

Amendment of height and floor space ratio controls for the 'East Quarter' site - 93 Forest Road, Hurstville

Proposal Title :	Amendment of height and floor space ratio controls for the 'East Quarter' site - 93 Forest Road, Hurstville		
Proposal Summary :	The planning proposal seeks to amend the height and floor space ratio controls applying to the 'East Quarter' site located at 93 Forest Road, Hurstville under the Hurstville Local Environmental Plan 2012 (Amendment No.3). The proposal aims to: • amend the floor space ratio map for the whole site from 2.5:1 to 3.5:1; and • amend the height of buildings map for part of the site from 23m to 30m; 40m to 65m, and 60m to 65m.		
PP Number :	PP_2015_HURST_001_00	Dop File No :	15/09493

Proposal Details

Date Planning Proposal Received :	20-May-2015	LGA covered :	Hurstville
Region :	Metro(CBD)	RPA :	Hurstville City Council
State Electorate :	KOGARAH	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	93 Forest Road		
Suburb :	Hurstville	City :	HURSTVILLE
		Postcode :	2220
Land Parcel :	Stage 1: SP 81836; SP 81837; SP 81834. Stage 2: Lot 6 DP 270611; Pt Lot 10 DP 270611; Lot 11 DP 270611; SP 88750; SP 88986; SP 89079. Stage 3: Pt Lot 10 DP 270611		

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment : **The Department of Planning and Environment is not aware of any meetings or communications with registered lobbyists concerning this Planning Proposal.**

Supporting notes

Internal Supporting Notes : **The planning proposal is supported as it:**

- satisfies State and subregional metropolitan strategy objectives, which encourage developments that will facilitate increased housing provision in locations serviced by good public transport and close to jobs;
- contributes toward the need for an additional 9,300 dwellings in Hurstville LGA by 2031 through delivery of 102 dwellings; and
- achieves the optimal development potential for the site.

External Supporting Notes : **The planning proposal reflects Hurstville City Council's Resolution of 18 March 2015 to endorse a request to amend the height and floor space ratio controls proposed for 93 Forest Road, Hurstville under the draft Local Environmental Plan for the Hurstville City Centre.**

Council does not wish to exercise its Plan making delegation for the planning proposal.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to amend the height and floor space ratio controls to achieve the full development capability of the East Quarter site. The planning proposal will enable buildings proposed in Stage 3 of the development of the East Quarter site to be increased in height.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **To achieve the objectives of the planning proposal the following amendments to Hurstville**

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LEP 2012 are sought.

1. Height of Building Map:

- amend height from 23m to 30m for part of the site (proposed building 'X');
- amend height from 40m to 60m for part of the site (proposed building 'F'); and
- amend height from 60m to 65m for part of the site (existing building 'E').

2. Floor Space Ratio Map:

- amend the floor space ratio from 2.5:1 to 3.5:1 for the whole site.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Infrastructure) 2007

e) List any other matters that need to be considered :

The planning proposal is not inconsistent with applicable section 117 Directions and SEPPs.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The planning proposal includes maps showing the current and proposed height and floor space ratio controls for the site. The maps are sufficient for community consultation.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

The planning proposal recommends community consultation for a minimum of 28 days. This is supported by the Department.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

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Proposal Assessment

Principal LEP:

Due Date :

Comments in
relation to Principal
LEP :

Hurstville LEP 2012 was notified on 7 December 2012

Assessment Criteria

Need for planning
proposal :

Need for planning proposal

The planning proposal seeks to increase the height and floor space ratio control to maximise development capability of the site. The planning proposal will enable an additional 102 dwellings and 4,600m² of retail floor space on Stage 3 of the East Quarter site.

Site characteristics

The East Quarter site forms part of the eastern bookend precinct of the Hurstville City Centre. The site is bounded by Durham Street to the north, the Illawarra Rail Line to the south, Kempt Field to the east and mixed use development to an approved height of 13 storeys to the west. The Illawarra Rail Line forms the boundary between Hurstville and Kogarah local government areas.

The site is well serviced by public transport being located on Forest Road and within 270m and 680m of Allawah and Hurstville train stations.

Development of the 'East Quarter' site

The East Quarter site, with a total area of approximately 2.844ha, is being developed over three stages. Stages 1 and 2 (approximately 1.508ha) are complete and consist of 5 mixed use residential and retail/commercial buildings ranging from 7 to 19 storeys in height. The planning proposal seeks to formalise the already constructed 19 storey building ('Building E' within Stage 2 of the site, approved by the Joint Regional Planning Panel on 8 November 2011) by increasing the height from 60m to 65m.

The planning proposal also aims to increase the height for proposed buildings within the undeveloped Stage 3 (approximately 1.336ha) of the site from 23m to 30m (proposed building X) and 40m to 65m (proposed building F).

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Consistency with strategic planning framework :

Relationship to Hurstville LEP 2012

Planning controls for the Hurstville City Centre are excluded from Hurstville LEP 2012 and are being progressed via a separate planning proposal (PP_2010_HURST_001_00). The planning proposal is currently with the Department for finalisation and will be introduced as Amendment No 3 to Hurstville LEP 2012.

