



# Planning Proposal

## Hurstville Civic Precinct

Prepared on Behalf of Georges River Council (Properties)

Updated 7 June 2021

## REPORT REVISION HISTORY

Revision	Date Issued	Revision Description	
06	07/06/2021	Revision tracking notes	
		<b>Prepared by</b>	<b>Verified by</b>
	Updated to address DPIE Feedback	Sonny Embleton Senior Associate	Helen Deegan Director Planning

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## INTRODUCTION

This Planning Proposal (PP) has been prepared by City Plan Strategy & Development (CPSD) on behalf of the Georges River Council to seek an amendment to the Hurstville Local Environmental Plan 2012 (HLEP 2012) as it applies the Georges River Council owned site bound by Queens Road, Dora Street, MacMahon Street and Park Road (subject site). The subject site is known as the Hurstville Civic Precinct. The subject site is comprised of 12 land parcels and a road reserve owned freehold by Georges River Council. These land parcels are represented in Figure 1 and listed in Table 1.



Figure 1 Subject site

Table 1 Subject site lot details

Lot	DP	Address
13	6510	4-6 Dora Street, Hurstville
14	6510	4-6 Dora Street, Hurstville
200	831931	16-32 MacMahon Street, Hurstville
5	137320	91 Queens Road, Hurstville
6	137320	91 Queens Road, Hurstville
201	831931	14 MacMahon Street, Hurstville
B	321590	14A MacMahon Street, Hurstville
A	340310	3 Patrick Street, Hurstville
B	340310	1 Patrick Street, Hurstville

Lot	DP	Address
1	137320	6 MacMahon Street, Hurstville
A	389008	2 Patrick Street, Hurstville
B	389008	2 Patrick Street, Hurstville
100	260103	Patrick Street Road Reserve (Subject to road closure process)

It is noted that the majority of the site is classified as 'operational' under the *Local Government Act 1993*, with the exception of land at the corner of Dora Street and Queens Road known as 4-6 Dora Street (Lots 13 and 14 in DP 6510), which is currently classified as 'community' land.

The subject site currently accommodates the following development:

- Hurstville City Council's Administration Building;
- Civic and Entertainment Centre;
- Baptist Church (recently acquired by Council and approved for demolition);
- Hurstville Museum and Gallery (heritage listed);
- Hurstville Senior Citizens Centre; and
- a car park for the use of Council officers and the public.

This PP seeks to amend the Hurstville Local Environmental Plan 2012 (HLEP 2012) to enable the future development of a civic, cultural, community and residential destination on the subject site within the Hurstville City Centre.

The Hurstville City Centre continues to undergo significant urban renewal that has led to its rejuvenation and transformation as a vibrant strategic metropolitan centre. The rapid transformation of Hurstville City Centre as a high density residential and mixed use urban hub is particularly visible in areas close to the Hurstville train station and the shopping strip along Forest Road in the heart of the City Centre. As the residential and employment population of Hurstville City Centre and its surrounds increases, so does the need for community facilities, cultural destinations, entertainment facilities and open space opportunities to ensure the local community and visitors to Hurstville City Centre have sufficient access to a variety place making amenities.

This Planning Proposal (PP) will enable Council to establish a new civic and cultural heart for the Hurstville City Centre which will include a range of public benefits including new public plazas, library, gallery, auditorium and theatre space, council chambers and parking for 1,200 cars including over 500 public car parking spaces (subject to a future car parking study). This key community and civic and community destination will be complemented by new mixed use residential opportunities that will further enhance the vibrancy and vitality of the locality.

The intent is to provide for the existing Georges River community and provide a high-quality community asset that will provide for the existing and emerging population of residents and visitors to the Hurstville City Centre.

## **1. [PART 1] OBJECTIVES AND INTENDED OUTCOMES**

This PP seeks an amendment to the Hurstville Local Environmental Plan 2012 to achieve the necessary land classification, land use zoning, building height, floor space ratio and heritage to enable the future redevelopment of the existing Hurstville Civic Precinct for a mixed use civic, cultural, commercial and residential destination consisting of the following activities referred to in the attached Concept Design Report prepared by DWP in Appendix A:

- Community space including library, museum and gallery display areas.
- Customer service centre, Council offices/chambers.
- Flexible auditorium/function space for a range of performance presentation activities (500 seats).
- Residential floor and commercial uses.
- Cafés and a range of recreation, relaxation or study areas.
- Basement car parking including underground parking for 1,200 vehicles including 500 potential public car parking spaces.

The PP is supported by a Concept Design Report (Refer Appendix A) and draft site-specific Development Control Plan (refer Appendix B) that seeks to guide detailed design and staging matters to ensure the future development of the Hurstville Civic Precinct reflects design excellence and embodies the intended place making qualities set out in the design concept.

### **1.1.1. Intended outcomes to be enabled by the PP**

DWP's Concept Design Report at Appendix A is the result of significant context analysis and investigation of various design options for the site. The following summary outlines specific outcomes that the PP seeks to enable through amendment of the subject site's land use zoning and maximum building height and floor space ratio controls.

The Planning Proposal provides the necessary building height, floor space ratio and land use classification enable Georges River Council to deliver a new Civic Hub in the Hurstville City Centre this will comprise the following key elements:

#### **A vibrant civic, community and cultural destination**

The PP will enable Georges River Council to provide new civic and cultural facilities on the site, including:

- Georges River Council's Administration Building and Council Chambers;
- Civic and Entertainment Centre, including multipurpose auditorium;
- Hurstville Library;
- Hurstville Museum; and
- Senior Citizens Centre.

## A New Civic Plaza



Figure 2 Indicative impression of proposed Civic Plaza (DWP)

A key feature of the proposal is a new and inclusive, active and enjoyable Civic Plaza space that will form a new heart for the Hurstville City Centre, which is illustrated in Figure 2. The plaza will be landscaped to include both hard and soft landscaping treatments which will enable the space to perform variety of place making roles. This will allow for passive recreation opportunities catering for a broad range of intergeneration needs. Its design will enable both incidental use and programmed activities to occur. In particular, as a place for:

- community interaction and gathering for local residents, parents and children;
- rest and refreshment for visitors and shoppers;
- relaxation space for local workers to enjoy lunch and catch up with friends and colleagues;
- cultural events such as performances and busking;
- weekend farmers markets and food fairs showcasing local produce and foster grassroots business opportunities; and
- fun and play for kids where parents can enjoy the local food and café culture in close proximity to play space.

Hurstville's new Civic Plaza will be positioned adjacent to MacMahon Street where it is best connected to the wider Hurstville City Centre in a location that is protected from the high-volume traffic routes of Park Road and Queen Street. The relationship between the Civic Plaza and existing heritage buildings on MacMahon Street will create a unique and ambient atmosphere that showcases and celebrates Hurstville's present and past.

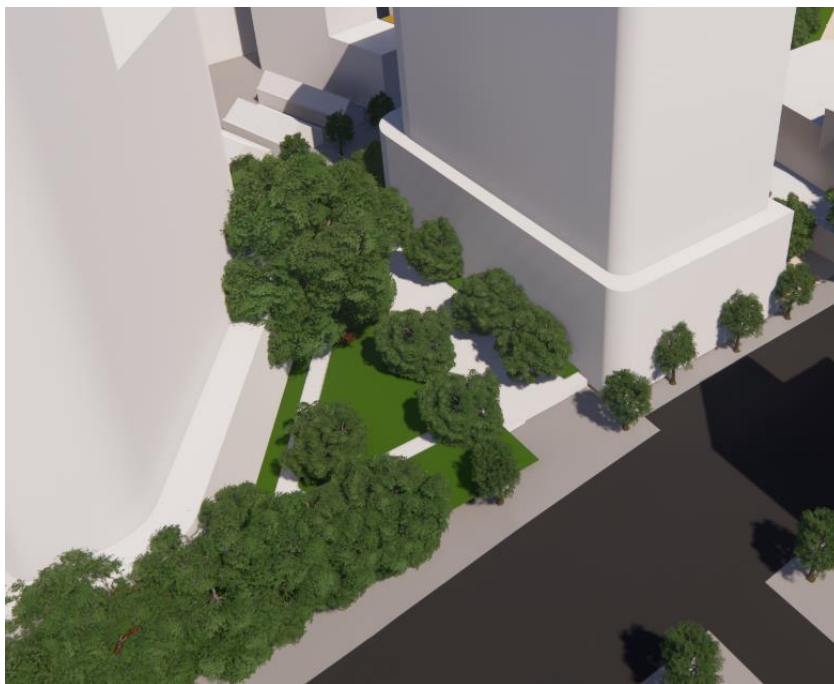
Built form massing has been carefully considered to ensure that the majority of the Civic Plaza receives an average of 2 hours sunlight between 11am and 2pm in mid-winter, during the lunchtime period when the usage of the plaza is expected to peak.

The place making qualities of the precinct will be further augmented by the rethinking of the MacMahon Street design and its relationship to the plaza. While MacMahon Street is intended to remain accessible to vehicle traffic, as a slow traffic its paving treatments will encourage the slow moving of traffic with the



feel of a pedestrian mall. This will facilitate the occasional closing of the street to accommodate community events (e.g markets and community fairs).

### **Patrick Street Pocket Park**



*Figure 3 Indicative impression of proposed Patrick Street Pocket Park (DWP)*

The Patrick Street pocket park will be situated between Buildings A and B and will align with Patrick Street. It provides a dual role as a public amenity for adjacent residents as well as maintaining the Patrick Street view corridor, which provides direct line access to Hurstville Oval. The Patrick Street Pocket Park is oriented towards the north, which, in conjunction with the careful design of adjacent buildings, allows for significant solar access to be achieved throughout the year.

### **Retail, office and eats street opportunities**

The PP will enable GRC to build upon on Hurstville City Centre's role as an employment hub as well as its growing reputation as a key destination for shopping and eating out. It will enable new restaurants to interact with and activate the new Civic Plaza and thus provide for activity beyond regular 9-5 hours and enhance opportunities for 'eyes on the street' to increase the safety and enjoyment of the public realm.

High quality office space is indented to be used by the Council administrative staff as well as enabling any commercial space surplus to Council's needs to be taken up by private enterprise. Office space is intended to be located above the Council Chambers, which will ensure that the local government/ civic presence is retained in the westernmost portion of the site.

### **New residential opportunities**

Hurstville is undergoing constant transformation as a residential lifestyle hub for apartment dwellers seeking to take advantage of the many city centre amenities as well as proximity to high frequency rail and road based public transport services. The PP will enable the development of two residential buildings with approximately 298 residential units.

New apartments at the north eastern end of the site will assist in enhancing the vitality of local businesses. New apartments in this location will also assist in establishing an appropriate transition of land use towards the adjacent residential context.

## **Vehicular access and car parking**

A new public car park will be provided in conjunction with the redevelopment of the site. This has potential to provide for some 500+ public car parking spaces on top of the required parking for individual land use components of the development. The exact number of public car parking spaces to be accommodated on the site will be subject to further detailed study and the outcomes of a car parking strategy. This will enhance accessibility to both future activities in the new civic and cultural hub as well as enabling better access to other businesses and services within the Hurstville City Centre.

## **Site planning**

The concept outlined in the DWP Concept Design Report at Appendix A and supporting draft DCP at Appendix B are based on careful consideration for achieving design excellence, staged delivery and establishing potential funding streams for the delivery of the community cultural and civic facilities.

Site planning allows for the north eastern residential component of the site be developed or disposed of separately. This would enable the generation of funds to be directed towards the delivery of the community-oriented facilities on the southern portion of the site.

Proposed height of building and floor space ratio mapping provides sufficient articulation to enable a variety of development staging opportunities to be realised.

Careful consideration has been given to the building fronting Dora Street to minimise overshadowing on mixed use developments at 9 and 15 Dora Street as well as other nearby properties.

## **Estimated floor space and apartment yields**

Table outlines indicative floor space and apartment yield for the site that would be achievable under this PP as reflected in the Concept Design Report at Appendix A:

Table 2 Land Use Indicative Floor Space

Land Use	Gross Floor Area (m2)	Apartment Yield (units)
Commercial	7,490	-
Council Chambers	6,000	-
Community	8,410	-
Retail	3,175	-
Residential	25,975	298
Total	51,050	298

The intended outcome to be enabled by this PP is described in greater detail in the DWP Concept Design Report provided as Appendix A.

## 2. [PART 2] EXPLANATION OF PROVISIONS

### 2.1. The Planning Proposal

This PP has been prepared to address the guidelines set out in 'A guide to preparing planning proposals' DPE 2016.

The PP has been prepared with the purpose of amending the HLEP 2012 to the extent to which it identifies the subject site as a 'Deferred Matter' and is submitted to the Hurstville City Council for assessment under Part 3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Whilst the provisions of the Hurstville Local Environmental Plan 1994 (HLEP 1994) are currently applicable to the subject site, this PP seeks amendment to the Hurstville Local Environmental Plan (HLEP 2012), under which the subject site is identified as a 'Deferred Matter' to establish an appropriate land use zoning, height and floor space ratio controls as well as the necessary land classification to achieve the intended outcomes of this PP under the current instrument.

This PP is underpinned by the following investigations and supporting documentation, which form part of the strategic context and support the proposed amendments to the HLEP 2012:

- Hurstville Civic Precinct Concept Design Report - DWP (Appendix A).
- Draft Site Specific Development Control Plan (Appendix B).
- Traffic Impacts Assessment - GTA (Appendix C).
- Preliminary Site Survey/ Plan of part of Patrick Street - creating (Proposed) Lot 100 (Appendix D).
- Table of Consistency with SEPPs (Appendix E).
- Table of Consistency with s9.1 Ministerial Directions (Appendix F).
- Community Consultation Outcomes Report (JBA 2016) (Appendix G).
- Proposed Mapping Amendments (Appendix H).
- Land tenure evidence base to support reclassification (Appendix I)

#### 2.1.1. Proposed amendments to HLEP 2012

In particular, this PP seeks the following amendments to the HLEP 2012:

	Existing	Proposed
<b>Land Use Zoning (LZN), Height of Buildings (HOB), Floor Space Ratio (FSR)</b>		
LAP	Hurstville Civic Precinct identified as a Deferred Matter	Remove Hurstville Civic Precinct Deferred Matter
LZN - Land use zone	Deferred Matter	B4 Mixed use
HOB - Height of Buildings	No HOB Designation	'Q1'(20m), 'U' 30m and 'AA'(60m)
FSR – Floor Space Ratio	No FSR Designation	V' (3.0:1) 'AB' (7.0:1) and 'Z' (5.0:1)
HER - Heritage	No heritage items listed under Schedule 5 of HLEP 2012 (Item I157 at 14 MacMahon Street is listed in Schedule 2 of the HLEP 1994).	Identify 14 MacMahon Street (lot 201 in DP 831931) as Item I157 on the heritage map. Include heritage item (Item I157) within Schedule 5 (Environmental heritage) of HLEP 2012

	Existing	Proposed
ASF	4-6 Dora Street (Lot 13 in DP 6510 and Lot 14 in DP 6510) identified as having active street frontage	Delete the red line identifying 4-6 Dora Street (Lot 13 in DP 6510 and Lot 14 in DP 6510) as having active street frontage. (Note: Active street frontage within the Hurstville Civic Precinct will be guided via the DCP and supported by a design excellence/ competitive process)
<b>Reclassification of Lot 13 in DP 6510 and Lot 14 in DP 6510 (known as 4-6 Dora Street)</b>		
Land Classification	Community	Operational (all trusts discharged)
<b>Part 6 Additional Local Provision</b>		
	No development standards specifically applicable to Hurstville Civic Precinct.	<p>Insert a development standard under Part 6 Additional Local Provision as follows</p> <p><b>6.10 Hurstville Civic Precinct</b></p> <p><i>(1) The objective of this clause is to facilitate the provision of community facilities and public benefits on the Hurstville Civic Precinct site.</i></p> <p><i>(2) This clause applies to land bounded by Queens Road, Park Road, MacMahon Street and Dora Street.</i></p> <p><i>(3) Development consent must not be granted on land to which this clause applies unless the consent authority is satisfied that the development will include:</i></p> <p><i>(a) Residential land uses to a maximum of 55% of the total permissible GFA; and</i></p> <p><i>(b) Community uses and facilities to a minimum of 25% of the total permissible GFA; and</i></p> <p><i>(c) Public open space at ground level to a minimum of 50% of the total site area, inclusive of a civic plaza that receives an average of 50% direct sunlight between 11 am and 2pm midwinter; and</i></p> <p><i>(d) Car parking for general public use that is additional to the requirements for all land uses.</i></p> <p><i>(4) For the purposes of this clause, community facilities for Hurstville Civic Precinct site means Council administrative and civic offices; multipurpose auditorium, library, museum, art gallery, community centre, associated uses such as cafés; a range of recreation, relaxation or study areas; and any other use that Council may consider appropriate to meet the needs of the community.</i></p>

The majority of the site is classified as 'operational' under the *Local Government Act 1993*, which allows for its future development in accordance with the objectives and permissible land uses within the B4 mixed use zone.

Lot 13 in DP 6510 and Lot 14 in DP 6510 (i.e. Baptist Church and adjoining land) were acquired by Council on 31 March 2017. Land acquired under the *Land Acquisition (Just Terms Compensation) Act 1991* is transferred to Council with a default 'community' classification, including associated trusts. As such, these lots are currently classified as 'community' land. This Planning Proposal seeks to reclassify these land parcels from 'community' to 'operational' land, and to discharge all trusts as necessary.



### **3. [PART 3] JUSTIFICATION**

#### **3.1. Section A – Need for the Planning Proposal**

##### **3.1.1. Is the planning proposal a result of any strategic study or report?**

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

- Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- Consistent with a relevant local council strategy that has been endorsed by the Department; or
- Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

This PP is underpinned by the Concept Design Report prepared for the Hurstville Civic Precinct by DWP provided in Appendix A.

