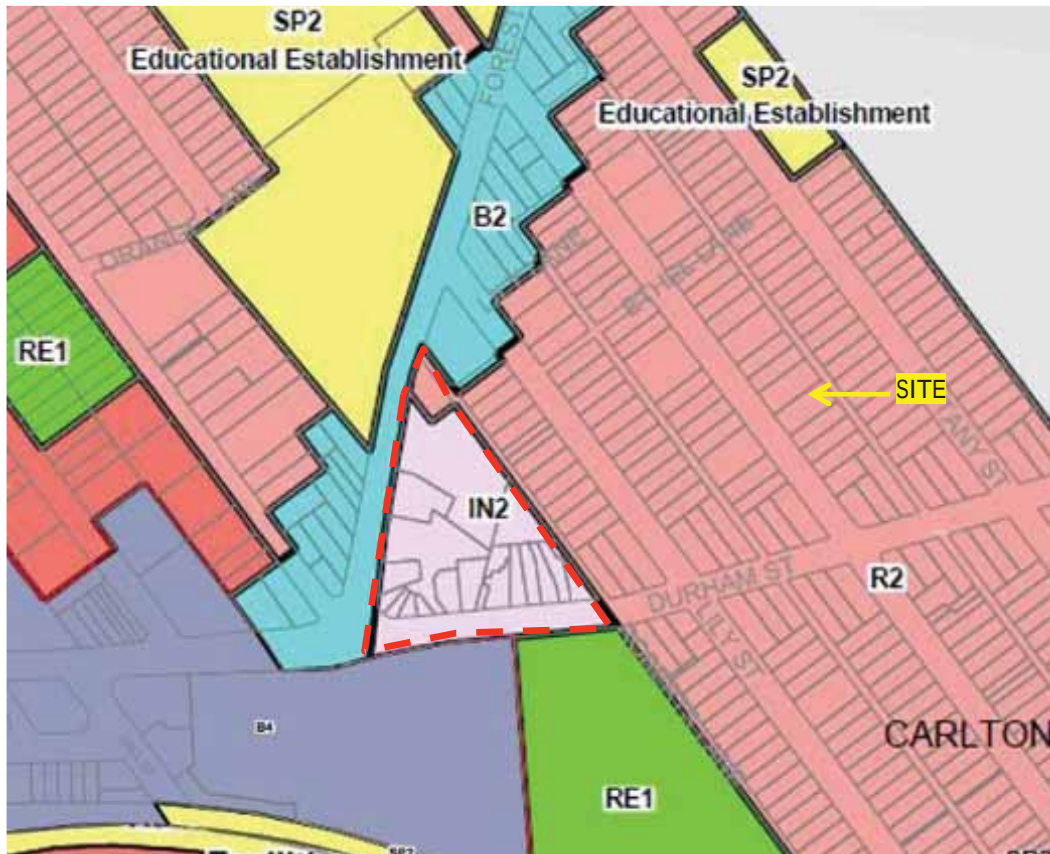


Figure 20: Existing Land Use Zone Map

The existing industrial zoning of the site differs from its adjacent zoning which includes B2 – Local Centre, SP2 – Education, R2 Low Density Residential, and B4 Mixed Use (under Hurstville City Centre LEP).

The provisions of the IN2 General Industrial Zone under the HLEP 2012 are:

Objectives of the zone	• To provide a wide range of light industrial, warehouse and related land uses. • To encourage employment opportunities and to support the viability of centres. • To minimise any adverse effect of industry on other land uses. • To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. • To support and protect industrial land for industrial uses. • To enable industrial development which does not pollute or adversely affect adjoining land, air or water.
------------------------	---

	To ensure industrial development creates areas that are pleasant to work in, safe and efficient in terms of transportation, land utilisation and service distribution.
3 Permissible uses	Depots; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Take away food and drink premises; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4
4 Prohibited uses	Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Child care centres; Commercial premises; Community facilities; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Information and education facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Rural industries; Sewage treatment plants; Tourist and visitor accommodation; Water recreation structures; Water supply systems; Wholesale supplies

The provisions of the R2 zone are:

Objectives of the zone	- To provide for the housing needs of the community within a low density residential environment. - To enable other land uses that provide facilities or services to meet the day to day needs of residents. - To encourage development of sites for a range of housing types, where such development does not compromise the amenity of the surrounding area, or the natural or cultural heritage of the area. - To ensure that a high level of residential amenity is achieved and maintained. - To encourage greater visual amenity through maintaining and enhancing landscaping as a major element in the residential environment. - To provide for a range of home business activities where such activities are not likely to adversely affect the surrounding residential amenity.
3 Permissible uses	Animal boarding or training establishments; Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat sheds; Building identification signs; Business identification signs; Car parks; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Multi dwelling housing;

	Places of public worship; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Water recycling facilities; Water reticulation systems
4 Prohibited uses	Any development not specified in item 2 or 3

1.10 Primary Development Controls

1.10.1 Height

Clause 4.3 of HLEP 2012 permits a building height of 9 m and 10 m at the northern corner of the site within the area zoned R2.

1.10.2 FSR

Under Clause 4.4 of HLEP 2012, the maximum FSR applicable to the site is 1:1 where the site is zoned IN2. The maximum FSR of the northern corner of the site which is zoned R2 is 0.6:1.

1.10.3 Heritage

There is a single heritage item located on the subject site (Item I26, HLEP 2012). It is a locally listed item.

1.10.4 Acid Sulphate Soils

The site is not affected by Acid Sulphate Soils.

2 Objectives and Intended Outcomes of the Planning Proposal

This Planning Proposal seeks the following objectives and intended outcomes:

1. To achieve permissible uses through an appropriate zoning that is sympathetic to adjoining land uses and role of Hurstville City Centre as a strategic metropolitan centre;
2. Facilitate opportunity for more high quality residential accommodation and commercial development close to public transport with good connectivity to local and major subregional centres;
3. Increased density on a site which is not impacted by the tight and constrained Road network located in the core of the Hurstville City Centre;
4. Achieve land use and density compatible with The Department of Planning's *A Plan for Growing Sydney*;
5. Achieve height and density on the site to take advantage of the strategic location without loss of amenity to the adjoining residential buildings;
6. Achieve a transition in height and density to the less dense areas in the east to achieve compatibility with existing as well as future context;
7. To encourage lot consolidation;
8. To meet demand of Tourist and Visitor accommodation and event and meeting space as identified in the NSW Visitor Economy Action Plan;
9. To enable redevelopment of the site which recognises its uniquely large site area and capacity for development;
10. To achieve a public benefit in terms of land dedication, public open space, child care, community facilities and a mix of compatible land uses with a high level of amenity; and
11. To enable a residential yield on the site in accessible locations so as to maximise public transport patronage and encourage walking and cycling in accordance with the principles of transit oriented development, urban consolidation and sustainable transport.

2.1 Achieving the objectives and intended outcomes (Q1 and Q2 of the Guide)

A Planning Proposal is the best and only means of achieving the objectives stated above given the zoning is required to change if residential dwelling density is to increase on the site. The planning proposal aims to achieve the objectives of the Plan for Growing Sydney.

3 Explanation of Provisions

3.1 Proposed Land Use Zone

It is proposed to amend the HLEP 2012 land use zone that applies to site (both 'Site A' and 'Site B') from IN2 General Industrial and R2 Low Density Residential to B4 Mixed Use across the entire site. This change is consistent with the existing land uses of the development surrounding the site. The following land uses are permitted with consent in land zoned B4 under the Hurstville LEP. The provisions under the B4 land use table is provided below:

Zone B4 Mixed Use

1 Objectives of zone

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To allow for residential development in the Hurstville City Centre while maintaining active retail, business or other non-residential uses at street level.*

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Dual occupancies; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Multi dwelling housing; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

3.2 Proposed Maximum Building Height

It is proposed to amend the HLEP 2012 Clause 4.3 Height of Buildings from having a 9-10 m height limit to a maximum building height of 65 m on 'Site A' and 25m on 'Site B'. This height limit is compatible with the B4 zoning and allows a range of building envelopes to ensure the development achieves excellent solar access while minimising overshadowing on neighbouring development. It is proposed to reduce permissible height towards the eastern part of the site given the site's interface with an existing residential zone. Refer to the detailed explanation in Section 4 below.