Amendment No 3 to Hurstville LEP 2012

The planning proposal for the Hurstville City Centre creates capacity for approximately 611,000m² of additional gross floor area post 2036, providing 7,000 jobs and 4,000 dwellings. The planning proposal rezones the city centre B3 Commercial Core with a B4 Mixed Use zone applying to land on the periphery of the city centre.

The following provisions are proposed for the East Quarter site under Amendment No. 3:

- B4 Mixed Use zone;
- 2.5:1 floor space ratio; and
- 23m, 35m, 40m, 45m, and 60m maximum building height.

This planning proposal seeks to amend the controls proposed under the Hurstville City Centre planning proposal.

2014 NSW Population and Dwelling Projections - Hurstville LGA

The population of the Hurstville LGA is projected to increase by 22,150 for the period 2011-2031, equating to the need for an additional 9,300 dwellings. As noted above, the Hurstville City Centre planning proposal creates capacity for 4,000 dwellings, a significant shortfall from the projected 9,300 additional dwellings required for the Hurstville LGA by 2031. This indicates that Hurstville Council needs to plan for additional dwellings in the LGA to cater for population growth.

This planning proposal will enable an additional 102 dwellings on the site, contributing towards the projected number of dwellings needed in the LGA.

A Plan for Growing Sydney

A Plan for Growing Sydney identifies Hurstville as a strategic centre in the south subregion. The planning proposal is considered to accord with the direction for Hurstville as a strategic centre in that it:

- will not impede the retention of Hurstville's commercial core, which the Plan identifies should be retained for long-term employment growth; and
- provides capacity for additional mixed-use development in Hurstville, identified in the Plan as having potential to accommodate offices, retail, services and housing.

Transport and Mobility Action Plan (TMAP)

Council staff's assessment report argues the planning proposal should not be supported as it is inconsistent with the recommendation of the TMAP prepared to support the planning proposal for Hurstville city centre.

The TMAP investigated six land use scenarios (with new additional floor space up to 655,000m²) as part of the assessment process to gain an understanding of the opportunities and constraints presented in the development of the city centre under the proposed planning controls. A key recommendation of the TMAP is Land Use Scenario 5, which provides for a sustainable growth strategy for future development of the City Centre to 2036 (total GFA of 861,354m²).

The Department considers that an additional 4,600m² retail floor space on the East Quarter site is not significant enough to warrant refusal of the proposal. Council's adopted planning controls for the city centre reflect TMAP Land Use Scenario 6, which caters for

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development post 2036. The adopted controls equate to approximately 1,097,000m² gross floor area for the city centre, which represents a far greater inconsistency with the TMAP than the increase in floor area proposed on the East Quarter site.

Notwithstanding this inconsistency, Transport for NSW advised the Department in response to the planning proposal for the city centre, that they will work with Roads and Maritime Services and Council to develop infrastructure solutions to manage the future travel demands generated by proposed developments in the city centre.

The planning proposal is supported by a preliminary traffic and parking review traffic statement which notes the proposed density will be manageable in terms of street capacity and will require traffic lights at the intersection of Durham and Forest Roads.

Council has raised concern that the impact of the proposed 3,600m² supermarket within the additional retail floor space has not been adequately assessed and recommends a detailed traffic study be prepared. The Gateway determination supports this and recommends a traffic study be undertaken and exhibited with the planning proposal. In addition, the Gateway Determination recommends consultation with Transport for NSW (including Roads and Maritime Services and Sydney Trains).

Environmental social
economic impacts :

There is no known critical habitat or threatened species populations or ecological communities, or their habitats affecting this site and there are no other likely environmental impacts of the planning proposal.

The planning proposal will not produce any adverse economic and social outcomes. Traffic and parking related issues have been discussed in the previous section.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority
Consultation - 56(2)
(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name

DocumentType Name

Is Public

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 7.1 Implementation of A Plan for Growing Sydney**

Additional Information :

It is recommended that the planning proposal proceed subject to the following:

- 1. Prior to undertaking public exhibition, the planning proposal is to be updated to incorporate the outcomes of a traffic and transport study which examines the full impact of additional residential and commercial floor space, inclusive of the proposed supermarket.**
- 2. The planning proposal is to be publicly exhibited for 28 days.**
- 3. The planning proposal be completed within 9 months of the Gateway Determination.**
- 4. Consultation is required with the following public authorities:**
 - Transport for NSW;
 - Transport for NSW - Roads and Maritime Services;
 - Transport for NSW - Sydney Trains; and
 - Kogarah Council.
- 5. A public hearing is not required to be held into the matter.**

Supporting Reasons :

The planning proposal is supported as it:

- **satisfies State and subregional metropolitan strategy objectives, which encourage developments that will facilitate increased housing provision in locations serviced by good public transport and close to jobs;**
- **contributes toward the need for additional 9,300 dwellings in Hurstville LGA by 2031 through delivery of 102 dwellings; and**
- **achieves the optimal development potential for the site.**

Signature:



Printed Name:

Diane Sarkies

Date:

18/5/15