The need for a review of built form design controls in the Hurstville City Centre, including height and FSR have been under consideration by the Hurstville City Council for some time with numerous urban design studies being developed by Council to identify an appropriate scale for the Centre.

The following documents culminate these considerations and represent the adopted position of the Hurstville City Council with respect to the scale, density and character of future development within the city centre and some that apply specifically to the subject site:

- Hurstville Civic Centre Master Plan (DWP 2018) (Refer Appendix A).
- Hurstville City Centre Urban Design Strategy (SJB 2017).
- Hurstville City Centre Concept Master Plan (Government Architects Office 2004).
- Hurstville City Centre Urban Form Study (Dickson Rothschild 2007).
- Hurstville Public Domain Plan (Hurstville City Council 2007).
- Open Space, Recreation, Community and Library Facilities Strategy (Hurstville City Council 2010).

The precinct surrounding the subject site has been the focus of significant redevelopment resulting in a major contextual transformation of the locality in recent years with development on nearby sites in the order of 14 storeys. Further discussion demonstrating the consistency of the PP with relevant strategic plans are provided in the following sections.

The PP is for an inner urban precinct and therefore the environmental significance of the site is minimal.

In the preparation of the Hurstville City Centre Plan Urban Design Strategy (SJB 2017), Georges River Council undertook a review of development controls throughout the Hurstville City Centre to establish an urban design vision that will underpin the scale of development in the Hurstville City Centre into the future. This City Centre Plan represents an evolution and culmination of previous city centre planning and underpins ongoing Council's strategic intent for the Hurstville City Centre. This plan envisages significant increase in scale and density across the Hurstville City Centre in order to facilitate its growth as a key metropolitan strategic centre.

The PP will enable Council to utilise proceeds from residential development of the site to fund key civic, community and recreational (i.e. open space) infrastructure to be accommodated on the site as outlined in the Concept Design Report at Appendix A.

With respect to the various city centre planning initiatives preceding and current at the time of preparing this PP as well as the DWP Concept Design Report provided at Appendix A, the following common elements have been taken into consideration in the preparation of this PP:

- **Role of the Hurstville Civic Precinct:** previous strategic visions for the subject site include a combination of land uses including civic, entertainment, commercial, residential and public open space.
- **Distribution of Building Bulk:** The location of taller elements of built form of up to 18 storeys has generally been focused towards north eastern end of the site adjacent to Park Street and the south western end of the site adjacent to Dora Street. The intent is to frame with civic plaza with taller buildings whilst managing overshadowing on nearby developments and enabling good solar access to the civic plaza with reduced height in the centre of the site.
- **Location of Civic Plaza:** The proposed Civic Plaza is consistently proposed towards the centre and south western end of the site with easy access to Dora Street, where the relationship between the main activity areas of the Hurstville City Centre (e.g. Forest Road, Westfield Shopping Centre) is strongest. This location also takes advantage of a low traffic location and heritage and character built form elements of MacMahon Street to frame the plaza in the most ambient part of the site with good solar access in mid-winter.

Strategic merit of the proposal is further demonstrated in the response to the following strategic documents below.

### Hurstville “Heart of the City” Place Strategy

The Hurstville Place Strategy plan to enhance and enable the City Centre to reach its full potential. It includes a set of actions that support the existing character, while working towards an exciting and innovative shared vision. The Strategy supports the transformation of the Hurstville Civic Precinct and planning proposal to create a regional multi-purpose community and entertainment hub.

The Strategy envisages that the Hurstville Civic Precinct will create an iconic cultural and civic heart. The Precinct will be a vibrant, culturally significant and inviting place for people to live, work and interact in Hurstville. As a showcase for the region, the Strategy envisages the Precinct will include important facilities for community and cultural uses, as well as extensive open public spaces, commercial, retail and hospitality opportunities along with affordable housing options to become the cultural heart of Georges River.

### Open Space, Recreation and Community Facilities Strategy 2018 – 2036

The Open Space, Recreation and Community Facilities Strategy 2018-2036 was developed to ensure that the Georges River community has adequate access to open space, recreation and community facilities into the future. The Strategy considers the provision of community infrastructure throughout the LGA including open space, the current and future demand for this community infrastructure, key gaps and needs, and future opportunities to better meet community needs.

The GRC Open Space and, Recreation and Community Facilities Strategy notes the role of the Hurstville Civic Precinct Master Plan at Appendix A for delivering community and open space outcomes on this site. Redevelop the Hurstville Entertainment Centre and Hurstville Museum and Gallery to consolidate and update all Council assets in the city centre and create a regional multipurpose community hub with an improved service offering. This direction is generally consistent with the vision in the Hurstville Civic Precinct Masterplan at Appendix A.

### Libraries 2030 Georges River Library Strategy

Libraries 2030 guides the development of Georges River Council’s public library services to 2030. The strategy is a framework for policies and the actions over the next ten years to align delivery of facilities with community needs. Action 1.7 of the Strategy supports the Hurstville Civic Precinct Master Plan’s proposal to include a new 6,000sqm library.

### **Hurstville Civic Centre Master Plan (GRC/ DWP 2018)**

Georges River Council and DWP have prepared a Concept Design Report for the Civic Centre Precinct, which is provided as Appendix A. The Concept Design Report aims to revitalise and transform the Civic Centre Precinct into a vibrant, culturally significant and inviting destination where people can live, work and interact. The vision of the Concept Design Report is to:

- Showcase Hurstville as a vibrant place to work, shop and live;
- Set a new future direction for the Hurstville Civic Precinct;
- Reinforce Hurstville's status as a Strategic Centre for Sydney; and
- Create a series of civic open spaces, community facilities, parks, commercial and residential infrastructure.

The Concept Design Report aims to rationalise the civic facilities while improving the civic focus through the creation of community facilities and public open space. It proposes a range of different land uses including community facilities and outdoor space, Council Chambers and Council offices, commercial, retail, residential and car parking.

The Concept Design Report has been prepared in conjunction with significant concept options analysis as provided for in Appendix A.

### **Hurstville City Centre Urban Design Strategy (GRC/SJB 2018)**

The Hurstville City Centre Urban Design Strategy (HCCUDS) was prepared by SJB on behalf of Georges River Council. The key objectives for the Urban Design Strategy are to:

- reinforce the role Hurstville as the gateway to southern Sydney;
- strengthen the use of public and active transport to and within the centre;
- enhance and strengthen the identity of the Centre;
- promote pedestrian connectivity and movement; and
- provide block by block planning controls for the Centre.

The HCCUDS does not make specific height and floor space ratio recommendations for the Civic Precinct as the site is a 'deferred matter' under the HLEP 2012 and subject to this separate site-specific planning proposal process. It is noted that the UDS does recommend considerable uplift for sites throughout the Hurstville City Centre.

Building heights proposed by this PP have been considered in terms of establishing an appropriate future relationship and transition between the subject site and neighbouring lands. As the future development of the site will include a significant area of public open space, the design approach is to focus taller buildings to the north and southern extents of the site.

Figure 4 highlights the intended context in which the building heights proposed by the PP will be located.

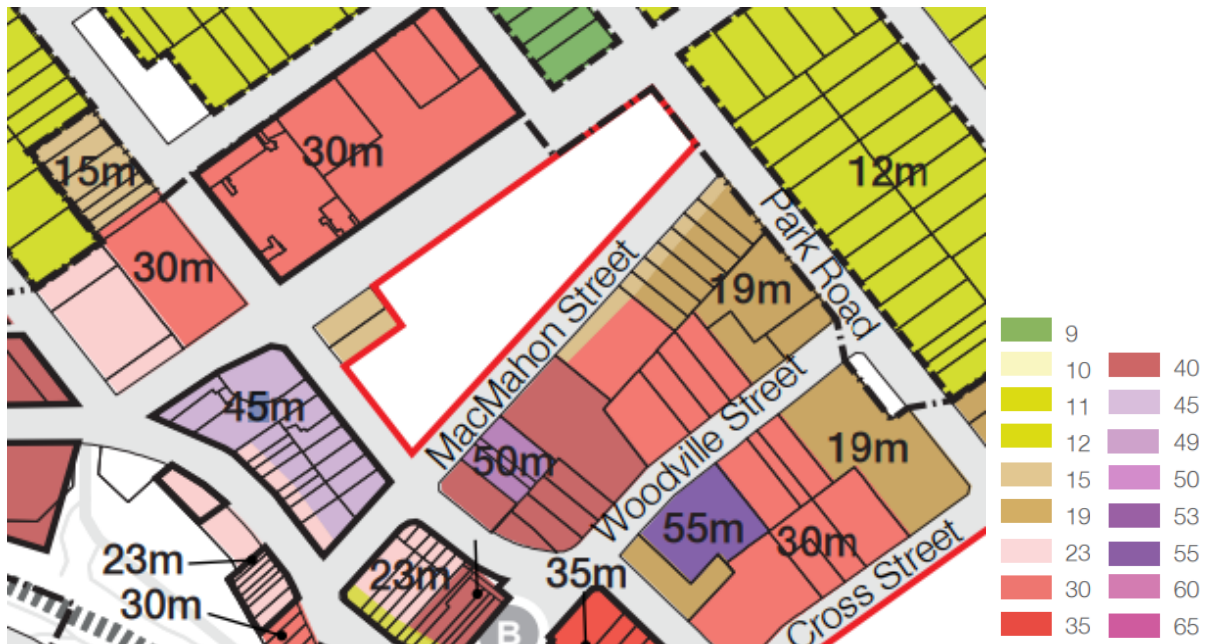


Figure 4 Proposed heights adjoining the Civic Precinct (source SJB/ GRC)

The HCCUDS includes a case study of the Civic Precinct Plaza, which notes the opportunity to create a new civic urban space within the Civic Precinct and the high-level landscaping elements and place making features and function of the space. The study recognises the opportunity for a combination and hard and soft landscaping surfaces to facilitate passive recreation performances, public gatherings, and public art installations. The Study notes the opportunity for Council to consider the occasional temporary closure of MacMahon Street to support special events, which has been incorporated into the Concept Design Report at Appendix A.

The Study supports the location of this civic space to address MacMahon Street where it is sheltered from the noise and traffic on Queens Road. Providing for adequate solar access and opportunity is also a key consideration outlined in this Study.

Figure 5 notes a number of design elements outlined in the Study to be considered as detail of the plaza is progressed. These have been addressed both with the Concept Design Report at Appendix A and the draft site specific DCP provided as Appendix B.

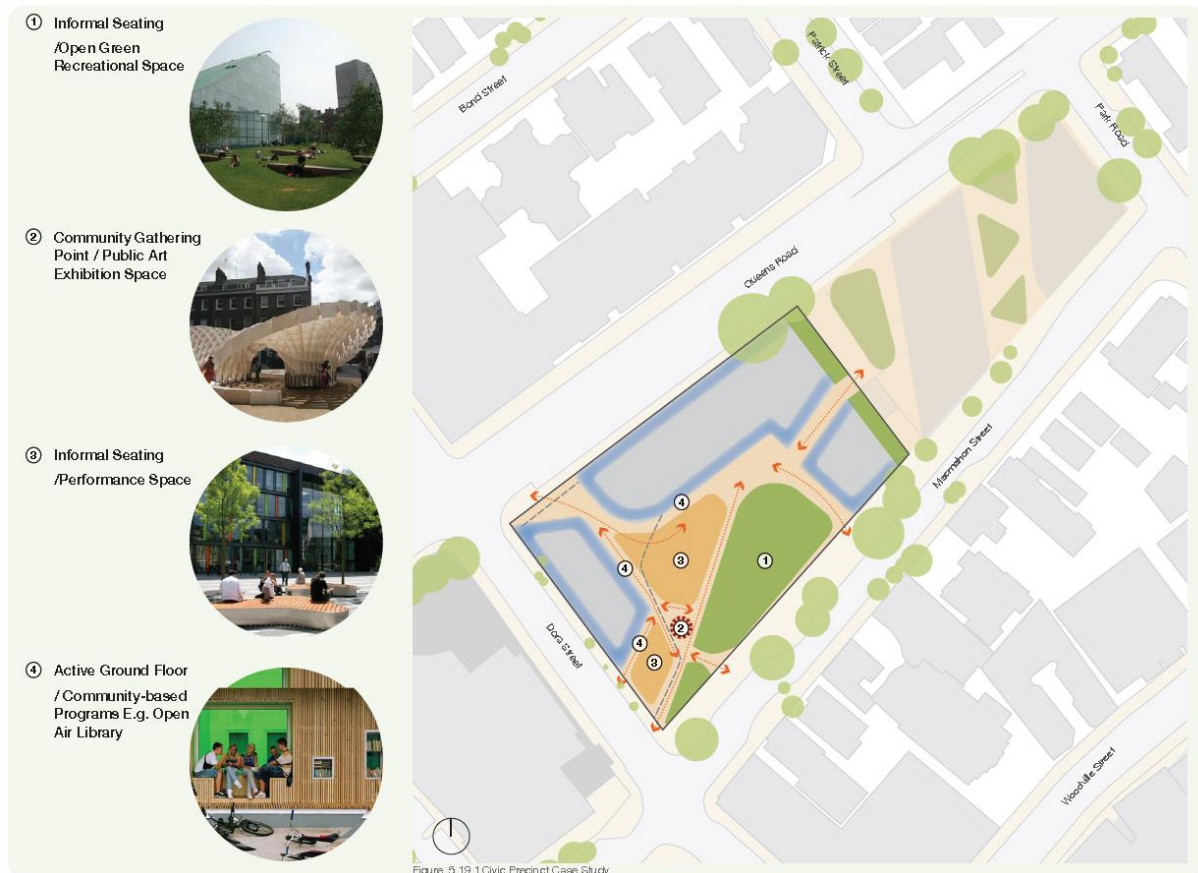


Figure 5 Civic Precinct Case Study (source SJB/ GRC)

The PP, DWP Concept Design Report at Appendix A and draft DCP at Appendix B are consistent with the above considerations.

### Hurstville City Centre Urban Form Study (Dickson Rothschild 2007)

The Hurstville City Centre Urban Form Study, prepared on behalf of Council by Dickson Rothschild, is an examination of the potential built form and recommended development yield across the Hurstville City Centre. The Urban Form Study sought to complement the Hurstville City Centre Concept Master Plan (2004) and provide certainty for urban form controls. It aimed to optimise development potential within the Hurstville City Centre, whilst ensuring that development is consistent with best practice urban design.

The Urban Form Study identifies the site as being located within the Civic Centre Precinct.

The study reaffirms the potential for the site to accommodate an element of public parking to be integrated within a future redevelopment. It also acknowledges that FSR and building height incentives will be required to achieve this outcome.

The Urban Form Study identifies the site as appropriate for 16 storeys (53 metres) and 'potential tower location' at the north eastern end of the site as illustrated in Figure 6.





Figure 6 Recommended heights (Source: Dickson Rothschild)

The study was adopted in 2007. Since then, significant changes have occurred in the planning system. The introduction of a new metropolitan strategy, The Greater Sydney Region Plan became effective in 2018 and supports further intensification in established railway-based centres, particularly strategic City Centres such as Hurstville.

The PP and Concept Design Report at Appendix A build upon the outcomes envisaged by the Dickson Rothschild Urban Form Study. Reflecting the recommendations outlined in the Urban Form Study, the PP will establish an appropriate building envelope through height and FSR controls for the subject site that can be readily implemented in conjunction with the requirements of SEPP 65 and the Apartment Design Guide (ADG), which is evident in the Concept Design Report.

#### Hurstville City Centre Concept Master Plan (Government Architects Office 2004)

The Hurstville City Centre Concept Master Plan 2004 was adopted by Hurstville City Council in 2004. It sets a number of key directions for the future of the centre of Hurstville with a focus on setting out implementable outcomes rather than setting out broad development principles. The Master Plan acknowledges Hurstville's role as southern Sydney's regional centre due to its geographic, social and economic role along with Hurstville increasing importance through population growth and economic development. The key objectives include:

- Consolidating Hurstville's regional role.
- Creating a civic identity.
- Accommodating and strengthening the civic focus of the city centre.
- Providing efficient, well designed and accessible public transport.
- Improving pedestrian movement.
- Providing a framework by which improvements to infrastructure may be facilitated.

- Reinforcing retail activity along Forest Road.
- Introducing a balanced approach to height and density.

The Master Plan specifically identifies the subject site as an opportunity site for a revitalised mixed use civic precinct including a 'sequence of open spaces' and new/ increased public parking opportunities. The Master Plan identifies a new public open space in the form of a civic plaza at the southern end of the site at the corner of Dora and MacMahon Streets. It also envisages a strong link between MacMahon Street and Queens Road. Refer Figure 7.



Figure 7 Civic Precinct Master Plan 2004

The Master Plan includes a vision for the Civic precinct as a consolidated precinct with community, entertainment and new Council offices with buildings of up to 12 storeys at the north eastern (Park Street) end of the site, with the Civic Plaza location towards the south west/ Dora Street end of the site. It is noted that the new arcade proposed by the Master Plan on the site on the south western side of Dora Street did not occur as a result of a more recent development of 9 Dora Street and as such that desire line has not been achieved as an approach to the site from Forest Road.

The Master Plan envisaged the following floor space areas for identified land uses throughout the precinct.

Table 3 Indicative Floor Space Yields

Uses	Floor space:
Commercial space	27,000 m <sup>2</sup>
Council/ Civic space	4,300 m <sup>2</sup>
Entertainment space	3,000 m <sup>2</sup>
Community space	2,000 m <sup>2</sup>

The Master Plan also envisaged two (2) levels of below ground car parking including provision for public car parking spaces.

A draft update to the Master Plan was undertaken by Hassell in May 2010, but was not adopted by Council.