3.3 Proposed Maximum FSR

It is proposed to amend the HLEP 2012 Clause 4.4 Floor Space Ratio from a maximum FSR of 0.6:1-1:1 to a maximum total FSR of 5:1 for 'Site A'. The FSR for 'Site A' is proposed to have a base of 3.5:1, however the site will be subject to a bonus of 1.5:1 FSR, thus the FSR equating to a total of 5:1. The 1.5:1 bonus FSR would be achieved through the delivery of community infrastructure and tourist and visitor accommodation (hotel) land uses. 'Site B' is proposed to have a maximum FSR development standard of 1.5:1

Refer to the detailed explanation in Section 4 below.

4 Proposed LEP Standards and Mapping

4.1 Existing Land Use Zone

The existing zoning is IN2 – General Industrial and R2 – Low Density Residential

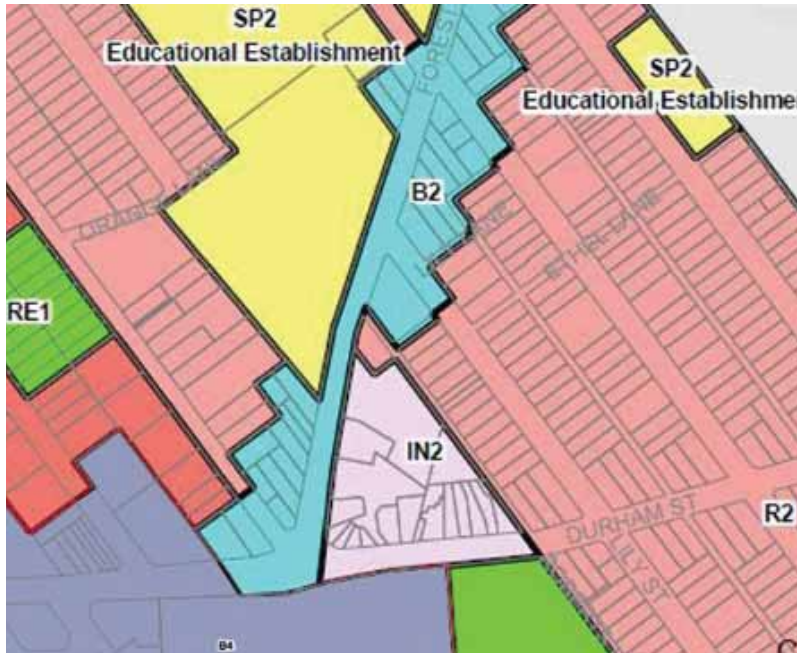


Figure 21: Existing Zoning Map (Composite showing town centre zoning)

4.2 Proposed Land Use Zone

The proposed zoning is B4-Mixed Use. Refer to the Figure below.

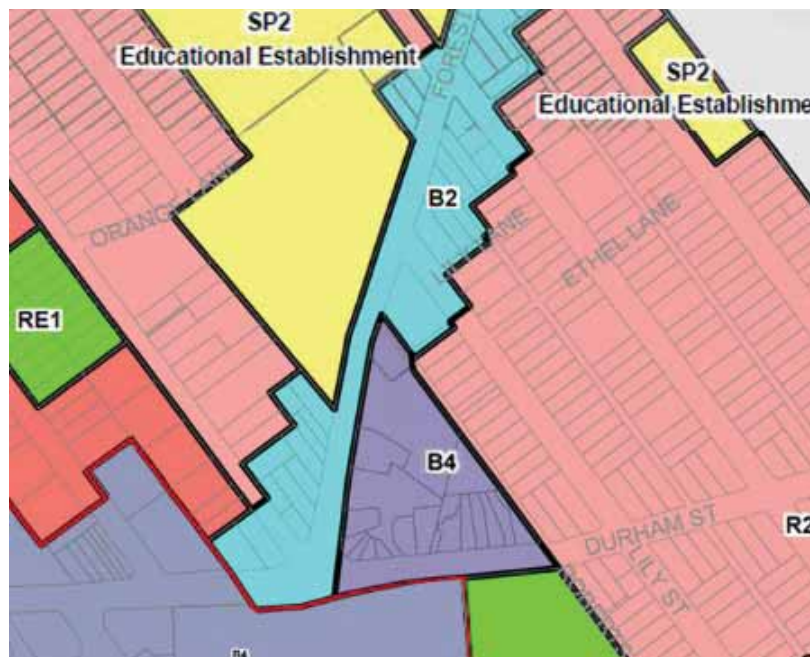


Figure 22: Proposed Zoning Map (Composite showing town centre zoning)

4.3 Incentives for Orderly and Economic Development and Key Land Uses

It is proposed to incentivise the achievement of tourist and visitor accommodation and community infrastructure on the site. The quantum of height and density proposed is based on the testing of built form for different site amalgamation scenarios to ensure that adequate building separation and open space can be achieved based on site area. Therefore, an orderly and economic redevelopment on the site could be achieved through the proposed development standards and especially the proposed bonus FSR scheme that encourages lot amalgamation.

To this end the following clauses are proposed:

4.4 Existing FSR Standard

Under Clause 4.4 of HLEP 2012, the maximum FSR applicable to the site is 1:1 and 0.6:1.



Figure 23: Existing LEP Map - FSR

4.5 Proposed FSR Standard

It is proposed to modify Clause 4.4 of HLEP 2012 to implement a base FSR framework with incentives based on lot consolidation.

4.4 Floor space ratio

(1) *The objectives of this clause are as follows:*

- (a) *to establish the maximum development density and intensity of land use, accounting for the availability of infrastructure and generation of vehicular and pedestrian traffic, in order to achieve the desired future character of Rockdale,*

- (b) to minimise adverse environmental effects on the use or enjoyment of adjoining properties,
- (c) to maintain an appropriate visual relationship between new development and the existing character of areas or locations that are not undergoing or likely to undergo a substantial transformation.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

(2C) Despite Subclause (2), the floor space ratio for a building may exceed the maximum floor space ratio allowed under that subclause by up to:

1.5:1 – if a building is in Area A identified on the Floor Space Ratio Map, on a lot having an area of at least 8,000 square metres

(2D) A building on land in an Area specified in paragraph (a) is eligible for an amount of additional floor space equivalent to that which may be achieved by applying the floor space ratio specified in the relevant paragraph to the building, but only if the development of the land includes development for the purposes of hotel or motel accommodation, community facilities, child care centres, recreation facilities (indoor), public roads, drainage or flood mitigation works:

(a) Area A – 1.5:1



Figure 24: Proposed LEP Map - FSR

4.5.1 Community Infrastructure

The incentive for community infrastructure and hotel land uses on the site is further expressed in the following clause that is proposed to be

(2D) A building on land in an Area specified in paragraph (a) is eligible for an amount of additional floor space equivalent to that which may be achieved by applying the floor space ratio specified in the relevant paragraph to the building, but only if the development of the land includes development for the purposes of hotel or motel accommodation, community facilities, child care centres, recreation facilities (indoor), public roads, drainage or flood mitigation works:

(b) Area A — 1.5:1

4.6 Existing Height of Buildings Standard

Clause 4.3 of HLEP 2012 permits a building height of 9 m and 10 m.



Figure 25: Existing LEP Map - Height

4.7 Proposed Height of Buildings Standard

It is proposed to modify Clause 4.3 of LEP 2012 to permit a maximum building height on the site. The maximum building height is consistent with other tall towers in the Hurstville Town Centre. The proposed building height also responds to the Sydney Airport obstacle limitation surface level. Importantly though, the maximum building height has been tested against potential position of taller buildings on the site and their potential overshadowing on adjoining residential development, as well as over Kempt Park. It was found that a 65 maximum building height with strategic positioning of taller buildings could achieve no material overshadowing impact on adjoining properties or Kempt Park.



Figure 26: Proposed LEP Map - Height

5 Concept Plan for Supporting the Planning Proposal

To demonstrate a potential built form outcome on the site and test the proposed zoning, three massing options were prepared to demonstrate the advantages and disadvantages of different open space and urban form outcomes on the site. Each option maintained relatively consistent land use mix arising from the strategic planning analysis and urban form analysis as well as incorporating comments of the Design Review Panel. These design elements include:

- Areas of usable open space accessible to the public;
- Reduction in bulk and scale towards the east away from City Centre;
- Street wall scale to respond to transitional location of site;
- Provision of community facility;
- Increased public domain;
- Widening of Roberts Lane to accommodate increase development intensity;
- Hotel and retail as employment generators;
- Function space associated with Hotel use;
- Increased residential density;
- Retail arcades; and
- Pedestrian links.

The preferred outcome was selected based on fundamental planning and amenity considerations such as overshadowing of open space and neighbouring properties, building separation within residential components, aspect and views and open space.

An urban design analysis undertaken by Dickson Rothschild addresses issues of urban form and context.

The preferred illustrative concept design envisages a large public plaza at Forest Road, activated by retail development and a new hotel. A landscaped podium is envisaged with a 18 storey tower with tourist and visitor accommodation and residential units at the northern end of the site with a frontage to Forest Road. A 19 storey tower is positioned at the centre of the site with generous setbacks to each property boundary. A 18 storey tower is located at the intersection of Forest Road and Durham Street, relating to the scale and streetscape character of the buildings at East Quarter. Built form of a lower scale (approximately 5 storeys) is shown at the east end of the site, creating a transition in bulk and scale to the lower density residential lands to the east. The footprint of each tower form is consistent with SEPP 65 and the Residential Flat Design Code achieving 5-7 units per floor and building plan depths in the order of 18 m. The concept design demonstrates that the site can accommodate the maximum density and height proposed for the subject site if the site was to fully consolidate and other proposed incentives were captured in relation to tourist and visitor accommodation and provision of community infrastructure.

Refer to the figure below.

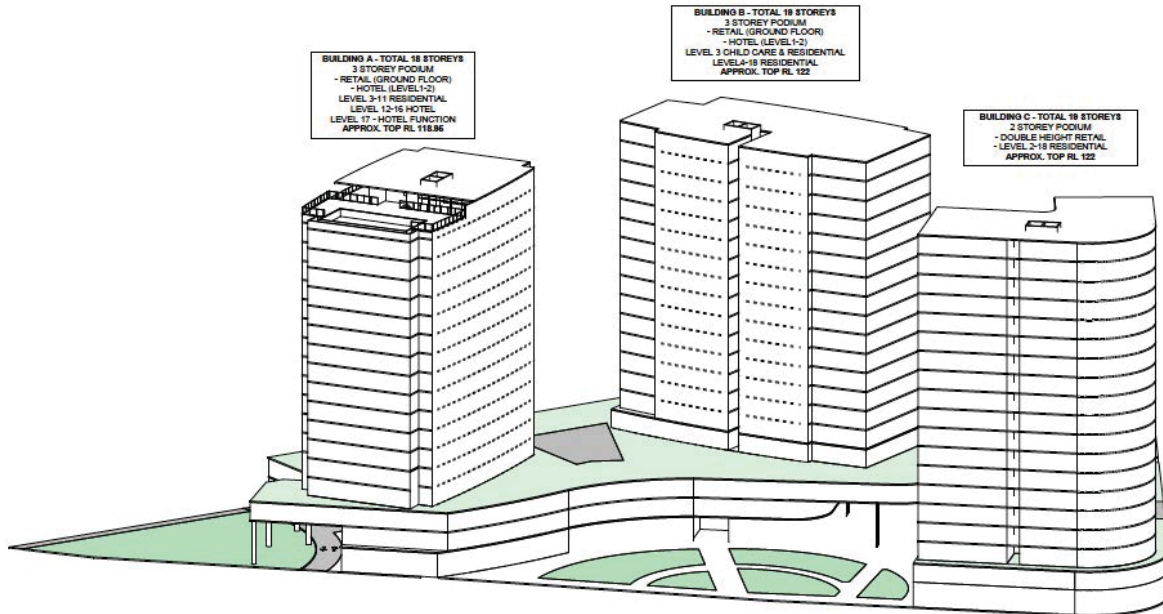


Figure 27: Indicative built form achievable under the proposed zoning and development standards

In placing tower forms at the north and central portion of the site, shadows are cast across the subject site where they can be managed within the site. This mitigates potential shadow impacts both within the site and outside of the subject site.

6 Justification

6.1 Introduction

The proposed modification of the zoning for the site is justified as follows:

1. Its contextual appropriateness in terms of land use;
2. The proximity of the site to the Hurstville City Centre;
3. The proximity of the site to Allawah Railway Station;
4. The size and orientation of the site;
5. Its contribution to sustainable development by virtue of its locational attributes;
6. The ability of the proposed development controls to result in a built form which does not have unreasonable environmental and amenity impacts on adjoining residential developments; and
7. Compatibility of the proposed land use and development height and dwelling density with the Plan for Growing Sydney which identifies the area an important strategic centre.
8. Its net positive social impacts.

6.2 Urban Form and Context (Q4 of the Guide)

6.2.1 Built Form Context Analysis

The site is located at the eastern edge of the Hurstville City Centre, west of Kogarah another centre designated as a 'Strategic Centre' under *A Plan for Growing Sydney*.

The core of the Hurstville City Centre is highly constrained by existing built form, the existing road network and minimal connections across the railway line. Opportunities for redevelopment are more feasible at the edges of the city centre near the rail line. Potential for greater density in close proximity to rail infrastructure has already been realised on sites adjoining the subject site, namely the East Quarter Development which is comprised of high rise mixed use development. Refer to the figure below.



Figure 28: East Quarter development viewed from near Forest Road

The LEP for Hurstville Centre permits maximum heights of 60 m and FSRs of up to 9:1, anticipating a very dense built form within the centre where building bulk is concentrated on relatively small sites. It is also noted that a number of recent developments in the area, including the East Quarter development exceed the draft LEP height limit for the site.

At the same time, Zoning, Height and FSR controls for sites around Allawah Station anticipate built form which is low density with maximum heights of 9 m and a maximum FSR of 0.6:1. However, as mentioned earlier in this report, given the position of Allawah Station, there is the potential for the existing low density residential areas near the station to be up-zoned to allow more dwellings in accessible locations and meet future housing demand within the framework of A Plan for Growing Sydney.

The subject site by virtue of its location and size relates to the larger land parcel which form the Reserve and the East Quarter site, forming an edge between lower density forms to the east and higher density forms to the west and south west. The size of the site and its being bounded by streets on each side makes it capable of sustaining building forms which are taller with smaller floor plates, generous building separation and quick moving shadows. Other sites in the area, because they are small and part of a relatively tight road network, give rise to exponentially greater impacts as they extend in height. This contrast makes the subject site unique within its urban context, being suitable for FSRs consistent with the middle range of FSRs permissible in Hurstville City Centre but with taller, more slender towers with better amenity.

6.2.2 Suitability of Industrial Zoning

Compared to its setting, the current use of the site is not consistent or complementary to its surrounds.

Given the site's proximity to relatively sensitive land uses such as schools, low scale residential dwellings and new mixed use tower development, the range of permissible land uses in the IN2 zone which is compatible with the character of the area is highly constrained.

The typical land uses within the IN2 zone are car based, traffic generating uses such as warehouse and distribution centres, building supplies, light industries, etc. Industrial land uses are likely to have adverse impacts on surrounding site as they are typically noise generating, and often require movements of large vehicles. This greatly restricts what a land owner can legitimately develop on a site, although the zoning may permit a range of uses.

The types of land uses which currently exist on the site are largely private motor vehicle based, being a car wash, tyre store, car dealership, storage facilities, etc. These types of uses which attract car usage and private motor vehicle traffic are not ideal for the subject site which is located within close walking distance of sustainable transport infrastructure.

The remnant industrial land is thus not well suited to the location which has evolved over time into a city centre with a large residential population with good access to public transport. Analysis undertaken by Hill PDA indicates that the subject site is not well suited to Industrial land uses, performing poorly in terms of developable area, accessibility and connectivity, industrial agglomeration, and environment (pg. 6).

6.2.3 Suitability of Mixed Use Zoning

While the site is not well suited to industrial development in terms of size, location, agglomeration and accessibility, it is well suited in all of these areas when it comes to mixed use development. Analysis undertaken by Hill PDA compares the locational attributes of the site in terms of industrial vs mixed use development. Their analysis demonstrates that site characteristics are conducive to mixed use zoning.

Table 1 Impact of Subject Site's Characteristics on Industrial Uses

Industrial vs Mixed Use Development		
Prerequisite	Industrial development	Mixed Use Development
Zoning	✓	✗
Developable area	✗	✓
Accessibility and Connectivity	✗	✓
Industrial Agglomeration	✗	NA
Topography and Soil Conditions	✓	✓
Environment	✗	✓

Figure 29: Hill PDA, Forest Road, Durham Street and Roberts Lane, Hurstville Economic Assessment

6.2.4 Sydney Airport Restrictions

Information has been obtained from Sydney Airport Corporation Limited regarding the maximum building heights which can be achieved on site in relation to the airport's airspace. The Procedures for Air Navigation Systems Operations (PAN-OPS) Surfaces Critical Surfaces mapping indicates that the subject site is affected by the PAN-OPS as follows:

- The sloping surface affecting the northern tip of the site is indicated as 138.30 AHD
- The horizontal surface affecting the remainder of the site is indicated as 151 AHD

In this regard the proposed 90 m maximum height limit complies with airport height limits.