This PP and Concept Design Report prepared by DWP in Appendix A presents an evolution of the concept outlined in the Master Plan noting that significant population growth has occurred since the preparation of this plan leading to a range of pressure points in the metropolitan areas requiring the need for more opportunities for housing, open space, amenity and enjoyment.

The PP will assist in delivering the outcomes envisaged by the Master Plan in that it proposes a high density mixed use civic, community and commercial development of the site, which is intended to facilitate increased provision of public car parking in the Hurstville City Centre. As demonstrated in the DWP Concept Design Report at Appendix A, well located plaza spaces and strong pedestrian interconnection is a key element of the intended outcomes proposed by this PP, which is consistent with the overarching principles of the 2004 Master Plan.

### **Open Space, Recreation, Community and Library Facilities Strategy (2010)**

In 2010, the then Hurstville City Council commissioned the preparation of an Open Space, Recreation, Community Facility and Library Strategy. It was intended as a strategic review of the City's broad open space, recreation, community facility and library current needs and development of strategies for the future upgrade, and improvement of existing facilities and provision of new facilities where necessary.

The Strategy was intended to provide Council with a framework for the planning and provision of open space, recreation, community facilities and libraries to the year 2031 in order to be able to respond to the increase in population expected in the (then) Hurstville Local Government Area (LGA).

The Strategy recommended that:

*"the existing Civic Centre site on McMahon Street be utilised to provide an enhanced level of district level community and library facilities. These facilities will serve both the existing and future populations of Hurstville suburb (City Centre and Hurstville Suburb) and the wider district level needs of the Hurstville LGA. These could be incorporated into a large and high quality mixed use development that houses civic and community spaces, indoor and outdoor spaces, commercial/retail and residential development."*

The Strategy was undertaken to inform the preparation of the Hurstville Development Contributions Plan to accommodate the needs of a growing population. Public facilities and open spaces recommended for the Hurstville Civic Centre within the strategy are summarised as follows:

- Larger library facility including informal community spaces, exhibition and gallery space.
- Multipurpose community centre including meeting rooms, flexible activity and youth-oriented spaces.
- Entertainment centre including a flexible auditorium/ function space.
- Office space for community organisations.
- Council offices and chambers.
- Town square/ civic plaza integrated with adjacent uses.

Figure 8 outlines the strategic intent for the Hurstville Civic Precinct and land uses to be accommodated within the as envisaged within the Strategy.



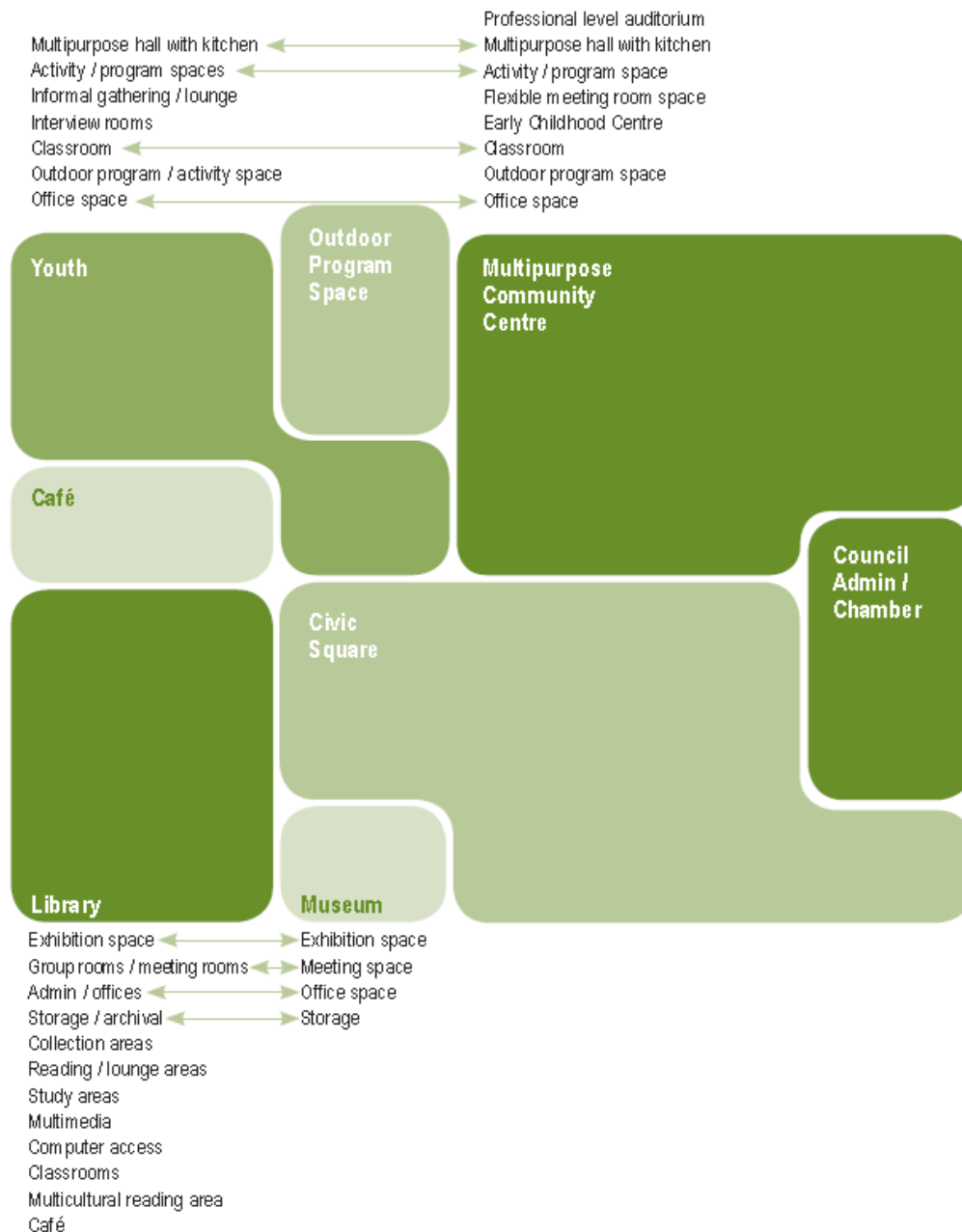


Figure 8 Civic Centre Diagram - Strategic Intent

This PP will facilitate the delivery of the Strategy by providing the necessary floor space to achieve community facilities required to provide for a growing population in and around the Hurstville City Centre.

It is also noted that since the preparation of this study, Council amalgamations have resulted in the merger of Hurstville and Kogarah LGAs placing greater pressure on the existing Council offices at the Hurstville Civic Centre.

#### Hurstville s94 [s7.11] Development Contributions Plan 2012 (Amendment No. 2)

The Hurstville Section 94 [s7.11] Development Contributions Plan 2012 (Amendment No.2) came into effect on 19 July 2017 and was been prepared to address anticipated demand for public amenities and public services generated by new development up to 2031.

The s94 plan identifies the following as key reasons instigating the upgrade of the Civic Precinct:

- A substantial proportion of the Hurstville population increase, over 30 percent will live in the Hurstville City Centre.
- If current trends continue, that incoming population is likely to be primarily new migrants, primarily from Asian countries and will therefore require additional community support.
- Hurstville City Centre is identified as a Major Centre in the Metro Strategy and therefore should provide appropriate scale facilities for the broader, LGA-wide, catchment.
- Council has substantial land-holdings in the centre at the Civic Precinct, which would cater for an integrated community centre and administration building.
- As indicated in the guiding principles, a quality facility, at an appropriate size and scale, collocating services and facilities, as well as open space (plaza) and car-parking, creating a sense of place and helping build community cohesion would all point to the provision of a community hub at the Civic Precinct.

The s94 plan makes the following allocations for the Civic Precinct:

- \$14,877,050 as a priority 1 project to upgrade links to the central library and museum complex/multi-purpose community centre.
- \$28,186,947 towards the development of a new 6,477m<sup>2</sup> Central Library and Museum complex (district level facility).
- \$10,164,714 towards the development of a 2,335m<sup>2</sup> multipurpose community centre including a senior citizens' centre and entertainment centre (district level facility).

This PP seeks to establish the necessary framework to enable Council to implement its strategic vision for the Civic Precinct.

#### **PN 16-001 Classification and reclassification of public land through a local environmental plan**

The PP seeks to reclassify Lot 13 in DP 6510 and Lot 14 in DP 6510 (i.e. former Baptist Church and adjoining land, known as 4-6 Dora Street) from "community land" to "operational land".

PN 16-001 provides guidance on classifying and reclassifying public land through a local environmental plan (LEP). PN 16-001 emphasises the need for councils to demonstrate strategic and site-specific merit and includes a comprehensive information checklist and clarifies issues arising for public reserves and interests in land.

The Hurstville Civic Precinct PP has been prepared to ensure consistency with PN 16-001 as demonstrated by Table 4.

Table 4 Response to PN 16-001

Matters for Consideration	Comment
<i>The current and proposed classification of the Land.</i>	<p>Lot 13 in DP 6510 and Lot 14 in DP 6510 (i.e. former Baptist Church and adjoining land, known as 4-6 Dora Street) is currently classified "community land".</p> <p>The land was compulsorily acquired on 31 March 2017 under the <i>Land Acquisition (Just Terms Compensation) Act, 1991</i>. Chapter 6, Part 2, Division 1, Section 31 of the <i>Local Government Act 1993 No 30</i> states:</p> <p><i>(2A) Any land acquired by a council that is not classified under subsection (2) is, at the end of the period of 3 months referred to in that subsection, taken to have been classified under a local environmental plan as community land.</i></p>

Matters for Consideration	Comment
	<p>As the land was not classified prior to 31 March 2017, and Council did not resolve to classify the sites as "operational land" within 3 months of the acquisition date, the sites were classified as "community land".</p> <p>Council is seeking to reclassify the land to "operational land".</p>
<i>Whether the land is a 'public reserve' (defined in the LG Act).</i>	The land is not a public reserve.
<i>The strategic and site specific merits of the reclassification and evidence to support this.</i>	<p>The merits of reclassification are discussed in detail in Section 3 of the PP in that they serve the purpose to facilitate the broader site vision, which will include a wide range of community-oriented uses.</p> <p>The existing buildings on the sites are no longer used for their original intended purpose and were subject to a now lapsed Development Consent (DA 2013/0143) approving their demolition. DA 2013/0143 lapsed on 16 October 2018.</p> <p>The vision set out in the PP is for a comprehensive redevelopment of the entire street block bounded by Dora Street, Queens Road, Park Road and MacMahon Street. This will enable the provision of new community facilities and public civic spaces. The PP will result in the creation of a new Civic Heart for Hurstville and reclassification of land to operational land will not diminish, and will in fact improve provision and accessibility to community-oriented uses in the locality.</p>
<i>Whether the planning proposal is the result of a strategic study or report.</i>	The Concept Design Report at Appendix A demonstrates the need for, and strategic merits of, a whole of street block approach to redeveloping the precinct to achieve the public benefits and a range of community facilities intended to be facilitated by the PP.
<i>Whether the planning proposal is consistent with council's Community Plan or other local strategic plan.</i>	Consistency with Council's Strategic Plan 2025 is demonstrated in Section 3.2.2 of the PP. Specifically, the PP, which includes reclassification of 4-6 Dora Street, will directly facilitate the establishment of new plaza spaces, and community facilities inclusive of a library, community centre, museum and gallery. This is consistent with the aims of the strategic plan to increase access to passive and active recreation opportunities, create employment opportunities and strengthen the Hurstville City Centre as a strategic centre.
<p><i>A summary of council's interests in the land, including:</i></p> <p><i>how and when the land was first acquired (e.g. was it dedicated, donated, provided as part of a subdivision for public open space or other purpose, or a developer contribution),</i></p> <p><i>if council does not own the land, the land owner's consent; and</i></p> <p><i>the nature of any trusts, dedications etc.</i></p>	<p>At the ordinary Council meeting on 19 November 2014, Council resolved to compulsorily acquire Lot 13 in DP 6510 and Lot 14 in DP 6510 for the purpose of developing the Hurstville Civic Precinct. An extract of this resolution is provided below:</p> <p><b>COW100-14 Property Matter - Strategic Acquisition - Civic Precinct Hurstville (13/1148)</b></p> <p><b>Minute No. 561</b></p> <p><b>RESOLVED THAT</b> Council pursuant to its powers under Sections 186 and 187 of the Local Government Act, 1993 acquire the land including any minerals known as Nos. 4-6</p>

Matters for Consideration	Comment
	<p><i>Dora Street, Hurstville NSW 2220, known on title as Lots 13 and 14 in Deposited Plan 6510</i></p> <p><i>THAT Council make application to the Minister for Approval to give proposed acquisition notices under the Land Acquisition (Just Terms Compensation) Act, 1991 in respect of the said premises 4-6 Dora Street for purposes of civic precinct.</i></p> <p><i>FURTHER THAT the General Manager be authorised to sign all documentation associated with the compulsory acquisitions including the "Notice of Compulsory Acquisition of Land" and that the notice be published in the NSW Government Gazette.</i></p> <p>The site was compulsorily acquired on 31 March 2017 pursuant to the above resolution. The Executed Deed of Release (redacted) is provided as Appendix I.</p> <p>There is no evidence of any trusts, estates, interests, dedications, conditions, restrictions or covenants over the site.</p> <p>This is evidenced by current land titles provided as Appendix J.</p>
<i>Whether an interest in land is proposed to be discharged, and if so, an explanation of the reasons why.</i>	<p>There is no evidence of any trusts, estates, interests, dedications, conditions, restrictions or covenants over the site. Therefore, no interests are proposed to be discharged.</p> <p>This is evidenced by current land titles provided as Appendix J.</p>
<i>The effect of the reclassification (including, the loss of public open space, the land ceases to be a public reserve or particular interests will be discharged).</i>	<p>The reclassification will not result in a loss of community oriented uses and will in fact directly facilitate the establishment of new plaza spaces, and a community facility inclusive of a library, community centre, museum and gallery, which is consistent with the aims of the strategic plan to increase access to passive and active recreation opportunities, create employment opportunities and strengthening of Hurstville City Centre as a strategic centre.</p>
<i>Evidence of public reserve status or relevant interests, or lack thereof applying to the land (e.g. electronic title searches, notice in a Government Gazette, trust documents).</i>	<p>There is no evidence of any trusts, estates, interests, dedications, conditions, restrictions or covenants over the site. Therefore, no interests are proposed to be discharged.</p> <p>This is evidenced by current land titles provided as Appendix J.</p>
<i>Current use(s) of the land, and whether uses are authorised or unauthorised.</i>	<p>The current use of 4 Dora Street is for temporary accommodation.</p> <p>The current use of 6 Dora Street is for youth community services.</p> <p>This is evidenced by the lease extracts (redacted) at Appendix K.</p>
<i>Current or proposed lease or agreements applying to the land, together with their duration, terms and controls.</i>	<p>4 Dora Street is subject to a commercial lease for the period between 23 December 2019 and 22 December 2021.</p> <p>6 Dora Street is subject to a commercial lease for the period between 1 August 2017 and 31 July 2020.</p> <p>This is evidenced by the lease extracts (redacted) at Appendix K.</p>

Matters for Consideration	Comment
<i>Current or proposed business dealings (e.g. agreement for the sale or lease of the land, the basic details of any such agreement and if relevant, when council intends to realise its asset, either immediately after rezoning/reclassification or at a later time).</i>	<p>The sites subject to commercial leases to accommodate interim community-oriented uses until such time that the site is redeveloped in accordance with the vision set out in the PP.</p> <p>No further business dealings have been considered in relation to the potential future use of the site (based on existing improvements contained within the site) under an "operational land" classification.</p> <p>No further business dealings have been considered in relation to the intended future development and use of the site for the purposes set out in the PP.</p>
<i>Any rezoning associated with the reclassification (if yes, need to demonstrate consistency with an endorsed Plan of Management or strategy).</i>	<p>This PP aims to set a new vision for Council endorsement. The PP demonstrates that the vision is consistent with the strategic direction of Council.</p> <p>The PP does not propose to rezone the sites, which are currently zoned B4 Mixed Use. The PP will not result in change to FSR on the sites, which is currently limited to 3:1. The PP proposes to increase building height from 15m to maximum (part) 30m and (part) 20m to enable the scale of buildings envisaged by the PP to be realised.</p> <p>Rezoning and introduction of building height and FSR controls for the wider Hurstville Civic Precinct are proposed. The PP demonstrates the strategic merits of the proposed LEP. Refer Sections 2 and 4.3 of the PP.</p> <p>No Plan of Management applies to the sites.</p>
<i>How council may or will benefit financially, and how these funds will be used.</i>	<p>The reclassification would permit a wider range of uses to be undertaken on the site.</p> <p>The uses undertaken on the site are interim and potential financial gains associated with greater land use diversity would not be significant in relation to the current improvements on the site. The reclassification is part of facilitating a broader vision on the site which aims to use financial gains associated with increased height and FSR to provide community and civic facilities and infrastructure that will facilitate a wider community benefit across the Georges River LGA.</p>
<i>How council will ensure funds remain available to fund proposed open space sites or improvements referred to in justifying the reclassification, if relevant to the proposal.</i>	<p>As stated in Section 3.3.3 of this PP, the increase in height and FSR for the subject site will create achievable and sustainable economic circumstances by assisting to offset cost imposts of providing high quality facilities catering for the growing community and entertainment needs of the Hurstville City Centre and Georges River LGA. Management of funds by Council will be facilitated through standard and transparent operational policies, procedures and practices.</p>
<i>A Land Reclassification (part lots) Map, in accordance with any standard technical requirements for spatial datasets and maps, if land to be reclassified does not apply to the whole lot.</i>	<p>Not required as the existing land boundaries will define land the land reclassification boundary upon registration.</p>

Matters for Consideration	Comment
<i>Preliminary comments by a relevant government agency, including an agency that dedicated the land to council, if applicable.</i>	Council is the freehold landowner of the site, comment from other government agencies not required.