The airport has advised that further investigation with Air Services would be needed at DA stage, particularly pertaining to crane heights and an official analysis would need to be undertaken at a later date. However, in principle the PAN-OPS indicates that towers in the order of 28 storeys are possible on the site without impacting on the airport's prescribed airspace.

6.2.5 Developable Area

The large site area of approximately 1.4 ha provides a unique opportunity in terms of development potential given its size, location close to public transport and recreational areas together with the existing B4 zoning in the Hurstville.

6.2.6 Accessibility

While the site functions poorly in terms of accessibility within the context of industrial development, it is optimally located in terms of accessibility for residential and mixed use development.

6.2.7 Agglomeration

While the site functions poorly in terms of industrial agglomeration due to its isolation and distance from other industrial sites, the site does have opportunities to benefit from agglomeration of retail and commercial land uses in Hurstville City Centre and along Forest Road.

6.2.8 Environment

While the site is poorly located in terms of environment in the context of industrial development due to potential impacts on surrounding residential development in particular, the site is well located in terms of environment for residential and mixed use development.

6.3 State Strategies (Q3 of the Guide)

6.3.1 A Plan for Growing Sydney's Future

The proposal is in accordance with the aims of the broader Metropolitan Strategy with the provision of residential growth in existing urban areas, within a town centre and on a major public transport corridor and in an accessible area. Increasing residential dwelling density in this area is consistent with the principle of urban consolidation in accessible areas. As stated by Hill PDA in their Social Impact Assessment which forms part of this proposal the Plan for Growing Sydney sets the following priorities for the South Subregion:

- A competitive economy;
- Accelerate housing supply, choice and build great places to live; and
- Protect the natural environment and promote its sustainability and resilience.

A Plan for Growing Sydney (December 2014) points out that Sydney's population is growing faster than previously predicted. The Plan actions emphasise the need to focus urban renewal where there is actual or planned transport capacity to assist in strategically accommodating 664,000 new homes in the metro by 2031. "Accelerating urban renewal across Sydney at train stations, providing homes closer to jobs," is the first action stated in the Plan. Within this context, Hurstville is designated as a Strategic Centre. Refer to the figure below.

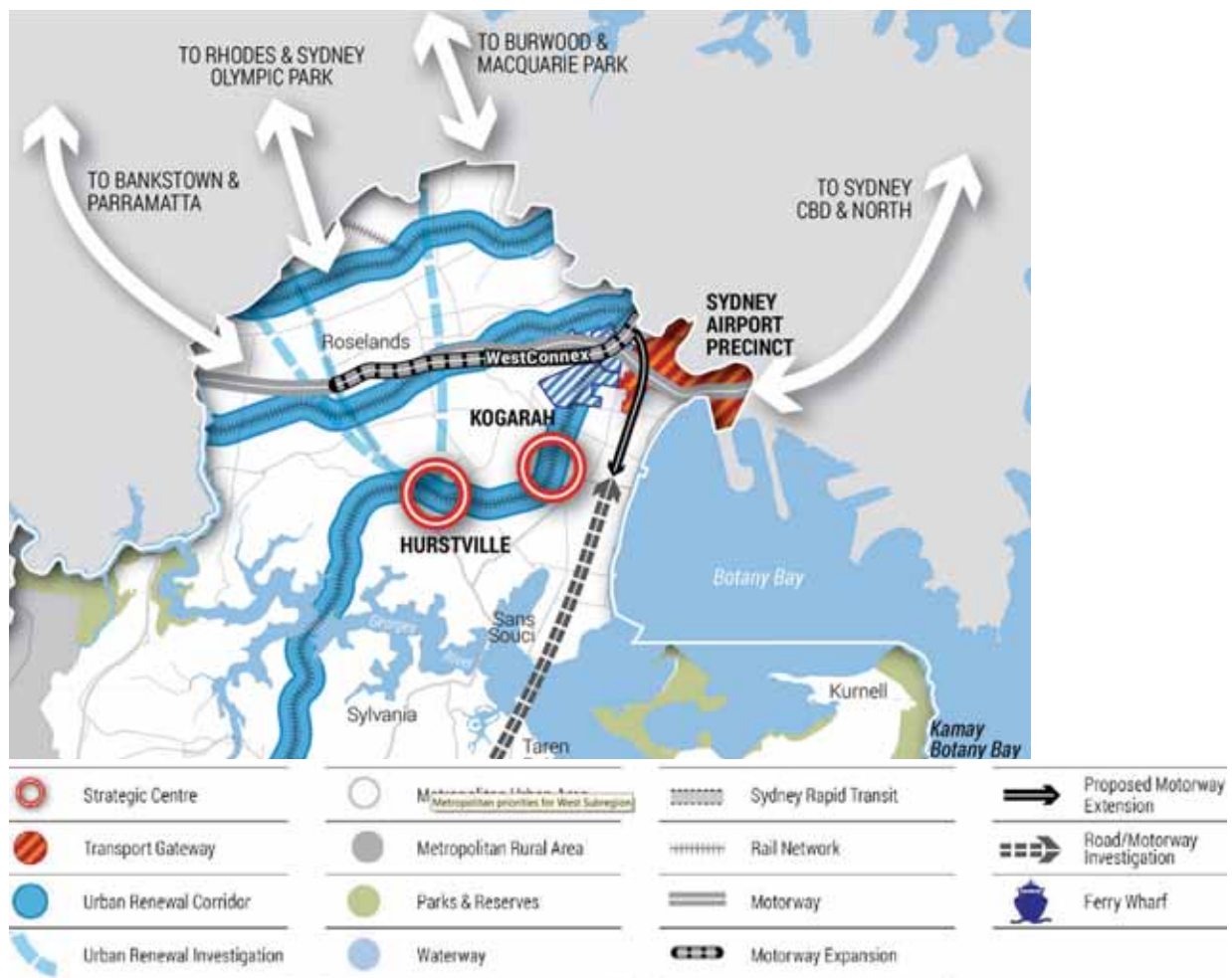


Figure 30: South Subregion Map, A Plan for Growing Sydney

The subject site is unique within Hurstville, being located in a highly accessible place, and of a large site area. The proposed zoning and concept plan which accompanies the planning proposal is mixed use, including shop top housing, community floor space and a hotel.

Hill PDA also points out that the Subregional Strategy stipulates that there is a priority to:

- Retain a commercial core in Hurstville, as required, for long term employment growth; and
- Provide capacity for additional mixed-use development in Hurstville including office, retail, services and housing.

The subject site is located outside the commercial core but adjacent to the mixed use zone and within easy walking distance of 2 railway stations, making it suitable for meeting these priorities.

6.3.2 Sydney Visitor Economy Action Plan

The recent publication of the Visitor Economy Action Plan from the Visitor Economy Taskforce, identifies the lack of hotel infrastructure within Sydney and dramatically underscores the importance of tourism for the economy of New South Wales and Australia.

In 2011-2012, tourism generated \$106.6 billion in consumer spending and contributed over \$41 billion to Australia's Gross Domestic Product.

Tourism earns nearly 10% of Australia's total export earnings annually, making it Australia's largest service export industry. The subject site is close to the Airport and Botany Bay and well connected to tourism, business, financial and retail uses within the global economic corridor of Sydney. The SEPP (State and Regional Development) 2011 also reaffirms the importance of supporting the tourism economy, including visitor and tourist accommodation in the list of land uses which qualify State Significant Development.

6.3.3 South Subregional Strategy

A Plan for Growing Sydney specifically identifies the importance of the South subregion in promoting the visitor economy around Botany Bay. The proposed zoning of the site and the concept plan which accompanies the Planning Proposal includes tourist and visitor accommodation and meets this growing need in the area. Together with hotel rooms, the concept plan designates function space which not only has the potential to attract business meetings but also provides much needed space for event space for local residents for parties, weddings, etc.

6.3.4 Employment Lands Development Program

It is noted the existing industrial land is a remnant which has become isolated through the historic residential development of the area. The site is not well located logistically for industrial development and would be better located near other industrial lands and major vehicular transport nodes. The employment precincts in the area are identified in the *Employment Lands Development Program* as:

- Boundary Road Peakhurst – 56.3 ha
- Kingsgrove South – 25.2 ha
- Penshurst – 1.6 ha

- Beverley Hills – 1.5 ha
- Hurstville – 1.3 ha

While strategic plans include the objective of retaining employment lands and in particular industrial lands, the subject site is not as well located for the purposes of employment generating lands as other more robust industrial agglomerations in the subregion. The site is too small to benefit from agglomeration effects. These attributes make the subject site less valuable as an employment generating industrial precinct. The proposed new zoning shall bring a different kind of employment opportunity to the site based around retail, commercial and tourist and visitor accommodation uses.