### 3.1.2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

In this circumstance, where there is a suitable large-scale site under single ownership, that is located within an intensifying transit-oriented city centre within 200m of the Hurstville Train Station and 100 metres from the Woodville Street Transport (Bus) Interchange, then a PP that precedes a longer-term review of planning controls is considered warranted, particularly where it is seeking to resolve a 'Deferred Matter'.

A comparison between HLEP 1994 and the HLEP 2012, illustrates that land surrounding the subject site was previously zoned 3(b) Business Centre zone (HELP 1994), which throughout the City Centre has since been zoned under the HLEP 2012 as B4 Mixed Use. This is considered a like-for-like transition between land uses from the 1994 instrument to the 2012 instrument.

Given the B4 Mixed Use and R3 Medium Density context of surrounding lands in proximity to the subject site, a B4 Mixed use zone would be considered the most appropriate and consistent with the surrounding context under the HLEP 2012 instrument. Key objectives and permissible uses within the B4 zone permit development of the nature envisaged by this PP.

A PP is appropriate given Hurstville City Council had previously gazetted amendments to its HLEP 2012 on 24 July 2015. This brought into line height and FSR controls into the instrument, which had previously only been provided for in the HDCP 2. The subject site is deferred under HLEP 2012 so the proposed PP will bring the site into line with surrounding development and apply height and FSR controls.

Whilst the PP will result in a like-for-like transition from its current zoning under the HLEP, it is appropriate to introduce height and FSR controls that are consistent with the intended outcomes of the PP as well as providing an appropriate response to the surrounding and emerging local context as reflected in this PP.

The PP seeks to rezone the site to an existing zone and include height and FSR standards of HLEP 2012.

The Concept Design Report at Appendix A prepared by DWP is underpinned by significant consideration for a number of concepts that explored alternative approaches to massing distribution, site planning outcomes. Concept options analysis undertaken considered:

- Staging of the delivery to enable the future sale of residential lots at the north eastern end of the site and therefore establish the necessary funding stream to deliver the community-oriented facilities and public benefits; and
- Impacts of the proposed massing and site planning configurations in terms of their solar impacts on the new civic plaza and nearby built form and land uses and transition of building bulk.

Concept options analysis also considered the accessibility and sense of connectivity between the proposed civic plaza, the Forest Road shopping strip, Westfield Shopping Centre and the wider Hurstville CBD. This analysis considered various alternative potential locations for the Civic Plaza. It considered its central/ south west location as well as potential to locate the civic at the northern end of the site. However, it was considered that locating the park to the northern end of the site would diminish the plaza's civic role by locating it on the periphery of the City Centre in a location that was overrun by vehicle traffic and lacking in ambience.



The potential for the Civic Plaza to be framed by adjacent built form, which is a defining characteristic of a Civic Plaza is strengthened by its central location. The location of the plaza as provided for in the DWP Concept Design Report at Appendix A enables the creation of a park in a location where it has appropriate levels of solar access, relates to the various heritage buildings on MacMahon Street and has a direct relationship along the Barnett Street/ Dora Street desire line to the retail heart of the centre and nearby road and rail based public transport facilities.

It is recognised that the articulation of maximum building height and FSR controls are limited in their ability to guide the specific outcome intended by this PP. To manage this, building height has been articulated within proposed height of building mapping to generally accord with the intended building form described in Appendix A, while building in a suitable level of flexibility to support later detailed design processes. At the south western (i.e. Dora ) end of the site, two tower zones are provided as a means of manage and limit potential for overshadowing of residential development along Dora Street. This includes a tower zone of 30m at the corner of Queens Road and Dora Street, and a second 60m tower zone at the corner of MacMahon and Dora Street.

To further support building articulation and the management of impacts relating to building bulk, a draft site specific DCP has been prepared to guide the detailed design, land use distribution, place making qualities and interrelationships with the precinct. The DCP will assist Council is assessing and guiding the intended outcomes, while allowing for an appropriate level of flexibility to address particular matters at the detailed design stage.

In preparing height and FSR maps, consideration was given to the interrelationship of these controls and then the guidance and direction provided by other local provisions under the LEP and the site specific DCP. Overshadowing analysis demonstrates that an appropriate design solution for Buildings C and D can be achieved that suitably manages overshadowing impacts of building height in relation to the site and surrounding development within the prescribed OLS limitations for Sydney Airport. Whilst the subject site will have some flexibility in limit 'zone', FSR limitations and the need to ensure compliance with the intentions of the DCP will further support building articulation and the management of built form impacts. Specifically, the following interactions between controls will occur, which will ensure modulations in height will occur on the site in a manner that appropriately mitigates impacts:

- There are a range of controls in addition to the building height maps that will interact to facilitate design excellence and serve to limit building massing in a manner that results in suitable and manageable impacts within and adjacent to the Hurstville Civic Precinct, with particular consideration for the overshadowing impacts of Building D on the Dora Street residences and Buildings C and D on the Civic Plaza.
- The proposed FSR controls will limit the amount of floorspace achievable to ensure that all of the permissible height areas east and west of the heritage item are not 'filled' to their full permissible extent.
- There is site specific provision proposed under cl 6.10 which requires a minimum 50% of the site to be provided as public open space, with a civic plaza required to achieve an average of 50% solar access between 11am and 2pm mid-winter. This will further limit the potential areas where built form can be provided and will ensure that 50% of the site is without built form and provided in the location most able to facilitate solar access to the Civic Plaza.
- A significant portion of the GFA would be taken up within the high-rise portion of the development along Dora Street and other parts of the site as demonstrated in the preferred design concept. The remaining GFA being is required to avoid excessive overshadowing of the public realm and therefore resulting in a low rise form.
- The site specific DCP provides specific built form guidance in relation to built form configuration and specifically requires that overshadowing to residential uses along Dora Street is minimised.
- Design excellence criteria proposed under the Site Specific DCP (and to be introduced under the future GRLEP 2020), supported by a competitive design process required by the Site Specific DCP, will provide a sound basis for Council to facilitate desired development outcomes that appropriately balance impacts and benefits, through lens of design excellence.

The proposed approach will ensure appropriate flexibility to be able to respond to future design excellence processes and innovations in development which at this strategic stage of the planning process have not been identified in detail. There is a need for flexibility in the detailed design process to enable navigation of design excellence outcomes, and for permutations of the intended concept to be allowed for where design excellence can be demonstrated.

Noting the above, any further modulations within the height map or additional provisions under cl 6.10 is unnecessary given the suite of controls that will interact to manage the impacts of built form outcomes and limit the distribution of building bulk on the site.

SEPP 65 and the Apartment Design Guide will limit building envelopes for residential shop top housing development intended to be accommodated at the north eastern end of the precinct.

It is therefore considered that amending the HLEP 2012 as proposed and introducing a site specific DCP as proposed is the most appropriate, efficient and effective means of achieving the intended outcomes. This PP is the only way to achieve the intended high density mixed use development outcomes and public benefits on the subject site.

### **3.2. Section B – Relationship to Strategic Planning Framework**

#### **3.2.1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?**

##### **Greater Sydney Region Plan - A Metropolis of Three Cities 2018**

The Greater Sydney Region Plan - A Metropolis of Three Cities has been prepared by the GSC and was adopted in March 2018. It is 20-year plan to manage growth and change and is built on a 40-year vision where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places. This vision is consistent with the 10 Directions established in the Directions for a Greater Sydney that are a set of common guiding principles that will assist in navigating Greater Sydney's future as follows:

1. A city supported by infrastructure.
2. A collaborative city.
3. A city for people.
4. Housing the city.
5. A city of great places.
6. A well-connected city.
7. Jobs and skills for the city.
8. A city in its landscape.
9. An efficient city.
10. A resilient city.

Within the Greater Sydney Region Plan these Directions are presented via the three cities concept, with the cities being the Western Parkland City, Central River City and Eastern Harbour City.

The Hurstville City Centre is located in the Eastern Harbour City identified as a strategic centre under the plan, as shown in Figure 9 below. The plan notes the importance of enhancing residential supply and employment growth in strategic centres.



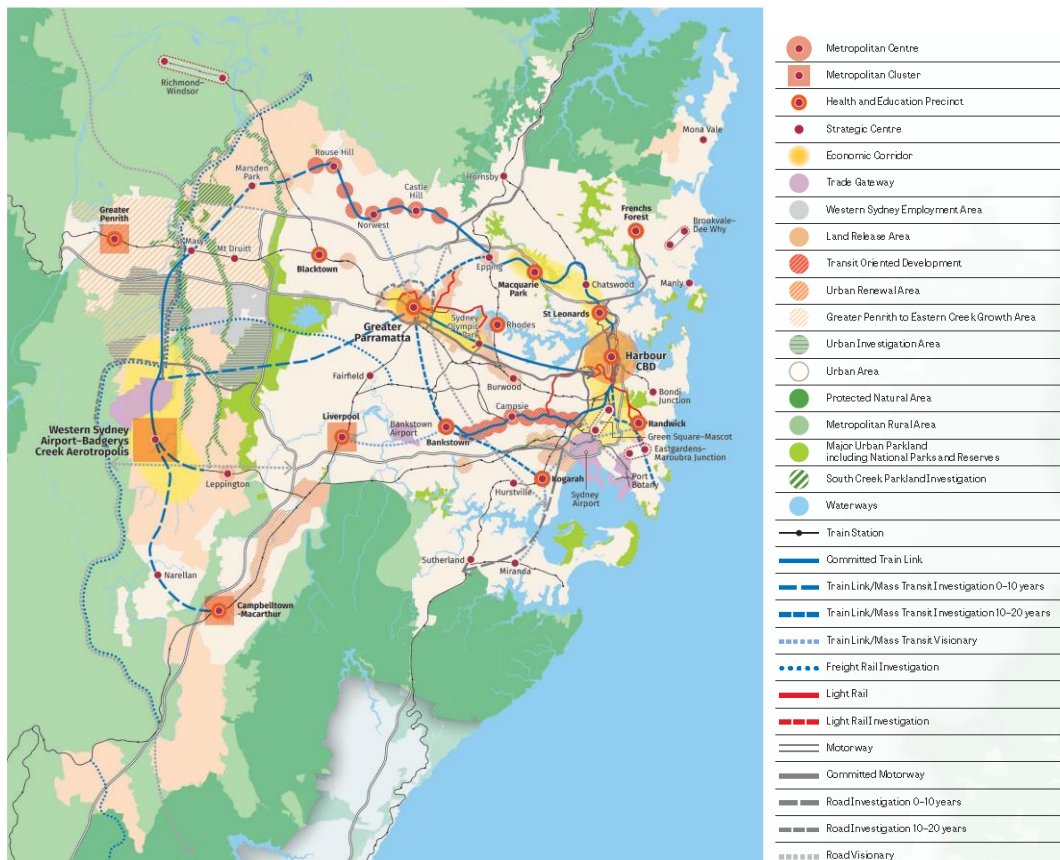


Figure 9 Metropolis of 3 Cities Vision to 2056 (Source: Greater Sydney Region Plan 2018)

The PP is consistent with the following objectives of the Plan:

*Objective 4 Infrastructure use is optimised in that it provides for intensification and efficient use land by co-locating services in close proximity to mass transit services.*

*Objective 6 Services and infrastructure meet communities' changing needs in that it will combine renewed civic, social and cultural infrastructure with commercial and residential opportunities to support employment, lifestyle and transport opportunities close to homes.*

*Objective 7 Communities are healthy, resilient and socially connected in that it will facilitate development of a new mixed-use destination that:*

- *provides walkable places at a human scale with active street life;*
- *prioritises opportunities for people to walk, cycle and use public transport through creation of new civic spaces, eats streets close to public transport services.*
- *co-locates civic and cultural facilities, recreation spaces, employment, residential and place making opportunities.*

*Objective 8 Greater Sydney's communities are culturally rich with diverse neighbourhoods in that it will provide for renewed civic and cultural facilities and civic spaces that cater for a diverse range of cultural and social needs, expressions and interactions.*

*Objective 9 Greater Sydney celebrates the arts and supports creative industries and innovation by providing renewed cultural facilities in the form of performance, museum, gallery and civic spaces to support arts and creative industries.*

*Objective 10: Greater housing supply and Objective 11: Housing is more diverse and affordable as it will increase the dwelling capacity of the subject site in close proximity to a railway station, thus allowing for greater housing supply in an area already well serviced by public transport, and which will become even better serviced in the future with the construction of the Sydney Metro West.*

*Objective 12 Great places that bring people together in that it will provide for renewed civic and cultural facilities and civic spaces that facilitate community interaction and cultural expression.*

*Objective 13 Environmental heritage is identified, conserved and enhanced in that it will facilitate retention, conservation and adaptive reuse of an existing heritage item within the site.*

*Objective 14 A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities in that it will intensify a diverse range of civic, cultural, commercial, retail and residential activities in a well-connected location in close proximity to the existing Hurstville railway station.*

*Objective 22 Investment and business activity in centres in that it proposes a more efficient and intensive use of an underutilised site in a major strategic centre in close proximity to regular road and rail based public transport services.*

*Objective 31 Public open space is accessible, protected and enhanced in that it will create new public spaces in a location that is in walking distance to the wider Hurstville CBD and nearby residential areas. The Concept Design Report at Appendix A envisages a high quality hard and soft landscaping to cater for a wide variety of place making opportunities.*

*Objective 32 The Green Grid links parks, open spaces, bushland and walking and cycling paths in that it will provide for a new civic plaza on an identified green grid (Refer Section 3.2.1.2).*

As demonstrated above the PP will directly deliver on numerous objectives outlined within the Greater Sydney Region Plan.

### **South District Plan – Connecting Communities**

Hurstville City Centre is identified in the GSC's South District Plan, which outlines a 20-year vision, priorities and actions for the South District for LGAs including Georges River Council.

The Hurstville City Centre is identified within the plan as a 'Strategic Centre'. Refer to Figure 10.

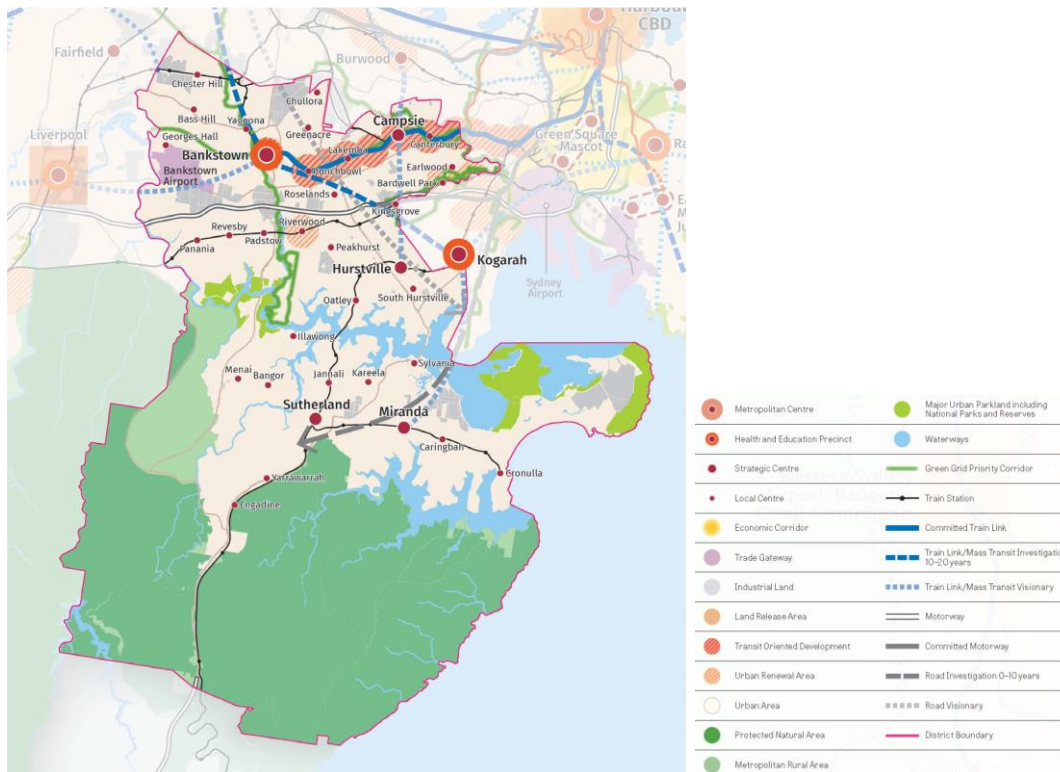


Figure 10 South District Plan (source GSC)

To respond to population growth, the Plan focuses on a number of Planning Priorities. The PP is consistent with the South District Plan with respect to the following priority areas:

*Planning Priority S3: Providing services and social infrastructure to meet people's changing needs*

This priority recognises that as the South District's population grows, planning must respond to the evolving needs of the community to provide services and social infrastructure that meet people's needs through different stages of life. The following actions have been identified by the plan to deliver on this priority:

8. Deliver social infrastructure to reflect the needs of the community now and in the future.
9. Optimise the use of available public land for social infrastructure.

The PP will directly deliver on this priority and identified actions in that it seeks to provide an achievable and sustainable development framework for the delivery of a civic and community-oriented hub.

*Planning Priority S4: Fostering healthy, creative, culturally rich and socially connected communities*

In delivering on this priority the plan, the South District Plan recognises that a multi-faceted and place-based approach is required foster healthy, creative, culturally rich and socially connected communities.

Co-locating artistic and creative organisations will support creative enterprises and precincts. This requires planning for multi-functional and shared spaces with opportunities for artists and makers to live, work, exhibit, sell and learn locally.