While the site would no longer be designated as employment lands, the proposed development shall increase job opportunities, employment generating floor space and GDP.

6.3.5 Draft Subregional Strategy South

The previous Metropolitan Strategy 2005 plan 'City of Cities'. This plan included detailed Draft Subregional Strategies. The site is located within the South Subregion catchment. The new Plan for Growing Sydney relates closely to the older plan building on the key strategies set out in "The City of Cities" plan. The Draft Subregional Strategy identifies the following priorities for the south subregion:

- a) enhance the subregion's role in housing and jobs delivery through urban renewal around Major Centres and accessible local centres, while maintaining the values of Sydney's fringing bushland, coast and waterways
- b) facilitate re-development for more intense housing in appropriate existing areas, particularly in and around centres on the Strategic Transit Network which includes the Illawarra and Airport and East Hills Lines
- c) strengthen connections to the Illawarra, including expanding capacity on the M5, investigating the F6 corridor and improving rail capacity on the Illawarra Line.
- d) emphasise cross-regional transit links from Hurstville to Bankstown and Parramatta
- e) protect the health and resilience of environmental assets, including internationally significant wetlands, national parks and the drinking water supply catchment.

In cases such as this, infill sites zoned residential can play a very important role in meeting the goals of the Strategy. In this area, there are not many sites with a large site area and prominent and strategic location. In this regard the subject site is relatively unique. It is well positioned as an infill site to contribute to the strategic goals for the region in terms of dwelling density. The accessibility of the site within walking distance of both Allawah and Hurstville Stations enhances its potential role in relation to increasing density in existing areas.

The intensification of density within an accessible existing area also meets Priority A by reducing pressure on Greenfield development at the fringe of the Metropolitan Area. The proposed rezoning has no impact on existing bushland nor the coast. The range of potential uses which arise in the B4 zone have lesser potential amenity impacts than the current industrial zoning.

Priority B is particularly bolstered by the proposal as the proposal includes more intense housing within proximity to the "Strategic Transport Network".

In addition the close proximity of the existing industrial land to high density residential development as well as the Cooks River tends to exacerbate impacts on the amenity and quality of the area. As such, industrially zoned land is more appropriately located proximate to major vehicle transport nodes and networks and away from areas with large residential populations and a relatively tight road network. The proposed zoning however, does maintain potential employment generating uses, although of a character different to those jobs which would be achieved in a light industrial zone. The proposed alternative land use is more in line with Priority E, whereby residential development has a lower environmental impact than Industrial uses.

The proposed building height control and FSR control, while representing a departure from the maximum height and FSR controls on surrounding blocks is appropriate within the context of the Strategic Plan. The site is of a sufficient size to achieve a coordinated development whereby amenity on the site is maximised and amenity impacts on other sites are minimised.

6.3.6 Housing Targets for Population Growth

The proposed land use zone, FSR and maximum building height for 'Site A' and 'Site B' are in accordance with the dwelling target achievement which stipulates that 'the housing target of 35,000 new dwellings in the South Subregion between 2004 and 2031 will be accommodated within existing urban areas'. This represents 7.8% of the total dwelling target set for Sydney's existing areas. By 2031, the population of the South Subregion is expected to grow to over 676,000 people.

The housing target for 2031 was set at 302,300 dwellings in 2010 for the South Subregion. Furthermore, the plan for 'a housing mix near jobs, transport and services' further details that residential development should be focused 'within centres and corridors with access to public transport and local services'. As such, the proposed is well aligned to contribute to the achievement of these aims with concentration in strategic centres.

The analysis undertaken by Hill PDA brings forth Hurstville specific data regarding population, indicating population growth which significantly outpaces that of the past 20 years. Hill PDA states:

The Hurstville suburb contained 26,040 residents in 2011 and experienced a 12% population growth over the previous 10 years. The majority of that growth occurred between 2001 and 2006. Population growth in the City of Hurstville and Greater Sydney has been comparatively lower at 7% between 2001 and 2011. This is reflective of ongoing housing development in the suburb.

Population projections sourced from the NSW Bureau of Transport Statistics (BTS) are shown in the table below for Hurstville and the City of Hurstville.

Table 6 Population Projections 2011 to 2031							
Location	2011	2016	2021	2026	2031	Growth 2011-31	
						#	%
Hurstville	26,974	29,338	34,009	38,258	42,255	15,281	57%
City of Hurstville	82,810	87,188	93,747	99,577	104,957	22,147	27%

Source: NSW Bureau of Transport Statistics (September 2014)

Over the 2011 to 2031 period Hurstville will experience population growth equivalent to a 57% increase in the population based on the BTS data. The City of Hurstville will experience a 27% population increase over the same period. It should be noted that the BTS population projections in 2011 are greater than the estimated population derived from ABS because BTS considers ABS to be an undercount of the actual resident population. This is indicative of the need for additional housing to support this substantial growth. (Page 22)

These statistics signal a critical need for housing in the area. The subject site provides opportunities for meeting the challenge while achieving development with good residential amenity achieved through building separation, building orientation, and apartment design. Hill PDA also states in their Social Impact Assessment that “the provision of new housing in recent years has been relatively low and the gap between housing demand and supply is becoming increasingly worse (pg 36).”

6.4 State Environmental Planning Policies (Q5 of the Guide)

6.4.1 SEPP 32 - Urban Consolidation

State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land) sets out the following aims and objectives:

(1) *This Policy aims:*

- a) *to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development, and*
- b) *to implement a policy of urban consolidation which will promote the social and economic welfare of the State and a better environment by enabling:*
 - i. *the location of housing in areas where there are existing public infra-structure, transport and community facilities, and*
 - ii. *increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities, and*
 - iii. *the reduction in the rate at which land is released for development on the fringe of existing urban areas.*

(2) *The objectives of this Policy are:*

- a) *to ensure that urban land suitable for multi-unit housing and related development is made available for that development in a timely manner, and*
- b) *to ensure that any redevelopment of urban land for multi-unit housing and related development will result in:*
 - i. *an increase in the availability of housing within a particular locality, or*
 - ii. *a greater diversity of housing types within a particular locality to meet the demand generated by changing demographic and household needs, and*
- c) *to specify:*
 - i. *the criteria which will be applied by the Minister to determine whether the redevelopment of particular urban land sites is of significance for environmental planning for a particular region, and*
 - ii. *the special considerations to be applied to the determination of development applications for multi-unit housing and related development on sites of such significance.*

Rezoning of the site will encourage orderly an economic redevelopment for mixed use development with a high density residential component. The uses of the industrial land use zone are not compatible with the surrounding residential uses. The site is also not well located with regard to light industrial uses which function best along major vehicular transport corridors such as the M5 and/or benefit from the agglomeration effects of larger employment precincts in the region. Access by large vehicles to and from the site also gives rise to acoustic impacts on adjoining residential development.

Due to the impacts on surrounding development of industrial uses, the small and isolated nature of the site in the context of industrial development, and the lack of direct and easy access to the regional logistics network of the metropolitan area, the proposed rezoning of the site is consistent with SEPP 32.

While the site is not well suited to industrial uses, the site is well positioned close to existing social infrastructure and public transport, with schools and public open space just a few minute walk from the site and the Railway Station only a 5 minute walk from the site.

Increasing dwelling density on this site will reduce the pressure to release land for development on the fringe of existing urban area by infilling a currently underutilised site instead. The accessibility of the site positions it close to employment as it connects the site to the region.

The proposed concept design also includes a publically accessible plaza, activated by retail development, a child care centre and space for a community facility situated on a square.

6.4.2 SEPP 65 - Design Quality of Residential Flat Buildings

The height together with the FSR proposed allows future residential developments to distribute built form across the site in such a way that the following is achieved:

- Reduced building depths of residential portions of the development to maximise natural day lighting and ventilation.
- Provision of common open space and public open space on the site.
- Height which allows achievement of upper level setbacks to maintain a desirable streetscape along each street frontage.
- Height which allows generous building separations to existing residential development in the area.
- Increased density and housing supply in an accessible area.

The density of development proposed at an FSR of up to 5:1 is generally consistent with the FSRs permitted in the Hurstville City Centre, which under Draft HLEP 2012 permits FSRs in a range of 2:1 – 9:1. The incorporation of a bonus scheme to only allow increased FSR where sites can consolidate also contributes to achieving a positive design outcome on the site.