'Figure 5' of the South District Plan illustrates social infrastructure and includes facilities such as community and neighbourhood hubs, sports fields, clubs and courts, men's sheds, pools and leisure centres.

'Figure 8' of the South District Plan illustrates Hurstville as a location for enhancing 'street life and meeting places include live music venues, farmers' markets, high streets and 'eat streets'.

The following actions have been identified by the plan to deliver on this priority:

*10. Deliver inclusive places for people of all ages and abilities that support healthy, resilient and socially connected communities by:*

- a. providing walkable places with active street life and a human scale*
- b. co-locating schools, social, health, sporting, cultural and shared facilities.*

*11. Consider cultural diversity in strategic planning and engagement.*

*13. Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden, including:*

- a. creative arts and cultural enterprises and facilities*
- b. creative interim and temporary uses*
- c. appropriate development of the night-time economy.*

*14. Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places.*

*The PP will directly deliver on this key priority and its identified actions through the creation of an integrated cultural and community hub.*

*Planning Priority S5: Providing housing supply, choice and affordability, with access to jobs and services*

This priority seeks to facilitate a higher quality of life, reduce commute time through collocation of housing, employment, services and public transport. Under this priority, the South District Plan recognises housing supply must be coordinated with local infrastructure to create liveable, walkable and cycle-friendly neighbourhoods with shops, services and public transport.

The PP seeks to facilitate new dwellings on the site in a mixed use arrangement that brings together employment, community, civic, cultural residential and open space opportunities.

The subject site is located in close proximity to Hurstville Railway Station and the surrounding town centre, and therefore has the ability to facilitate new housing options close to public transport infrastructure.

The District Plan makes reference to the state government's contribution to the creation of housing capacity in the South District by investigating opportunities for urban renewal in strategic centres such as Hurstville City Centre. Table 2 on Page 42 of the Plan sets a housing target for Georges River LGA of some 4,800 dwellings within 5 years to 2021 (refer Figure 11).

LGA	0-5 year housing supply target: 2016-2021
Canterbury-Bankstown	13,250
Georges River	4,800
Sutherland	5,200
<b>South District Total</b>	<b>23,250</b>

Figure 11 Housing targets by LGA in the South District (source GSC)

The PP will enable an estimated 298 new dwellings to be supplied in the short to medium term to assist with meeting housing targets for the Georges River LGA and therefore will directly deliver on this priority.

The PP is aligned with the South District Plan and will contribute to delivering its envisaged outcomes, by amending the HLEP 2012 land use zoning, height and FSR controls to accommodate higher density development, which will assist in helping the Georges River LGA to increase housing capacity in the South District.

*Planning Priority S6 Creating and renewing great places and local centres, and respecting the District's heritage*

This planning propriety seeks to improve liveability in urban environments though planning for a mix of high-quality places that engage, activate and connect people and communities. The plan recognises that co-locating activities and social infrastructure in mixed use areas delivers more efficient use of land and enhances the viability of, and access to, great places, centres and public transport.

The PP will also facilitate liveability for both the existing and future Hurstville community and residents by providing new open space recreation place making opportunities within a well-connected city centre location.

The plan notes that the conservation and interpretation of places and values of heritage significance is required to give current and future generations a better understanding of history and people's past experiences.

The PP does not seek to alter the current heritage listing of the heritage item on the site.

*Planning Priority S9 Growing investment, business opportunities and jobs in strategic centres*

To manage the growth and change of the South District's centres, a centres hierarchy has been established with the Hurstville City centre identified as a strategic centre. The plan recognises that well-planned centres help to stimulate economic activity and innovation through the co-location of activities, provide jobs closer to where people live and use infrastructure more efficiently.

The plan notes that there will be a need to grow existing centres, particularly strategic centres to reconsider building heights and outward growth.

With respect to Hurstville City Centre, Page 69 of the South District Plan notes the following:

*"Hurstville is an important retail destination for the South District, with its high street and large shopping centres. It is a commercial precinct for residents and has a growing health services sector. Its cultural diversity presents tourism and nighttime economy opportunities. These activities are supported by good access to the centre by rail and bus services."*



*Improvements to Hurstville's public spaces and better integration of these with the shopping centres will help activate streets and attract visitors to the centre, creating opportunities for local employment and new economic activity."*

The plan expects the employment in the Hurstville City Centre will grow from the 11,600 jobs in 2016 to 15,000- 20,000 jobs in by 2036.

Table 5 outlines the PP response in relation to the specific actions identified to strengthen the Hurstville City Centre and deliver on this priority:

Table 5 Priority 9 Actions

Priority 9 Actions	PP and Urban Design Study Response
a. encourage and support shopping centre improvements to better integrate with the surrounding public spaces	The PP makes allowance for the creation of new retail and entertainment floor space complementary to the shopping centre. These spaces will be integrated with the new civic plaza and pedestrian linkages through the site.
b. create a strong sense of place by celebrating Hurstville's cultural diversity	The PP is to enable the creation of a major cultural, civic, community and recreational hub that will provide a diverse platform for community and cultural expression.
c. support the expansion of the hospitals in the centre and the growth of allied health services	Not directly applicable, however new commercial floor space will provide opportunities for medical services where supported by market demand.
d. encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy	The PP is to enable the creation of a major cultural, civic, community and recreational hub that will provide a diverse platform for community and cultural expression. It will include an 'eats street' which will enhance the night time economy and sense of vibrancy and activity.
e. build on the centre's administrative and civic role	The PP includes provisions that will enable the establishment of a new civic and administrative hub for Georges River LGA to ensure ongoing civic presence of Georges River Council in the Hurstville City Centre.
f. protect existing commercial lands for future employment opportunities	The PP provides for an increase in retail and commercial floor space in a format that provides both a vertical and horizontal mix of uses that will contribute to the economic vitality and vibrancy of the locality and the wider Hurstville City Centre.
g. facilitate the attraction of office and commercial floor space and provide opportunities to allow commercial and retail activities to innovate	Refer above.
h. recognise and support the role of Forest Road as a movement corridor and as an 'eats street'	The PP proposes a complementary destination, that will include food and beverage uses that will be oriented to interact with adjacent civic spaces. This will complement and build upon Forest Road as the main street of Hurstville City Centre.
i. encourage activation of secondary streets.	In providing a major anchoring civic destination, the PP will assist in increasing foot traffic in the vicinity and improving the exposure and therefore viability and prosperity of smaller retail tenancies on the surrounding local road network.

The PP will directly deliver on this priority as it will build on the administrative and civic role of the Hurstville City Centre through the creation of new civic, cultural and community facilities. The precinct

will bring together a raft of entertainment, retail and food based land uses, supported by a Civic Plaza that will assist in activating the precinct during day and night time hours.

*Planning Priority S12 Delivering integrated land use and transport planning and a 30-minute city*

The South District Plan recognises that improved connections between strategic centres in the South District, and to connect South District with strategic centres in Greater Sydney are important for business to business interactions and access to jobs.

To achieve this, the plan notes the following transport initiatives for investigation:

*Future Transport 2056 and A Metropolis of Three Cities identify short to medium-term initiatives, including city-serving and centre-serving transport initiatives, to provide people in the South District with better transport connections between districts and strategic centres and improve journey times. These include:*

*investigation into a higher-capacity city shaping transport corridor between Hurstville, Kogarah and Parramatta with initial focus on higher capacity bus services and in the medium term potential for a mass transit train link via Bankstown.*

By seeking to enhance the amenity and residential density of the Hurstville Civic Precinct, the PP is consistent with this priority as it will strengthen this strategic centre as a key destination on Sydney's evolving transport network.

*Planning Priority S15 Increasing urban tree canopy cover and delivering Green Grid connections*

The Greater Sydney Green Grid seeks to build on the District's existing open space, to establish a network of high quality green spaces that connect communities to the natural landscape.

As illustrated in Figure 12, the Hurstville City Centre is located on a future green grid opportunity corridor. The PP proposes to enable the creation of a new Civic Plaza, which will include a balance of soft and hard landscaping elements as well as catering for a wide variety of place making outcomes. This will create a new public open space destination in a location where it can interrelate with the proposed green grid in this location.

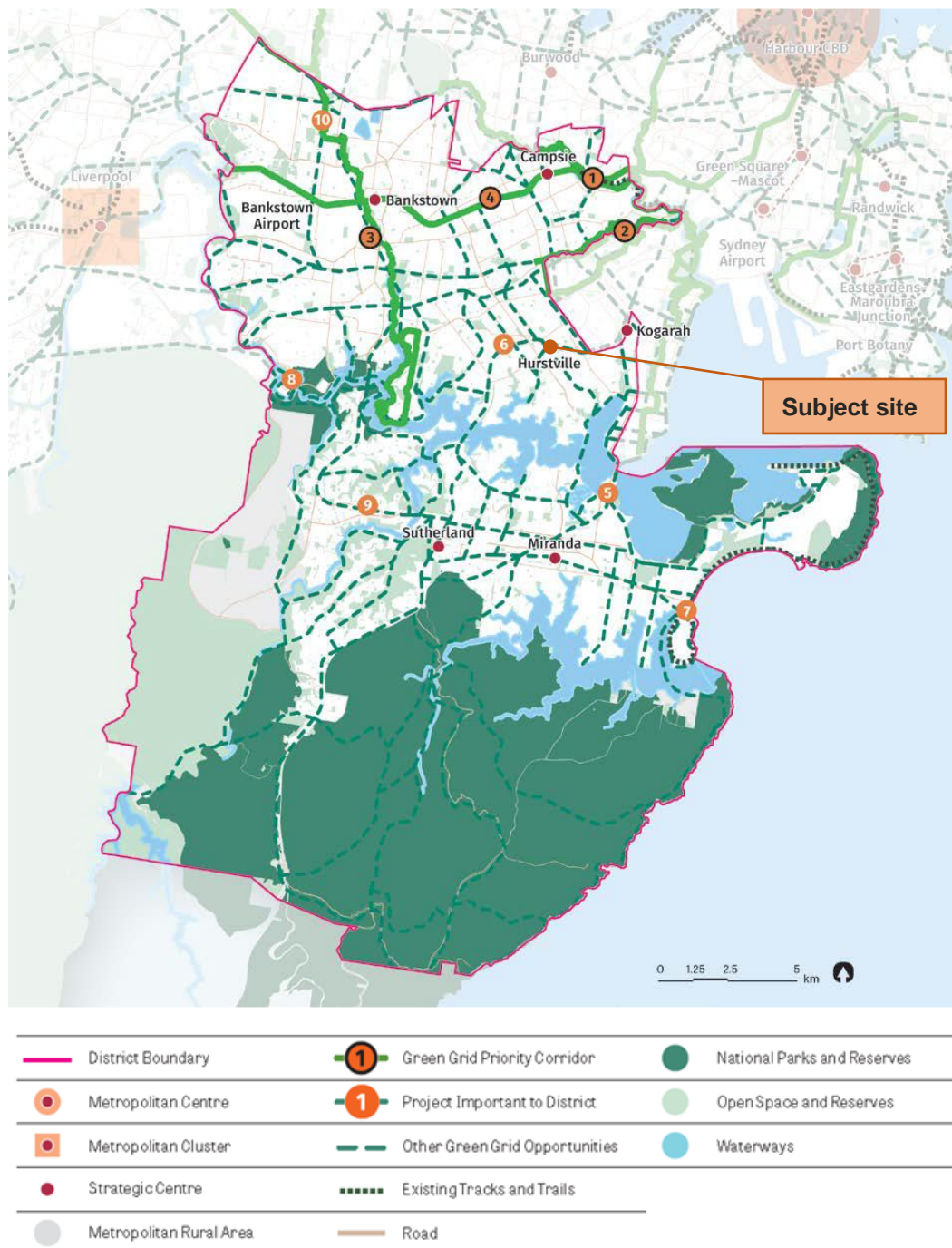


Figure 12 Green Grid connections in the South District (source GSC)

### 3.2.2. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

**Georges River LSPS 2040** The NSW Government recently introduced a new requirement for all councils to prepare a Local Strategic Planning Statement (LSPS) for their LGA. Georges River LSPS 2040 is intended to guide future land use planning and infrastructure delivery at the local level over the next 20 years.

The LSPS is required to give effect to the vision outlined in the South District Plan and Greater Sydney Region Plan, and to be informed by a range of studies and local strategies like the Community Strategic



Plan and the Inclusive Housing Strategy. The LSPS will in turn guide changes to local planning controls within Council's LEP and DCPs.

The Georges River LSPS sets out a desired future vision to 2040 for the local area, special characteristics and values to be preserved, and planning priorities and actions to manage future growth and change across the LGA.

The 2040 vision for the LGA is:

*"A productive place to live, work and enjoy – with diverse, active green, well designed and connected places."*

This desired future vision is further expressed through five interrelated themes. The themes and elements of the vision relevant to the Hurstville Civic Precinct are outlined below.

To achieve this vision, Council is required to plan for population and employment growth whilst being responsive to community values, local character, environmental constraints and infrastructure capacity.

Over the next 20 years Council will need to facilitate the development of around 14,000 new homes and 13,000 new jobs within the LGA. The revitalisation of the Hurstville Civic Precinct will play an important role in contributing to these housing supply and employment targets.

Themes and Local Planning Priorities	Comment
<b>THEME 1 ACCESS AND MOVEMENT</b>	
P3. Roads, footpaths and cycleways are safe, accessible and free of congestion	
A12. Provide controls for the provision of facilities to support the operation of car and ride sharing in high density residential and commercial centres in Council's Development Control Plan (DCP) 2020	Car and ride sharing will be considered at future detailed design and development application stages.
A13. Provide provisions that encourage people to walk or cycle around local neighbourhoods in Council's DCP 2020	The PP will enable Council to facilitate the development of a precinct that will vastly improve the walkability and provide a new destination in a city centre location that is connected to identified cycling routes. Further initiatives to incorporate facilities within the precinct to support cycling will be considered at future detailed design and development application stages.
<b>THEME 2 INFRASTRUCTURE AND COMMUNITY</b>	
P4. Collaboration supports innovation and delivers infrastructure, services and facilities	
A17. Adopt a policy statement that zoning changes will be contingent on the existing or suitable infrastructure provision and services	The PP is for a site in a city centre location that is well serviced by existing infrastructure including bus and railway services. The PP will also enable Council to improve community and social infrastructure provision to provide for a growing population in the City Centre and wider LGA.
A18. Investigate appropriate infrastructure funding options where there is an uplift in density	The PP will enable Council to leverage funds from the future development of the site to provide for identified social and community infrastructure on the site as well as public domain improvements including a new civic square and cultural facilities.
A22. Explore a District-wide and holistic approach to funding delivery and maintenance of social, asset and recreational infrastructure	

Themes and Local Planning Priorities	Comment
A23. Provide shade in new and upgraded outdoor Council community and recreation facilities	The PP will enable Council to provide a new civic plaza, pocket park and linkages that will provide opportunities for passive recreation and community interaction.
A25. Develop the Hurstville Civic Precinct as the regional cultural hub with premier library, community, performance, museum and gallery facilities	The PP will directly deliver on this priority by creating the necessary planning framework to establish a regional cultural hub with library, community, performance, museum and gallery facilities.
A29. Investigate the needs of emerging communities around infrastructure and public places	The PP will directly deliver on this priority by creating a regional cultural hub that includes a range of community facilities and public open space to cater for growth in the Hurstville City Centre.
A30. Collaborate with the NSW Government and State-owned corporations to deliver adaptive and flexible enabling infrastructure (energy, gas and water), especially in areas of housing and employment growth	Not directly related to the PP but the proposal is for a site that is connected to such infrastructure services, which will be upgraded as necessary to cater for incremental growth.
A33. Develop a smart streets strategy as part of delivering the vision for vibrant streets (Transport 2056) across the LGA	Not directly related to the PP but the proposal will facilitate the delivery of public domain improvements that will enhance the quality of the street network a provide a new destination within the Hurstville City Centre.
<b>P5. The community is involved in planning our future</b>	
A34. Engage the community on land use, development and infrastructure provision and consider the feedback in decision-making	The PP and supporting master plan at Appendix A has taken into account community consultation outcomes and will be subject to further consultation via the Planning Proposal/ Gateway process.
<b>P6. Everyone has access to efficient digital connectivity</b>	
A37. Implement Smart Cities pilot in three sites to improve access to digital technology for residents, businesses and visitors	Not directly relevant to the PP but will enable a new contemporary development of the site to incorporate new technologies that cater for digital connectivity.
A38. Investigate additional free Wi-Fi and technology solutions in new and upgraded Council facilities and in public places through place-making	This will be investigated by Council as new community facilitates and public domain improvements are developed in future.
<b>THEME 3 HOUSING AND NEIGHBOURHOODS</b>	
P8. Place-based development, quality building design and public art deliver liveable places	The PP will facilitate place-based development through the creation of new civic plaza, community and cultural facilities, a pocket park, linkages and an eats street that will provide an attractive and liveable new public city centre destination. Provision of public art is supported by the draft DCP.
A45. Incorporate design excellence provisions in Council's LEP 2020 and DCP 2020	Any future development of the site will be subject to Design Excellence provisions when made effective by Council's LEP 2020. The DCP also

Themes and Local Planning Priorities	Comment
	incorporates Design Excellence provisions specific to the Hurstville Civic Precinct.
A46. Include local provisions that facilitate place-making through urban design, urban art and connectivity between social infrastructure and people in Council's DCPs	The PP is supported by a site specific DCP that supports the integration of built form and place making outcomes.
P9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes	
A48. Facilitate a broader range of housing types across the LGA through rezoning land, including controls for medium density development in Council's LEP and DCP 2020	The PP will enable the provision of diverse housing opportunities on the site in the form of apartments.
A50. Establish a planning framework to provide housing for people from very low to moderate income households including key workers	The PP will enable the provision of diverse housing opportunities on the site in the form of apartments. Provision of affordable housing will be considered as a part of any future DA.
A51. Utilise the provisions in the EP&A Act for affordable housing, drawing from the outcomes of the Inclusive Housing Strategy	
P10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces	
A53. Include controls in Council's DCP 2020 to ensure accessible green spaces and gradual and appropriate height transitions, landscaping, vista protection and the integration of Crime Prevention through Environmental Design (CPTED) principles	Accessible green spaces, height transitions, landscaping, vista protection and the integration of Crime Prevention through Environmental Design (CPTED) principles have been addressed via the PP, supporting master plan and draft site specific DCP.
A54. Encourage temporary events through Council's LEP 2020	The PP will enable Council to establish a new Civic Plaza which will provide a public destination that is conducive to hosting temporary events such as performances and weekend markets.
P11. Aboriginal and other heritage is protected and promoted	
A56. Encourage adaptive reuse of heritage	The PP seeks to retain an existing heritage listing to facilitate the conservation and adaptive reuse of a heritage building within the site.
A58. Complete the Heritage Review for the Hurstville LEP and implement recommendations in Council's LEP 2020	The PP will enable a heritage site identified in the Hurstville LEP 1994 to be incorporated into the current LEP.
THEME 4 ECONOMY AND CENTRES	
P12. Land is appropriately zoned for ongoing employment growth	
A59. Introduce controls in Council's LEP 2020 to ensure the provision of non-residential floor space in the LGA's commercial centres	The PP seeks to zone the current Deferred Matter to B4 Mixed Use zone to provide for a range of non-residential floor space including cultural, community, retail and office floor space. The HLEP 2012 and draft GLEP 2020 provides for a minimum provision of non-residential floorspace of 0.3:1 in the B4 Mixed use zone.
A64. Ensure ongoing review of the zoning and development controls of all centres with the aim of providing sufficient employment floor space	The PP seeks to zone the current Deferred Matter to B4 Mixed Use to provide for a range of

Themes and Local Planning Priorities	Comment
to meet future population and employment projections	employment generating floor space including cultural, community, retail and office floor space.
A65. Introduce zoning and controls in Council's LEP 2020 that enable tourist and visitor accommodation, medi-hotels and carer accommodation in and adjacent to medical precincts	The PP does not specifically seek to establish tourist and visitor accommodation, medi-hotels and carer accommodation, however it will provide both residential and non-residential floor space that will complement the adjacent Waratah Private Hospital and provide a destination that is attractive to tourists and visitors.
A70. Commence a prioritised program of public domain improvements and place-making activities that improve liveability and enhance connectivity and vibrancy of centres	The PP will facilitate place-based development through the creation of new civic plaza, community and cultural facilities, a pocket park, linkages and an eats street that will provide a vibrant, interconnected and attractive new public city centre destination.
A72. Develop a Place Strategy for Hurstville Centre with a focus on enhancing the Centre as a Southern Sydney cultural hub	The PP will facilitate the creation of new civic plaza, community and cultural facilities, a pocket park, linkages and an eats street that will establish the Hurstville Civic Precinct as a Cultural Hub.
A74. Develop and implement a public art policy and program for strategic and local centres to facilitate art/culture trails across the LGA	The DCP specifically supports the provision of public art to be integrated with new public places in the Hurstville Civic Precinct.
P14. Hurstville, Beverly Hills and Kogarah are supported to grow night-time entertainment, dining and other recreational opportunities	
A78. Undertake a night-time economy study to identify and measure night-time activities in appropriate centres for greater activation	The PP and DCP aim to establish a range of ground floor uses to support the activation of new public places both day and night.
P15. All local centres are supported to evolve for long-term viability	
A80. Promote activation and ongoing viability by conducting place-based analysis of key centres including the investigation of development standards and centre expansion as part of Council's LEP 2022	The PP, supporting master plan and DCP adopt a place-based approach to provide activation of new public destinations.
<b>THEME 5 ENVIRONMENT AND OPEN SPACE</b>	
P17. Tree canopy, bushland, landscaped settings and biodiversity are protected, enhanced and promoted	
A88. Implement the Tree Management Policy to increase urban tree canopy and biodiversity across the LGA	The PP, supporting master plan and DCP will facilitate the creation of new public places, links and streetscape improvements that will enhance tree coverage. This will be further explored via the creation of a public domain strategy post Gateway.
P18. An environmentally friendly approach is applied to all development	
A91. Provide provisions in Council's LEP 2020 to ensure development in business, industrial and high density residential zones is consistent with principles of sustainable practice and environmentally sensitive design	The PP and supporting DCP will enable contemporary high density residential, commercial and community-oriented development to occur in line with design excellence principles that will ensure that environmental impacts are well managed and sustainable design initiatives are incorporated. The DCP will require that development on the site is to demonstrate

Themes and Local Planning Priorities	Comment
	sustainable principles for energy production, waste management towards carbon neutral and provide energy efficient buildings.
P19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	
A100. Investigate options to deliver Green Grid connections across the LGA	The Hurstville City Centre is located on a future green grid opportunity corridor. The PP proposes to enable the creation of a new Civic Plaza in a location where it can interrelate with the green grid.
A103. When increasing residential density through rezoning, innovative solutions will be required for public open space to be provided in accordance with the South District Plan's standard	The PP will directly facilitate creation of new public open space in the form of a Civic Plaza and pocket park.
A104. Include provisions for green infrastructure (such as plantings, green walls, green roofs and other permeable surfaces) in the private domain through Council's DCP 2020	Provision of plantings, green walls, green roofs and other permeable surfaces will be further explored at DA stage and supported by Design Excellence provisions.
A106. Develop an open space expansion plan and funding program that includes exploring acquisition of land to create public open space using both government owned land and innovative solutions	The PP will directly facilitate creation of new public open space on Council owned land in the form of a Civic Plaza and pocket park.
A108. Provide for additional open space in existing high-density areas through the DA process	The PP will directly facilitate creation of new public open space on Council owned land, and will be implemented via the DA process.

### Georges River Inclusive Housing Strategy and Delivery Program

The Inclusive Housing Strategy and Delivery Program for the Georges River LGA considers the housing needs for the Georges River community. The Strategy found that Hurstville was one of the fastest growing areas in the Georges River LGA over the decade to 2016 with 2.8% growth per year. It also found that the population in the LGA is significantly centred around Hurstville, which held over 20.3 percent of the population of Georges River LGA, of which approximately a quarter live in the Hurstville CBD. It identifies overcrowding as a serious issue in Hurstville with 18 percent of households requiring at least one extra bedroom, with 76% of two bedroom apartments requiring an additional bedroom.

These findings support the need for the PP to enable more housing to be provided in the Hurstville City Centre to relieve overcrowding. It also confirms the need for a greater level of amenity in the Hurstville Civic Centre to cater for the significant and growing City Centre population, which will be provided by this PP through new public places, community and cultural facilities.

### Georges River Community Strategic Plan 2025

The Georges River Community Strategic Plan 2025 (GRCSPP 2025) was adopted by Council in June 2018. GRCSPP 2025 is an overarching and primary document underpinned by a suite of plans, reports and reviews that make up the integrated planning process. It sets clear strategic directions and provides a blueprint for building the future of the Georges River LGA.

The GRCSPP contains 'six pillars' guiding the strategic direction of Council, considered important to the community.



*Pillar 1: A protected environment and green open spaces*

*Pillar 2: Quality, well planned development*

*Pillar 3: Active and accessible places and spaces*

*Pillar 4: A diverse and productive economy*

*Pillar 5: A harmonious and proud community with strong social services and infrastructure*

*Pillar 6: Leadership and transparency*

Table 6 provides an assessment of the PP against the six pillars of the GRCSP to demonstrate alignment between the PP and the strategic direction identified by the Georges River Council.

Table 6 Consideration of Council's Six Pillars

GRCSP Actions	Strategies	PP Response
<b>Pillar 1: A protected environment and green open spaces</b>		
<b>1.1 Council's environmentally sustainable practices inspire everyone to protect and nurture the natural environment.</b>	<p>1.1.1 Ensure the Georges River area is resilient in addressing energy, water and gas usage, sustainable buildings, waste diversion, green corridors, carbon emissions and urban design.</p> <p>1.1.2 Use waste management contracts and practices to divert waste from landfill sites.</p> <p>1.1.3 Help everyone to contribute to a more environmentally sustainable Georges River LGA.</p> <p>1.1.4 Develop and implement programs to protect and conserve the natural environment.</p>	The PP will establish a more integrated transit oriented mixed use precinct that reduces reliance on private vehicles. This PP encourages greater public transport use through best practice TOD planning. It also reduces the pressure on Sydney's expanding urban footprint by increasing density in an established urban centre.
<b>1.2 The LGA's waterways are healthy and accessible.</b>	<p>1.2.1 Use our role on the Georges River Combined Councils' Committee (GRCCC) to lobby State agencies and other stakeholders for a protected and enhanced Georges River.</p> <p>1.2.2 Maintain marine and foreshore assets in a safe and functional condition.</p>	Not directly relevant to this PP as the PP is not for land in a foreshore locality. Any wider reaching drainage impacts will be investigated as part of a future DA process.
<b>1.3 Everyone has access to beautiful parks and open spaces.</b>	1.3.1 Ensure all public parks and open spaces are accessible, well-maintained and managed to meet the recreational needs of current and future residents.	<p>The PP will enable a new Civic Plaza and pocket park to be created in a location that is presently deficient in open space availability.</p> <p>It is intended that these spaces be designed with a high degree of place</p>



GRCSP Actions	Strategies	PP Response
	<p>1.3.2 Review Plans of Management for sporting fields, parks, open space and bushland in the LGA.</p> <p>1.3.3 Understand the potential impacts of climate change when developing design principles for parks and open spaces.</p> <p>1.3.4 Use the GRC Open Space and Recreation Strategy to inform the provision of parks and open spaces.</p>	<p>making quality to cater for a wide range of needs and activities.</p> <p>The PP is responsive to the Open Space, Recreation, Community and Library Facilities Strategy (2010).</p> <p>The GRC Open Space, Recreation and Community Facilities Strategy notes the role and supports the outcomes of the Hurstville Civic Precinct Master Plan at Appendix A for delivering community facilities on this site.</p>
<b>1.4 Local heritage is protected and promoted.</b>	<p>1.4.1 Recognise the LGA's local heritage through heritage listings in LEPs and protection policies in DCPs.</p> <p>1.4.2 Capitalise on opportunities to recognise heritage assets in Council services and programs.</p>	<p>The PP will retain an existing heritage item on the site and proposes an approach that integrates the item appropriately with intended development outcomes.</p>
<b>Pillar 2: Quality, well planned development</b>		
<b>2.1 Sustainable development delivers better amenity and liveability for the community and the environment.</b>	<p>2.1.1 Prepare a comprehensive LEP for the entire LGA to improve and standardise development controls and regulations.</p> <p>2.1.2 Prepare a comprehensive DCP for the LGA to guide development in the LGA.</p> <p>2.1.3 Continue rigorous assessment of development applications (DAs), including compliance with DCPs, aesthetic qualities and environmental initiatives.</p> <p>2.1.4 Ensure high quality reporting and DA assessment by Council staff, local planning panels and the Sydney South Planning Panel.</p> <p>2.1.5 Utilise Council's Design Review Panel to provide independent and expert advice on the design quality of planning proposals and multi-storey developments that meet the review criteria.</p> <p>2.1.6 Adopt an effective fire safety program.</p>	<p>The PP proposes appropriate LEP and DCP controls that will provide the necessary implementation pathway to deliver on opportunities and initiatives depicted in the Concept Design Report to ensure intended results are achievable and deliverable.</p>

GRCSP Actions	Strategies	PP Response
<b>2.2 The community helps to plan the LGA's future</b>	2.2.1 Use community consultation and feedback to guide a comprehensive set of planning and development strategies that are incorporated into LEPs and Council policies.	The PP has taken into consideration community and stakeholder consultation outcomes previously undertaken by (then) JBA. Further consultation with the community will be undertaken post gateway in accordance with the relevant provisions of the EP&A Act and Regulation. This will include newspaper advertisement, public exhibition at Council offices and on Council's website and notification letters to nearby property owners.
<b>2.3 Council-led development and assets provide quality, long term benefits to everyone</b>	2.3.1 Ensure quality design and sustainability principles underpin the provision of Council facilities and other assets.	The PP will enable a more appropriate use of a presently underutilised site, while maintaining its current use within a future integrated mixed-use community focused development.  Council may use proceeds from the disposal of a portion of the site to fund the provision of a major public benefit in the form of a community, cultural and civic destination. A consolidated civic hub will also enable optimal management and maintenance operations.
<b>Pillar 3: Active and accessible places and spaces</b>		
<b>3.1 The LGA has a range of transport options to connect people, goods and businesses.</b>	3.1.1 Lobby for improved commuter car parking and manage local parking supply, including around train stations, to enhance business vitality and encourage public transport use, cycling and walking.  3.1.2 Work with the NSW Government to develop an integrated transport and land use plan and a 20-year precinct plan as part of Future Transport 2056 initiatives.	The PP allows for a future mixed use cultural and community hub development that can deliver some 1,200 car parking spaces including over 500 public car parking spaces (subject to the outcomes of a car parking strategy). The method of delivery will be refined as a part of a detailed future proposal.  The PP will facilitate the future development of a community, cultural, civic and residential transit oriented development (TOD) within 200m of a suburban railway station. The subject site is also located within 100m of the bus interchange. This focuses a higher population within walking distance to a train station and promotes greater public transport patronage.
<b>3.2 Roads, footpaths and cycleways are safe, accessible and free of congestion.</b>	3.2.2 Implement a program of capital and maintenance to meet the needs of current and future users of Council's infrastructure assets.  3.2.3 Collaborate with neighbouring councils to	The intent of the PP is to create an integrated community, civic and cultural precinct will assist in maximising the use of community assets and optimising maintenance programs.

GRCSP Actions	Strategies	PP Response
	deliver large-scale infrastructure and planning projects	
<b>3.3 Everyone, including people with disability, navigates the LGA in safety.</b>	3.3.1 Implement the GRC Disability Inclusion Action Plan.	Accessibility for all user groups to be considered in detailed planning, urban design and landscape/ public domain design stages.
<b>3.4 Everyone has access to a range of active and passive recreation facilities</b>	3.4.1 Guided by the GRC Open Space and Recreation Strategy, provide contemporary passive and active recreation spaces, aquatic facilities, synthetic fields, community centres and libraries.	The PP will directly facilitate the establishment of new plaza spaces, and a community facility inclusive of a library, community centre, museum and gallery providing for a range of passive and active recreational pursuits.
<b>Pillar 4: A diverse and productive economy</b>		
<b>4.1 Local businesses are supported to help protect jobs and create employment opportunities.</b>	<p>4.1.1 Primarily target economic development initiatives in Kogarah, Hurstville, Kingsgrove, Peakhurst and Riverwood.</p> <p>4.1.2 Develop economic programs that target the health, retail, construction, education and financial sectors, small to medium businesses and home based businesses.</p> <p>4.1.3 Deliver responsive placed-based activities across the LGA to promote the natural environment, improve cleanliness and safety, and assist local businesses</p>	The PP will enable a high density mixed use community focused development that will increase the supply and diversity of residential and business accommodation that will create employment opportunities and provide increased population in the city centre to support existing and future businesses.
<b>4.2 Outcomes from an Employment Lands Study ensure sufficient land is available for future employment growth.</b>	4.2.1 Develop an Employment Lands Study to preserve employment lands and to protect employment growth and services during land rezoning processes.	Not directly relevant to this PP, however the proposed increase in non-residential floorspace would be considered in the development of any future employment lands study.
<b>4.3 The ambitions for Hurstville and Kogarah as strategic centres are realised.</b>	<p>4.3.1 Advocate at all levels of government to ensure critical infrastructure accompanies significant residential and employment growth.</p> <p>4.3.2 Collaborate across all levels of government so that the Kogarah Health and Research Hub can grow and attract allied services, increase employment, provide a range of housing types (including affordable housing)</p>	The PP will facilitate the establishment of new commercial and retail enterprises as well as providing a new civic hub. This will increase the supply and diversity of residential and business accommodation in the Hurstville City Centre, which will carry benefits for both housing choice and affordability, as well as creating new opportunities for businesses and employment.