In addition, adequate building separation to buildings within the site, and neighbouring residential developments, will be ensured as per SEPP 65 requirements. The indicative concept design (refer to Appendix 1) for the site accompanying this planning proposal is consistent with the Apartment Design Guide generally, particularly in regard to building separation.

6.4.3 SEPP (Infrastructure)

Given the site area is over a hectare, mixed use development with a residential component may be considered Traffic Generating Development given the total number of units that may be developed under the proposed FSR of 5:1 could potential yield up to 300 units and 150 hotel rooms.

6.4.4 SEPP 55 - Remediation of Land

The site is likely to have some contamination due to the history of light industrial uses on the site. The contamination is not considered to be unexpected or unusual and could be investigated in detail during a DA process. A preliminary site investigation has been undertaken by Environmental Investigations Australia finds that the current condition of site soil and groundwater would not prevent the re-zoning of the site to B4-Mixed Use but that a Detailed Site Investigation (DSI) should be undertaken to attain a full understanding of the exact contamination and a methodology for remediation.

6.4.5 SEPP (State and Regional Development) 2011

While the planning proposal is not submitted as a State Significant Development, the proposed development is consistent with the aims and objectives of the SEPP. The SEPP includes visitor and tourist accommodation as one of the categories which can trigger the SEPP if the CIV of the use is at least \$100 million. The proposed 150 room hotel is generally consistent with the type of development considered to be significant along with the meeting spaces associated with the use.

6.5 Relevant Ministerial Directions (S117) (Q6 of the Guide)

The following Local Directions under S117 must be considered in this Planning Proposal:

6.5.1 Business and Industrial Zones - Direction 1.1

Direction 1.1 generally aims to encourage and retain employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres.

The 5 key requirements of Direction 117 are as follows:

- Follow the objectives of the Direction;
- Retention of existing business and industrial zones;
- No net loss of potential floor space for employment uses and related public services in business zones;
- Not reduce the potential floor space area for industrial uses in industrial zones; and
- Be in accordance with a Strategy approved by the Director General of DP&E.

The Forest Road, Durham Street and Roberts Lane, Hurstville Economic Assessment prepared by HillPDA provides a detailed analysis of the proposal against S117 1.1. Key to this analysis is that with the proposed mix of land uses, the floor area of employment generating uses shall actually increase, the number of jobs shall increase significantly, and the GDP generated by the site shall also increase dramatically.

The current land use is considered unsuitable for the site, however proposed rezoning creates potential for employment generating uses. The concept design put forward with the proposal actually includes more employment generating floor space, significantly greater employment generation and greater GDP contributions than the existing Industrial precinct.

The proposed zoning, having a range of potential uses provides flexibility and allows uses to change over time to meet demand. The proposed concept plan and building typology which accompanies this proposal include shoptop housing with a commercial component. The mix of uses on the site would be subject to subsequent DA applications and are likely to respond to market demand.

It is noted the existing industrial land is a remnant which has become isolated through the historic residential development of the area. The site is not well located logistically for industrial development and would be better located near other industrial lands and major vehicular transport nodes. The key industrial precincts in the area are identified in the *Employment Lands Development Program* as:

- Boundary Road Peakhurst – 56.3 ha
- Kingsgrove South – 25.2 ha
- Beverley Hills – 1.5 ha
- Penshurst – 1.6 ha
- Hurstville – 1.3 ha

Each of these precincts have attributes which make them more suitable to industrial zoning than the subject site including better access to the transport network and a significantly larger area of land.

The subject site is the only industrially zoned site in proximity to Hurstville City Centre. It is the smallest parcel of industrial land in the subregion and as described in previous sections is not well located or of a size to function well for industrial purposes. It also does not benefit from having surplus undeveloped industrially zoned land.

6.5.2 Heritage Conservation - Direction 2.3

Direction 2.3 generally seeks to protect lands and development which are heritage significant. A single heritage listed building is located on the subject site and the School located north west of the subject site is also heritage listed. Preliminary research regarding heritage in the area has been prepared by Rappaport to identify potential issues and then a Heritage Impact Assessment undertaken. Refer to the Figure below, which is an excerpt from the HLEP 2012 Heritage Map.

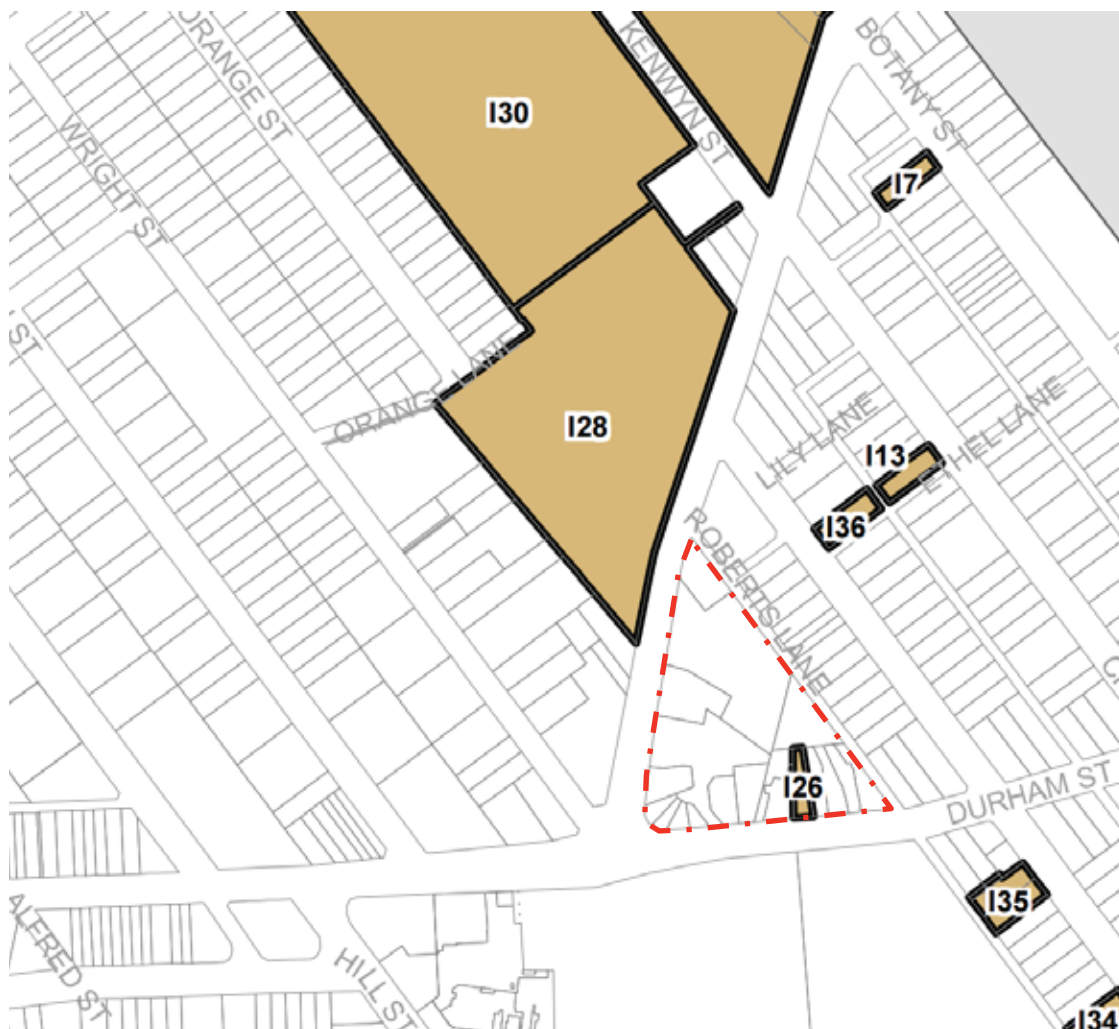


Figure 31: Excerpt, Hurstville LEP 2012 Heritage Map

Item I26 is described in Schedule 5 of the LEP as the Hurstville Scout Hall. It is located on Lot 5, DP 171179. A photograph of the hall taken from Durham Street is provided in the Figure below.



Figure 32: Existing Scout Hall, 116 Durham Street

The building is a utilitarian single storey brick building with a pitched roof. It is a locally listed item and is not state heritage listed.

It is noted that Community Facilities are actually prohibited under the current IN2 zoning and thus the Scout Hall is an unlawful use that is operating under existing use rights. The change of zoning from industrial to mixed use does not impact on opportunities to protect the heritage item. Community Facilities are permissible in the B4 zone and would make the use a lawful one which is arguable a positive outcome for the premises.