GRCSP Actions	Strategies	PP Response
	<p>and provide excellent transport connections to and within the South and Eastern City districts.</p> <p>4.3.3 Create an action plan with the business community that markets the LGA's investment opportunities.</p>	
<b>Pillar 5: A harmonious and proud community with strong social services and infrastructure</b>		
<b>5.1 We create and support events that celebrate community and cultural identity and benefit the economy.</b>	5.1.1 Initiate, facilitate and support inclusive and accessible events that meet the community's aspirations and actively connect Council to individuals, community groups and businesses.	The PP will facilitate the establishment of new facilities and plazas where cultural expression and participation may take place.
<b>5.2 Affordable and quality housing options are available.</b>	<p>5.2.1 Partner with State agencies to increase supply of affordable housing for residents on very low to moderate incomes.</p> <p>5.2.2 Advocate to the NSW Government to include 'key worker' housing for moderate income earners to be included in affordable housing initiatives.</p> <p>5.2.3 Advocate to the NSW Government to include mandatory affordable housing requirements in Council LEPs.</p> <p>5.2.4 Develop policies that encourage a greater supply of housing diversity and choice.</p> <p>5.2.5 Council-led development proposals incorporate, where feasible, options that support affordable and diverse housing.</p>	<p>The PP will enable a high density mixed use community focused development that will increase the supply and diversity of residential accommodation in the Hurstville City Centre, which will carry benefits for both housing choice and affordability.</p> <p>Affordable housing initiatives and mechanisms may be further considered post-gateway as necessary.</p>
<b>5.3 The community is socially and culturally connected.</b>	<p>5.3.1 Develop and implement a Social Plan and a Cultural Strategy that celebrates diversity, promotes the multicultural community, supports innovation and creativity and contributes to the economic success of the area.</p> <p>5.3.2 Develop, support and promote programs and activities that foster social participation and wellbeing of the diverse community,</p>	<p>The PP will facilitate the establishment of new cultural facilities and plazas where community interaction and performance can take place.</p> <p>This will provide a platform for celebrating and showcasing the cultural diversity of the Hurstville and wider Georges River community.</p>

GRCSP Actions	Strategies	PP Response
	<p>regardless of age, gender, sexual orientation, cultural or religious background.</p> <p>5.3.3 Develop an integrated Community Safety Plan to identify the role Council and others can play in helping to make the LGA a safer place.</p> <p>5.3.4 Provide and high quality, affordable and economically viable education and care across Council's children's services.</p>	
<b>5.4 Diverse, vibrant community facilities and spaces are connected, well maintained and accessible.</b>	<p>5.4.1 Expand the role of libraries as welcoming and inclusive spaces with services, collections and programs that inspire and engage with the community.</p> <p>5.4.2 Collaborate with State agencies, the education sector and neighbouring councils to provide regional-level community facilities.</p> <p>5.4.3 Provide a range of affordable and accessible facilities for community-based activities.</p> <p>5.4.4 Encourage and promote the arts through Council's cultural facilities including Hurstville Museum &amp; Gallery, Hurstville Entertainment Centre and Carss Park Artist's Cottage.</p>	<p>The PP will directly facilitate the establishment of a new community facility inclusive of a library, community centre, museum and gallery.</p> <p>Community engagement will be undertaken at future DA stage to assist in further defining the community offer in the precinct.</p>
<b>5.5 The community is safe and healthy.</b>	<p>5.5.1 Conduct Council's regulatory functions in accordance with legislative requirements.</p> <p>5.5.2 Manage public spaces to ensure legislative compliance and promote a safe and healthy environment for the community.</p>	<p>Management of proposed public spaces be considered post gateway and as a part of detailed design processes.</p>
<b>Pillar 6: A harmonious and proud community with strong social services and infrastructure</b>		
<b>6.1 The community is involved and listened to</b>	<p>6.1.1 Actively implement the GRC Community Engagement Policy and Strategy, providing a consistent and best-practice approach to engagement across all Council functions.</p> <p>6.1.2 Use of online, social media and other</p>	<p>The PP has taken into consideration community and stakeholder consultation outcomes previously undertaken by (then) JBA. Further consultation with the community will be undertaken post gateway in accordance with the relevant provisions of the EP&amp;A Act and</p>

GRCSP Actions	Strategies	PP Response
	<p>communication channels, including Your Say Georges River.</p> <p>6.1.3 Publicly and regularly report on our performance against strategic, financial and operational plans.</p>	<p>Regulation. This will include newspaper advertisement, public exhibition at Council offices and on Council's website and notification letters to nearby property owners.</p>
<p><b>6.2 Open, informed and transparent decision-making supports the interests of the community</b></p>	<p>6.2.1 Make all reports to Council Meetings public wherever possible under the Local Government Act 1993 or provide open and closed reports where necessary.</p> <p>6.2.2 Undertake effective risk management to provide greater certainty and security over the management of Council resources and services.</p> <p>6.2.3 Ensure procurement policies and practices demonstrate best-practice in probity assurance and legislative compliance.</p> <p>6.2.4 Provide timely access to Council information, in accordance with legislation, policy, public interest considerations, proactive disclosure and the respect for individual privacy.</p> <p>6.2.5 Use the Audit, Risk and Improvement Committee to independently advise Council on good governance, audit matters, business improvement and risk management controls.</p> <p>6.2.6 Ensure compliance with Section 232(1) of the Local Government Act and processes adopted in Council policies.</p>	<p>Proper protocols and processes will be adhered to in the consideration and assessment of this PP.</p> <p>Given the PP is for a local government asset, this PP will be assessed by an independent planning consultant as well as being considered by the Georges River Local Planning Panel to facilitate impartiality of the determination process.</p>
<p><b>6.3 Leadership focuses on innovation and improving the customer experience.</b></p>	<p>6.3.1 Meet customer service commitments that aim to make it easy to do business with Council and create systems and a culture that support positive customer experiences.</p> <p>6.3.2 Demonstrate a culture of continuous improvement and effective governance throughout Council services.</p>	<p>The PP will enable the development of a new civic centre and cultural hub that will make a direct contribution to the quality of the customer experience.</p>



GRCSP Actions	Strategies	PP Response
	6.3.3 Increase the status, influence, reputation and brand of GRC and its LGA through a greater focus on innovation and advocacy.	
<b>6.4 Council's assets and resources are managed responsibly and with accountability</b>	<p>6.4.1 Implement asset management plans to maintain infrastructure assets in a safe and functional standard, meeting current and future community needs.</p> <p>6.4.2 Maintain a sustainably strong financial position, balanced with demand for essential services and new projects, and having regard for Section 8B(d) (ii) of the Local Government Act (the current generation funds the cost of its services).</p> <p>6.4.3 Actively manage Council's property portfolio to maximise returns on investment in community assets and programs.</p>	The intent to create an integrated community, civic and cultural precinct will assist in maximising the use of community assets and optimising maintenance programs for this local government asset, which will be further considered as a part of later detailed design stages.
<b>6.5 The workforce is capable, resilient and diverse</b>	6.5.1 Implement leading people practices to create a high performing, capable and resilient workforce.	Not specifically relevant to this PP.
<b>6.6 Council has a regional-approach to service delivery and facilities.</b>	6.6.1 Plan for regional-level services and facilities and share information across State agencies and neighbouring councils	The PP will enable the establishment of a cultural hub destination that will have wide reaching benefits that extend beyond the Hurstville and GRC community.

### 3.2.3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

A table of relevant State Environmental Planning Policies (SEPPs) is included in Appendix E. The SEPPs that need to be considered are outlined as follows:

#### State Environmental Planning Policy No 55 - Remediation of Land

Clause 6 of SEPP 55 states:

*6 Contamination and remediation to be considered in zoning or rezoning proposal*

*(1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:*

*(a) the planning authority has considered whether the land is contaminated, and*

*(b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*

*(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.*

The site has been used as a car park and commercial/Civic building for a number of years. These uses are not listed in Table 1 to the Contaminated Land Planning Guidelines. Therefore, the site is unlikely to contain contaminated material based on its previous land uses. The site is currently zoned 3(b) City Centre Business zone under the Hurstville LEP 1994 and is proposed to be rezoned to B4 Mixed Use.

Notwithstanding this change in zoning, residential uses are already permitted on the site under the 3(b) zone and as such, the proposal is not introducing a more sensitive land use than is currently permitted on the site under the Hurstville LEP 1994. Contamination assessment and site studies will be addressed at the DA stages.

### State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development

The Concept Design Report at Appendix A has been prepared with due consideration for SEPP 65 and the Apartment Design Guide. Whilst the objective of the design concept for the site was not to provide a detailed design or built form; overarching design matters such as height, setbacks and solar access are critical issues to be considered at the PP stage to ensure that an appropriate built form can be achieved prior to detailed design processes occurring.

As such, the proposed building envelopes are consistent with SEPP 65 and the guiding elements of the Apartment Design Guide, in particular those pertaining to building separation, building depth and solar access for residential flat buildings.

The following table demonstrates that the PP is consistent with the key principles outlined within the Apartment Design Guide. The PP is consistent with State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development.

Table 3: Assessment of PP in accordance with SEPP 65 Principles

Provision	Response
<p><b>Principle 1: Context and Neighbourhood Character</b></p> <p>Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood. Consideration of local context is important for all sites, including sites in established areas,</p>	<p>Responds appropriately to the TOD and town centre location in proximity to Hurstville City Centre amenities and the Hurstville Train Station and Woodville Street Bus interchange.</p> <p>Land uses and intended scale of development is consistent with the role of Hurstville City Centre as a major strategic metropolitan centre.</p> <p>Consistent with state government aim to intensify railway based centres with higher density mixed use development.</p> <p>Takes advantage of the expansive railway reserve to the south of the site.</p> <p>Responds to Hurstville City Centre's location with high accessibility to Sydney CBD, Sydney Airport, Botany and numerous other employment centres with the Global Economic Corridor.</p>

Provision	Response
those undergoing change or identified for change.	
<p><b>Principle 2: Built Form and Scale</b></p> <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>The proposed scale of development is consistent with the existing and emerging scale of the surrounding precinct.</p> <p>Is consistent with Georges River Council's vision for the Hurstville City Centre set out in its Draft Hurstville City Centre Urban Design Strategy 2017 for increased densities in the City Centre.</p> <p>The development concept prepared by DWP Architects demonstrates that an appropriately scaled built form can be achieved to reinforce visual and interactive qualities of lower levels with upper levels that are designed to ensure appropriate solar access is achieved within and outside of the precinct.</p> <p>The proposed heights are generally consistent with airspace restrictions pertaining to the controlled airspace surrounding Sydney Airport. Further consideration can be addressed at detailed design stage with appropriate aviation inputs.</p> <p>The indicative development concept demonstrates that an appropriate response can be achieved in response to the emerging local context set out in Council's vision for the City centre set out in its Draft Hurstville City Centre Urban Design Strategy 2017.</p>
<p><b>Principle 3: Density</b></p> <p>Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context. Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	<p>The indicative development concept provides for increased housing opportunities in an area where it is most appropriate, with convenient access to public transport and local retail and community facilities.</p> <p>The proposed density responds the existing and emerging scale of the Hurstville City Centre and reflects higher density outcomes on nearby sites surrounding the civic precinct.</p> <p>The Concept Design Report at Appendix A provides for a major Civic Plaza that will provide an appropriate balance between development and amenity enhance enjoyment of the place for visitors, as well as existing and future residents in the Hurstville City Centre.</p>
<p><b>Principle 4: Sustainability</b></p> <p>Good design combines positive environmental, social and economic outcomes. Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials, and deep soil zones for groundwater recharge and vegetation.</p>	<p>Proposes renewal of the existing land uses and amenities on site will be provided in a multi-use mixed format which promotes sustainable ongoing management.</p> <p>Indicative concepts demonstrate that building bulk can be designed to ensure appropriate solar access to neighbouring properties, residential lands and the new Civic Plaza.</p> <p>Intensification and intermixing of land uses will reduce reliance on private vehicles, encourage public transport use and multi-purpose trips.</p> <p>The proposal will increase residential opportunities in an area of high amenity encouraging walking instead of driving.</p>

Provision	Response
<p><b>Principle 5: Landscape</b></p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values, and preserving green networks. Good landscape design optimises usability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity, provides for practical establishment and long term management.</p>	<p>The Concept Design Report at Appendix A provides a range of open space experiences including a large civic space that will be landscaped to a high quality.</p> <p>The Civic Plaza will include a range of soft and hard landscaping treatments to enable its use as a passive space or to as a location for organised events such as cultural gatherings, performances and weekend markets.</p> <p>The location of the Civic Plaza is positioned to take best advantage of:</p> <ul style="list-style-type: none"> <li>available solar access given the shadow-cast of existing surrounding buildings;</li> <li>the ambience of the quiet traffic environment of MacMahon Street whilst avoiding the heavily trafficked Queens Road and Park Road;</li> <li>proximity to the City Centre heart (i.e. Forest Road); Hurstville Train Station and Woodville Street Bus Interchange.</li> </ul>
<p><b>Principle 6: Amenity</b></p> <p>Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, and ease of access for all age groups and degrees of mobility.</p>	<p>The intermixing of civic, cultural, community, entertainment, retail and residential uses will provide a high level of amenity to future residents and visitors to the precinct.</p> <p>The proposed form is well oriented to allow for appropriate solar access, ventilation and outlook for all dwellings.</p> <p>As demonstrated by floor plate testing in the Concept Design Report at Appendix A, building envelopes proposed within the design concept are of sufficient depth and appropriate orientation to ensure that rational and efficient floor layouts can be achieved that are consistent with the requirements of the ADG.</p> <p>The Concept Design Report at Appendix A illustrates that appropriate solar access and cross ventilation can be achieved for each unit.</p>
<p><b>Principle 7: Safety</b></p> <p>Good design optimises safety and security, within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure</p>	<p>Passive surveillance of the new civic plaza and surrounding streets will be achieved through orientation of built form to maximise units and balconies overlooking the street.</p> <p>Increased residential density will assist in enlivening streets and parklands to crowd out potential opportunities for crime.</p> <p>The intermixing of civic, cultural, community, entertainment, retail and residential uses will promote a greater level of activity during day and night time hours to crowd out opportunities for crime and antisocial behaviour.</p> <p>Active edges to streets and public places will be provided at ground level to maximise the relationship between built form,</p>

Provision	Response
access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.	new civic plaza and surrounding streets and more opportunity for night time activity to 'crowd out' opportunities for crime.
<p><b>Principle 8: Housing Diversity and Social Interaction</b></p> <p>Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets. Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix. Good design involves practical and flexible features, including different types of communal spaces for a broad range of people, providing opportunities for social interaction amongst residents.</p>	<p>The proposed form will enable a variety of apartment types to cater for a variety of budgets and needs.</p> <p>Intensification of residential activity in Hurstville City Centre will support local business enhancing viability and diversity of local amenities.</p> <p>A future development will include a civic plaza which will provide for interaction among residents and the wider community.</p> <p>Design of roof terraces and communal open space for apartment buildings will be addressed as a part of a detailed design stage.</p>
<p><b>Principle 9: Aesthetics</b></p> <p>Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures. The visual appearance of well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	<p>The indicative concepts demonstrate that an appropriate form and scale can be achieved on the site, consistent with the location within a major strategic metropolitan city centre that is serviced by frequent rail and road based public transport services.</p> <p>The indicative form demonstrates that an appropriate relationship can be achieved between neighbouring forms by adhering to required building separation requirements set out in the ADG.</p> <p>An appropriate detailed architectural response as a part of a future development application will appropriately address the architectural quality of a future development as required by the ADG.</p> <p>The Concept Design Report at Appendix A and draft DCP at Appendix B aim to ensure design excellence for buildings within the Hurstville Civic Precinct.</p>

As demonstrated above, the indicative built form provided for under in the Concept Design Report at Appendix A and the draft DCP at Appendix B is capable of compliance with the core requirements of the ADG/ SEPP 65. Further detail can be explored as a part of a future detailed design process in conjunction with Council its Design Review Panel and Local Planning Panel.

### 3.2.4. The indicative built form concept has been carefully designed to minimise overshadowing of residential uses on Dora Street as well as the Civic Plaza. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The s 9.1 Ministerial directions that are relevant considerations for this planning proposal are:

- 1.1 Business and Industrial Zones.
- 2.3 Heritage Conservation.
- 2.6 Remediation of Contaminated Land.
- 4.1 Acid Sulphate Soils.



- 4.3 Flood Prone Land.
- 6.2 Reserving Land for Public Purposes.
- 6.3 Site Specific Provisions.
- 7.1 Implementation of A Plan for Growing Sydney.

Appendix F provides a summary of the PP's consistency with all Section 9.1 Directions.

### **s9.1 Direction – 1.1 Business and Industrial Zones**

The PP will affect land surrounded by a Business zone being the B4 Mixed Use zone. The land is not presently zoned for business uses due to its current status as a 'deferred matter' but has been previously zoned as 3 (b) City Centre Business Zone under the HLEP 1994.

#### *Objectives*

*(1) The objectives of this direction are to:*

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified strategic centres.*

*Where this direction applies*

*(2) This direction applies to all relevant planning authorities.*

*When this direction applies*

*(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).*

*What a relevant planning authority must do if this direction applies*

*(4) A planning proposal must:*

- (a) give effect to the objectives of this direction,*
- (b) retain the areas and locations of existing business and industrial zones,*
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,*
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and*
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

#### *Consistency*

*(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

*(a) justified by a strategy which:*

*(i) gives consideration to the objective of this direction, and*

*(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*

*(iii) is approved by the Director-General of the Department of Planning, or*

*(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or*

*(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*

*(d) of minor significance.*

This direction aims to ensure the economic and efficient development of existing business areas and centres, and related public services. This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).

The PP is consistent with the Ministerial Directions as it does not propose the alteration of the subject site's existing land use zoning in that it proposes a like for like transition of the subject site's former Zone No 3 (b) City Centre Business Zone under the HLEP 1994 to a B4 Mixed use zone as has previously occurred for surrounding land irrespective of the subject site's current status as a 'Deferred Matter' under the HLEP 2012. Specifically, the PP will create (not reduce) potential floor space area for employment uses and related public services in an area that is predominantly business zoned.

### **s9.1 Direction – 2.3 Heritage Conservation**

The precinct includes a site at 14 MacMahon Street (Lot 201 in DP 831931) listed as a heritage item (item I157) in Schedule 2 of the Hurstville 1994 LEP. This site is also included in the State Heritage Inventory (SHI) database (1810094) and identified as an item of local heritage significance.

The site is not presently included in Schedule 5 of the HLEP 2012 as it is within land which was excluded from the recent amendments. This land is identified as a deferred matter under the LEP 2012 and the clauses of the 1994 LEP apply for this listed item until resolved.

Therefore, this Direction is applicable.

#### *Objective*

*(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.*

#### *Where this direction applies*

*(2) This direction applies to all relevant planning authorities.*

#### *When this direction applies*

*(3) This direction applies when a relevant planning authority prepares a planning proposal.*

#### *What a relevant planning authority must do if this direction applies*

*(4) A planning proposal must contain provisions that facilitate the conservation of:*

(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,

(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and

(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

#### Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:

(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or

(b) the provisions of the planning proposal that are inconsistent are of minor significance.