The approach to the protection of heritage on the site in terms of built form can be addressed at the DA stage and the change of zoning does not directly impact on protection of on-site heritage.

The heritage impact assessment prepared by Rappaport does not support the delisting of the scout hall. It does state that adaptive reuse or sympathetic alterations and extension may be feasible. It is noted that in the concept plans prepared by Dickson Rothschild, the scout hall is not depicted. However, the concept design and yield testing options do not rely on the demolition of the scout hall to achieve proposed height and density. The 2 storey street wall established in the concept design and recommended as a guiding streetscape form for the site provides opportunities for the scout hall to be retained and for new built form to have a sympathetic and compatible character in relation to the scout hall. To demonstrate such an outcome, an option has been prepared which retains the scout hall. Refer to the attached.

Similarly, the proposed change in zoning shall not impact on the heritage attributes of the heritage listed schools to the North West of the subject site. The site is of a size and position whereby sufficient building separations can be achieved to ensure adverse impacts on the existing school are minimised.

All in all, the planning proposal meets the objectives of the direction.

6.5.3 Residential Zones - Direction 3.1

Direction 3.1 generally seeks to facilitate housing choice, meet existing and future housing needs, make efficient use of existing infrastructure, and minimise the impact of residential development on the environment.

The Direction specifies that a Planning Proposal must include provisions that will improve the choice, accessibility and distribution of housing stock, reduce the consumption of land on the urban fringe, and be of good design.

This Planning Proposal 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. The proposal also incorporates elements which achieve public benefit including a large publically accessible plaza with an active retail edge, a square connected to a community facility, a child care centre and event space associated with a hotel.

6.5.4 Integrating Land Use and Transport - Direction 3.4

Direction 3.4 aims to ensure that urban structures, building forms, land uses, developments, subdivision and street layouts achieve improved accessibility, increased choice of transport, reduced travel demand, and efficient movement of freight.

The proposed changes allow additional housing within close walking distance of public transport infrastructure, thus reducing the demand for private vehicle use and improving accessibility to greater Sydney. Additional housing in this location contributes to easing traffic demand on Sydney's road network, given public transport use is a real option for future occupants of the site. In contrast the current uses on the site are almost wholly private motor vehicle based, ignoring the high degree of accessibility of the site.

6.5.5 Approval and Referral Requirements - Direction 6.1

Direction 6.1 aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. The planning proposal meets the requirements of this direction since it does not contain any provision which would result in a subsequent application requiring the concurrence, consultation or referral to the Minister or a public authority. The proposal does not contain any provision that would deem a development designated development.

6.5.6 Site Specific Provisions - Direction 6.3

Direction 6.3 aims to discourage unnecessarily restrictive site specific planning controls and relate primarily to land use. The proposal only aims to rezone to a more appropriate land use consistent with adjoining properties, and increase the density and height to capitalise on its accessible location, contribute to housing supply, and benefit from agglomeration effects of existing and future mixed use development in the area. The use of a site area framework for increasing density on the site serves to promote orderly and economic development on the site and incentivise coordinated redevelopment and the avoidance of isolated sites.

Given the size of the site it is likely the proposal will require referral to the RMS under the SEPP (Infrastructure) 2007.

6.5.7 Implementation of A Plan for Growing Sydney - Direction 7.1

The proposed zone change and increased density makes possible a robust mix of uses on this currently underutilised but strategically located site, which in turn can contribute to the desired activity in the locality. The planning proposal is fully in line with the Plan and achieves the aims and objectives of the Plan better than the current zoning, particularly in terms of site accessibility and built form context.

6.6 Environmental, Social and Economic Impact (Q7, Q8, and Q9 of the Guide)

1. *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?*

6.6.1 Flora and Fauna Impacts

No critical habitat or threatened fauna have been identified in relation to this site. The site is industrially zoned and is almost fully developed with no remnant bushland or biodiversity of note.

2. *Are there any other likely environmental impacts as a result of the Planning Proposal (and if so), how are they to be managed?*

6.6.2 Environmental Impacts

Contamination

Uses on the site are of a light industrial and commercial nature and include storage, building supplies and automotive industry uses. These uses do not give rise to the likelihood of serious contamination of state significance. The preliminary site investigation undertaken as part of this Planning Proposal states that rezoning of the site to B4 is reasonable but that a detailed site investigation should be undertaken to ensure remediation prior to redevelopment of the site.

Flooding

The site has not been classified as land prone to flooding. The site is in a built up urban area. It is almost 100% hard paved. Redevelopment of the site would likely be for mixed use development. In this case it is likely that the area of hard paving will actually reduce and a coordinated stormwater management strategy can be achieved for the site.

Urban Ecology

The site is not located in an environmental protection area as identified by Council's LEP. The site currently contains very little vegetation. Rezoning the site would provide opportunities for a significantly improved landscape outcome within the site's urban context.

6.6.3 Amenity Impacts

The proposal, through a change of land use, achieves a reduced environmental impact on neighbouring dwellings by virtue of removing industrial uses from being in immediate proximity to residential uses. The proposed B4 zoning does have the potential to give rise to privacy and shadow impacts. However, the subject site has an appropriate depth to achieve internal and external building separations which achieve SEPP 65 objectives including the achievement of a transition in built form where a site adjoins a lower density residential area.

Shadow Impacts

In midwinter, overshadowing of the lower levels of the East Quarter development shall occur in early morning at 9 a.m. However, the shadow mostly falls on the large intersection of Durham Street and Forest Road. By noon shadows are have moved away from East Quarter and have an almost imperceptible impact on Kempt Field Park. The shadows are long and slim with sunlight penetrating between the shadows cast. The locating of the taller building envelop to the north allows the shadow of the taller building to fall within the shadow of the lower building. Refer to the image below.



Figure 33: June 21, 9 a.m. shadow impact



Figure 34: June 21, 12 noon

In the late afternoon at 3:00 p.m. there is some overshadowing of the existing low density housing to the east of the site. However, this small amount of overshadowing in late afternoon does not impinge on these properties achieving at least 3 hours in midwinter. Furthermore the shadow is narrow and thus each individual property is only partially overshadowed. Shadow impacts of to the park at this time are for the most part over a surface car parking area and generous shafts of solar access are achieved due to proposed building envelop position and orientation. Refer to the figure below.

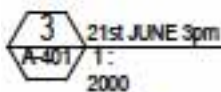


Figure 35: June 21, 3 p.m. shadow impact

6.6.4 Visual Impacts

As demonstrated in the indicative concept design, higher elements can set back from the street frontage, achieving a reduced bulk and scale from the public domain and maintaining reasonable solar access to nearby existing residential properties. The accessible location of the site together with the proposed Height and FSR controls allow for orderly and economic development which meets the vision of the Plan for Growing Sydney to intensify development in existing areas with good access to public transport.

Proposed developments that satisfy SEPP 65 will ensure quality design outcomes with good articulation and visual interest. This would be a marked improvement from the existing building

which does not contribute to the streetscape or provide any visual appeal. There are no constraints in terms of significant view corridors.

Rezoning of the site provides opportunities for the provision of high quality publically accessible open space on the site, while at the same time achieving a high density mixed use built form.

3. *Has the Planning Proposal adequately addressed any social and economic effects?*

The Planning Proposal has demonstrated consistency with strategic planning documents which seek to accommodate the future residential population of Sydney more sustainably. This goal can be achieved by locating new dwellings in already established urban areas within walking distance of public transport. Such a strategy provides residents with employment opportunities, services and amenities, all in an accessible location.

6.6.5 Social Impacts

Removal of industrial uses away from the immediate vicinity of low, medium and high density residential development provides a social benefit by removing potential impacts including pollution, acoustic impacts, air quality impacts and visual impacts. The unsightly character of the industrial land also impacts on the quality and value of residential development in the immediate vicinity.

The ELDP demonstrates there is some additional capacity in the existing larger industrial precincts of around Hurstville to compensate for the loss of the proposed 1.4 ha of industrial lands. At the same time the planning proposal provides opportunities for significantly more jobs and economic growth on the site by virtue of a range of possible commercial uses including hotels, supermarkets, retail, office, etc.

The proposed B4 zoning allows for a mix of uses and provides opportunities for orderly development with increased dwelling density and a mix of business uses in an accessible area. Therefore, social benefits arise in both the immediate local and the regional context. Furthermore, the removal of unsightly industrial landscape will improve the property values of the surrounding development.

Urban Consolidation

The provision of housing in existing areas helps reduce pressure for new residential development at the fringe of Sydney. In particular, this consolidation strategy lowers the risk of highly fertile agricultural land being developed to accommodate the growing population. In this regard, consolidating urban development contributes to Sydney's food security. Additionally, the subject site is located within a very close walking distance of several train stations. The site is also well located in relation to Hurstville's burgeoning cycle network. As such, the site effectively utilises existing infrastructure and encourages the use of sustainable transport options.

Housing supply increase and housing choice

Hill PDA finds that the proposed rezoning shall provide a net increase and choice of housing along with recreational and community opportunities which would enable the creation of a mixed and varied community. They also state that a mix of affordability levels are also anticipated to be accommodated by the proposal given the location and mix of apartments.

Neighbourhood Activity, Safety and Security

The site is currently underutilised does not contribute to neighbourhood vitality but for the presence of the Scout Hall. Increasing density on the site will provide the opportunity for a mix of residential and commercial uses to be introduced to meet market demand and provide opportunities for land uses such as community facilities, tourist and visitor accommodation, event space and child care centres.

Increased density will also increase casual surveillance on the street, contributing to a safer environment. The existing built form on the site is ambiguous with varied setbacks and many opportunities for illegitimate access.

Traffic and Pedestrian Amenity

Future developments have the opportunity to contribute to the amenity of the street through a range of potential design features which may include active street frontages, landscaped spaces, additional street tree planting, etc. This would be a marked improvement from the current condition of the site where built form turns away from the public domain and creates visual clutter within the front setback.

A traffic impact study has been prepared by Mott MacDonald has undertaken modelling to compare the proposed development with the range of uses set out in the concept plans which accompany this proposal along with the existing condition and have tested the capacity of the existing road infrastructure to accommodate the intensity of development proposed. The scenario includes supermarket development which is generally considered to be a high traffic generator. The study finds that all existing intersections can handle the anticipated increase in traffic movements which would result from the planning proposal and future mixed use development with a complex combination of land uses. Mott MacDonald does point out that minor modifications to ban kerb-side parking during peak periods at the Durham Street / Lily Street intersection. Otherwise, resulting impacts were minor increases in average intersection delays, queueing and saturation, but negligible impacts on operation of each intersection. The SIDRA assessment of the proposed development indicates that the traffic impact from the rezoning of the Landmark Square Precinct for high density mixed uses is minor and can be accommodated without changes to the existing external road network. Recommendations include consideration of implementing a signalised intersection at Forest Road and Durham Street particularly to improve pedestrian amenity.

It is envisioned that car parking areas would be below ground. It is assumed that future development would contribute additional traffic to the current conditions, however it is expected that due to the proximity of the site to public transport, private car use will be reduced.

Refer to the Mott MacDonald report for a full analysis of car parking and traffic impacts of the proposed rezoning.

A Social Impact Assessment has been undertaken by Hill PDA which finds that the social impacts of the proposed development shall be generally positive and in accordance with the following:

- State Government objectives;
- The actions of the draft South Subregional Strategy; and
- Social and economic objectives of Hurstville City Council.

Negative impacts are considered to be short term (during construction) but that these could be controlled with appropriate construction management and traffic management measures. Upon occupation, the majority of impacts shall be positive. Refer to the Social Impact Assessment by Hill PDA for a details analysis of the positive and negative social impacts of the planning proposal.

6.6.6 Economic Impacts

The proposed rezoning and adjustments to the FSR facilitates the increase in residential density and c commercial activity in an accessible location with strong network links to employment hubs. The increase in residential density also contributes to housing affordability by adding to the general housing stock. It is noted the site is available for redevelopment in the immediate future allowing housing delivery in the short term.

The proposal also maintains the opportunity for employment generating uses in the locality, with the potential for future developments to incorporate, retail, commercial and tourism-based uses. The proposed B4 zoning achieves a flexibility to allow built form to change over time to meet demand.

Refer to the Economic Assessment prepared by Hill PDA for the purposes of this proposal.

6.7 State and Commonwealth Interests (Q10)

4. *Is there adequate public infrastructure for the planning proposal?*

There is adequate public infrastructure to accommodate the increase in development density.

The site has excellent access to open space. There are a number of schools, community facilities and open space within walking distance of the site. Some of these are as follows:

- Hurstville Primary School, Georges River College and Goodstart Learning Centre (less than 100 m from site)
- East Quarter Square (less than 100 m from site)
- Kemp Field (less than 100 m from site)
- Woodville Park (100 m from site)
- Sydney Technical High School (200 m from site)
- Bethany College (400 m from site)
- Cinemas (500 m from site)
- Hurstville post office (located in Westfield Shopping Centre 600 m from the site).
- St. George Christian School (600 m from the site).
- St. Raphael's Primary School (800 m from the site)
- Carlton Public School (900 m from the site)
- Council Offices (900 m from the site)
- Entertainment Centre (900 m from the site)
- Hurstville Library (1 km from site)
- Danebank School (1.1 km from site)
- Hurstville Oval (1.1 km from site)
- Kogarah Park (1.5 km from site)
- St. George Leagues Club (1.5 km from site)
- St George and St George Private Hospital (1.8 km from site)
- Aquatic Leisure Centre (1.8 m from site)

The planning proposal also demonstrates that the proposed land use, height and density controls provide opportunities for community benefits such as a public plaza, community floor space, a publically accessible square, child care centre and event space.

5. *What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination (Q11 of the Guide)?*

The relevant State and Commonwealth authorities will be consulted during the gateway process.

6.8 Community Consultation

The planning proposal is considered to be a 'low impact' planning proposal for the following reasons:

- The amendment relates to the subject site only.
- The current industrial uses are not operating at full capacity and generate relatively few jobs.
- The amendment is consistent with state strategies relating to intensifying residential development in mixed use accessible urban areas
- The amendment is consistent with state strategies relating to recognising well connected and highly accessible environments
- The proposal is compatible with surrounding land uses
- The proposed will improve the overall amenity of the adjoining residential area with opportunity for quality residential design and removal of dated industrial structures
- The proposal provides the opportunity for more people to live in close proximity to public transport, employment, infrastructure, services and amenities.

It is expected the Hurstville City Council will complete the community consultation process in accordance with Section 57 of the EP&A Act 1979 during the gateway process.

7 Conclusion

This planning proposal has been brought forward in accordance with the DP&E's Guidelines for the preparation of planning proposals. As is stated in that guide, it is expected that the applicant will enter into further discussions with Council and bring forward additional information as necessary. This proposal sets out the issue on the site and brings forward arguments going to the suitability of the site for the proposed changes to zone, and Height and FSR on the site.

Current controls do not adequately address the opportunities and constraints of the subject site and as a result the site's potential is not being realised. The relatively small size of the site within an industrial context and its isolation from other industrial land makes it ill-suited for its present zoning. The subject site and its immediate surrounds have a distinctly mixed use and residential character. Existing controls on the site ignore the site's close proximity to the city centre and railway stations. The existing controls also ignore the lack of proximity to the major transport nodes and networks which support well-functioning industrial lands in Sydney's "post-industrial" economy. As a result, the existing controls on the site do not take full advantage of sustainable transport opportunities.

The Sydney Region is committed to delivering 664,000 dwellings by 2031 according to the Plan for Growing Sydney. This figure responds to the projected population growth and associated need for affordable and diverse housing. These targets exceed that calculated by previous state metropolitan strategies, indicating the population growth and need for housing is accelerating at a rate greater than that previously predicted.

While the current zoning, height and FSR controls do not acknowledge the strategic location of the site and its great potential, the proposed rezoning, height and FSR will contribute to achieving the Department of Planning's strategic goals and address the recent increase in population projections for Sydney through to 2031. Local planning issues such as heritage significance, soil quality are not of state significance and can be handled in a future Development Application.

The subject site represents a unique infill opportunity. The development density proposed is consistent with its strategic context and potential built form capacity given its generous site area and continuous street frontage. The rezoning and associated height and FSR proposed allows for a range of outcomes on the site while producing a building envelope which does not have unreasonable impacts on other sites in the area. Overall, the proposed rezoning will eliminate the conflict between industrial and residential uses for which the current zoning give rise.

Appendix 1

Urban Design Report by Dickson Rothschild

Appendix 2

Economic Impact Assessment by Hill PDA

Appendix 3

Hotel Demand Analysis by Hill PDA

Appendix 4

Social Impact Assessment by Hill PDA

Appendix 5

Traffic Impact Assessment by Mott MacDonald

Appendix 6

Heritage Impact Assessment by Rappoport Pty Ltd

Appendix 7

Preliminary Site Investigation by Environmental Investigations Australia

Appendix 8

Survey Plans by W. Buxton Pty Ltd

Appendix 9

Existing Staff Numbers by Rappoport Pty Ltd