The PP proposes to include Item 157 under Schedule 5 of the HLEP 2012 and amend Heritage Map - Sheet HER\_008A to identify the Item on the map.

Noting that the subject site is also in close proximity to the following heritage items listed in Table 7.

Table 7 Nearby heritage items

Item Name	Address	Significance	Item No.
Fire Station	27 MacMahon Street	Local	I159
Friendly Societies' Dispensary Building	17 MacMahon Street	Local	I158
Presbyterian Church	1 MacMahon Street	Local	I156

The previous PP prepared by (then) JBA in July 2016, proposed the delisting of Heritage item I157 within the site. Feedback provided by Council's independent planning assessor in March 2017 did not support the delisting of that item.

In response to this matter, this PP has been amended to retain the heritage listing of item I157 at 14 MacMahon Street by including it within Schedule 5 of the HLEP2012 and on HER Map 008A. The Concept Design Report provided as Appendix A includes an indicative development concept that retains the heritage listing and considers the potential relationship between a future built form on the site and the existing heritage item.

This PP and supporting Concept Design Report at Appendix A do not seek approval for an actual built form on the site, and as such the specific level of detail of how the heritage item would be addressed is subject to later detailed design processes. However, the PP allows for retention of the heritage item to be integrated with a future built form on the site or as a standalone building.

Retaining and integrating the built form with a contemporary building is consistent with the treatment of nearby heritage items on MacMahon Street. In particular, the relationship between the Fire Station and

contemporary apartment buildings behind is consistent with the approach envisaged within DWP's indicative development concepts at Appendix A.

It is considered that the further design and assessment of heritage matters can be dealt with at any future DA stage for the subject site.

### **s9.1 Direction – 2.6 Remediation of Contaminated Land**

The precinct is in a City Centre location and is currently developed for a range of civic and cultural purposes, and includes an at grade car parking facility.

The provisions of this Direction are set out as follows:

#### *Objective*

*(1) The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.*

#### *Where this direction applies*

*(2) This direction applies to:*

*(a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,*

*(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,*

*(c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:*

*(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and*

*(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).*

#### *When this direction applies*

*(3) This direction applies when a planning proposal authority prepares a planning proposal applying to land specified in paragraph (2).*

#### *What a planning proposal authority must do if this direction applies*

*(4) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless:*

*(a) the planning proposal authority has considered whether the land is contaminated, and*

*(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.*

*In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.*

*(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines*

The site has been used as a commercial/civic building and car park for a number of years. These uses are not listed in Table 1 of the Contaminated Land Planning Guidelines. Therefore, the site is unlikely to contain contaminated material based on its current land uses. The site is currently zoned 3(b) City Centre Business zone under the Hurstville LEP 1994 and is proposed to be rezoned to a similar B4 Mixed Use zone under HLEP 2012.

Notwithstanding this change in zoning, residential uses are already permitted on the site under the 3(b) zone and as such, the proposal is not introducing a more sensitive land use than is currently permitted on the site under the Hurstville LEP 1994. Contamination assessment and site studies will be addressed at the DA stages if necessary. As such, the PP is consistent with the objective of this Direction. **s9.1**

### **Direction 3.5 - Development Near Licensed Aerodromes**

The Hurstville Civic Precinct is located within the prescribed airspace for Sydney (Kingsford Smith) Airport and Bankstown Airport. As the PP proposes to amend building height and FSR controls in the vicinity of licenced aerodromes, this Direction applies.

The provisions of this Direction are set out as follows:

#### *Objectives*

*(1) The objectives of this direction are:*

*(a) to ensure the effective and safe operation of aerodromes, and*

*(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and*

*(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.*

#### *Where this direction applies*

*(2) This direction applies to all relevant planning authorities.*

#### *When this direction applies*

*(3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.*

#### *What a relevant planning authority must do if this direction applies*

*(4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:*

*(a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,*



*(b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,*

*(c) for land affected by the OLS:*

*(i) prepare appropriate development standards, such as height, and*

*(ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome*

*(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.*

*(5) A planning proposal must not rezone land:*

*(a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or*

*(b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or*

*(c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.*

*(6) A planning proposal that rezones land:*

*(a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or*

*(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or*

*(c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.*

#### *Consistency*

*(7) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

*(a) justified by a strategy which:*

*(i) gives consideration to the objectives of this direction, and*

*(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*

*(iii) is approved by the Director-General of the Department of Planning, or*

*(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*

*(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*

*(d) of minor significance.*

This direction applies as this planning proposal seeks to create a zone and height and FSR provision relating to the subject site in the vicinity of a licensed aerodrome, being Sydney Airport and Bankstown Airport.

This PP is consistent with this Direction as it:

- does not propose to increase residential density on land where the ANEF exceeds 25;
- does not propose to enable office uses on land where the ANEF exceeds 30; and
- proposes appropriate height and FSR standards so as not to encroach into the OLS.

As the subject site is located outside of the 20 ANEF, this PP does not require a provision to ensure that development meets AS 2021 regarding interior noise levels.

#### Sydney Airport

The Hurstville Civic Centre is located within prescribed airspace for Sydney Airport and therefore the PP will be referred to relevant aviation authorities for comment.

The subject site's location in relation to Sydney Airport requires consideration for protecting the functionality of airspace.

In this regard, the following matters are considered relevant to this PP.

#### *Obstacle Limitation Surface*

Figure 13 highlights the location of the Hurstville Civic Precinct in relation to Sydney Airport's Obstacle Limitation Surface (OLS). Figure 14 highlights the location of the Hurstville Civic Precinct in relation to Procedures for air navigation services – aircraft operations surfaces (PANS-OPS). These give heights (to Australian height datum – AHD) above which all developments, including those outside of the airport, need to consider issues relating to obstacle height.

SAMP 2033 defines OLS as 'a series of surfaces in the airspace surrounding an airport. The OLS defines the airspace to be protected for aircraft operating during the initial and final stages of flight, or manoeuvring in the vicinity of the airport.' Figure 13 illustrates the subject site's location on the OLS map, which provides for a maximum height of 120 and 130AHD.

The PP proposes building heights that are generally within the prescribed Obstacle Limitation Surfaces (OLS) for Sydney Airport. The PP proposes to locate taller buildings of up to 60 m towards the south western and north eastern extents of the site.

Assuming the ground level at the northern end of the site is between 67m AHD and 69m AHD (based on preliminary site survey data) and an OLS surface up to 128m AHD (based on a desktop review of OLS limits mapping declared by DIRD on 20 March 2015), the proposed building maximum height of 60m may result in minor penetration into the OLS. However actual building height relative to AHD can only be truly ascertained as a part of a future detailed design and development application process that considers as-constructed ground levels relative to AHD.

Any potential penetration of the OLS surface should not preclude the PP from proceeding to Gateway at this stage of the planning process. Definitive advice from relevant aviation authorities is best gained through the post-Gateway referral process.

Should a future Gateway determination consider there to be sufficient merit for the PP to proceed to exhibition, the PP will be subsequently be referred to relevant aviation authorities, including:

- Sydney Airport Authority.

- Civil Aviation Safety Authority (CASA).
- Commonwealth Department of Infrastructure Transport, Regional Development and Communications.

Should the proposed building height be considered to present a risk to aviation practices and procedures, the above authorities would advise of any potential safety concerns or mitigation measures via the referral process, following which further detailed investigations may be undertaken.

It is noted that referral to aviation authorities would also be undertaken as a part of a DA process.

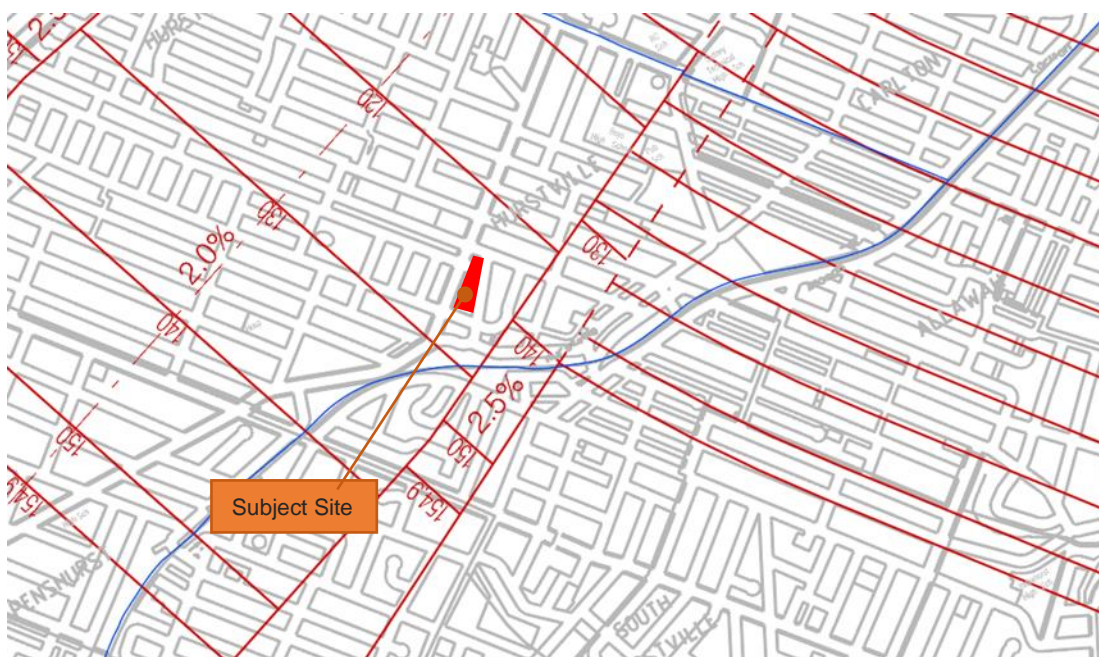


Figure 13 Sydney Airport OLS Map (Source SAMP 2033)

#### *Procedures for air navigation services – aircraft operations (PANS- OPS) surfaces*

SAMP 2033 considers 'at major airports such as Sydney, radio-navigation aids and satellite navigation enable aircraft to operate safely in poor weather conditions. PANS-OPS are established to protect those stages of take-off, landing or manoeuvring when aircraft are operating in non-visual (instrument) conditions. Pilots must be assured of obstacle clearance in these circumstances, although transition from or to visual conditions will still occur at some point in the flight.'

The PANS-OPS surfaces identified in Figure 14 are not permitted to be exceeded. Figure 14 illustrates the subject site's location on the PAN-OPS maps, which is assigned a PANS-OPS designation of between 136 and 151 AHD. The PP will not result in development that penetrates these surfaces.



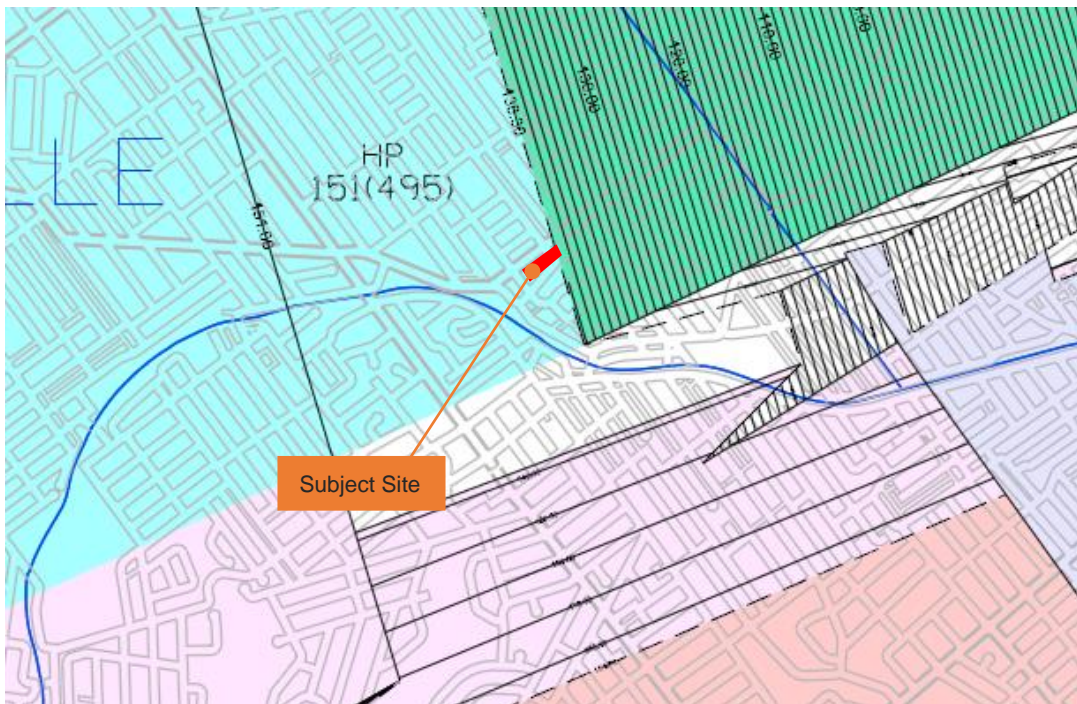


Figure 14 Sydney Airport PANS-OPS Map (Source SAMP 2033)

With respect to the above, it is recognised that the PP would be referred to the relevant aviation authorities for comment. It is also noted that buildings in close proximity to the subject site have been approved to a similar height as is proposed by this PP.

#### Noise Impacts – ANEF

SAMP 2033 considers that the Airports Act requires Sydney Airport to manage aircraft noise intrusion and mitigate noise impacts associated with airport traffic. SAMP 2033 states:

*‘Sydney Airport helps to achieve this outcome by preparing the ANEF, a process that involves engagement with the NSW and local governments (see Section 14.4). The ANEF, which is designed to create a land use planning tool to manage noise sensitive land uses around the airport, provides guidance for the NSW Department of Planning and Infrastructure (NSWDPI) and councils to make informed planning and development decisions. The system underpins Australian Standard AS2021-2000 Acoustics – Aircraft Noise Intrusion – Building Siting And Construction. The standard defines areas where construction of certain building types is “acceptable”, “conditionally acceptable” and “unacceptable”.’*

The PP proposes to intensify development and allow for the construction of residential flats on the subject site. Table 14.5 of SAMP 2033 outlines that for a residential flat building, 20 ANEF would be considered acceptable, 20-25 ANEF would be conditional and 25 ANEF or greater is considered unacceptable. For commercial components of a mixed use development, noise tolerances are slightly higher with 35 ANEF or greater considered unacceptable for commercial uses.

The subject site is located outside of the 20 ANEF and it is therefore considered the intended residential uses of the site will be minimally impacted by noise generated from passing aircraft.

#### Bankstown Airport

The Hurstville Civic Centre is located within airspace protection surfaces for Bankstown Airport. It is not expected that the PP will impact on these airspace protection surfaces, however it is likely that the PP will be referred to relevant aviation authorities for comment.

### Obstacle Limitation Surface

Figure 15 and Figure 16 denote that the Hurstville Civic Precinct is located in the outer horizontal surface for Bankstown Airport, within which a height limitation of 156.0 m AHD applies. The PP is not expected to facilitate any penetration into this surface. Any impacts of the PP on height restrictions associated with OLS for Bankstown Airport will be identified via the referral process.

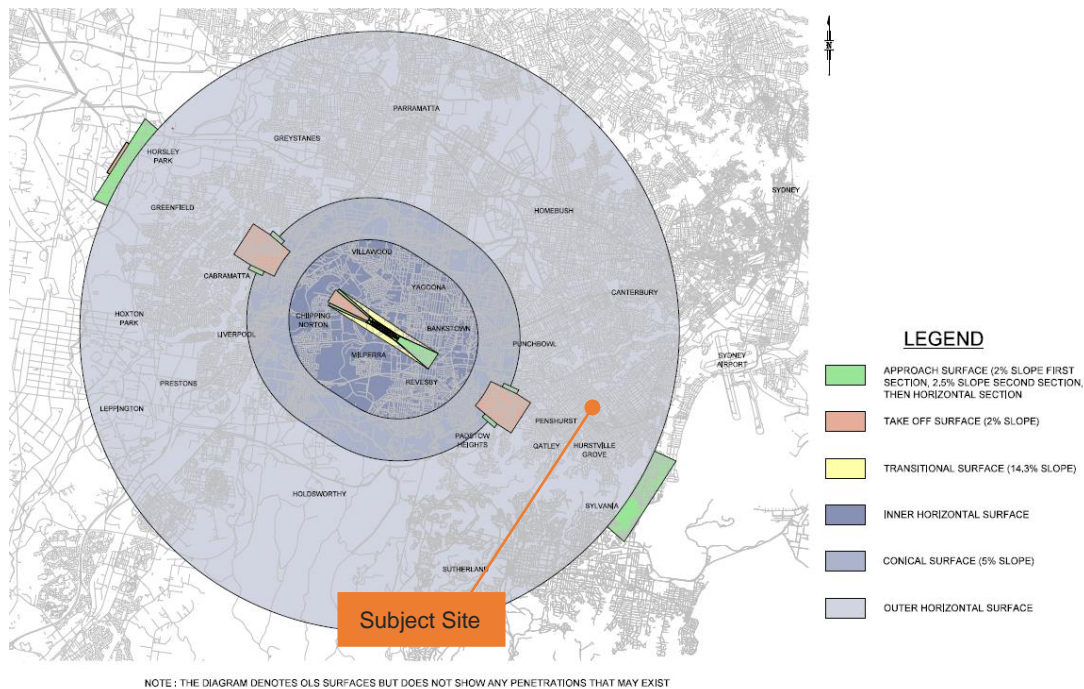


Figure 15 Bankstown Airport OLS Map (Source BAMP 2014)

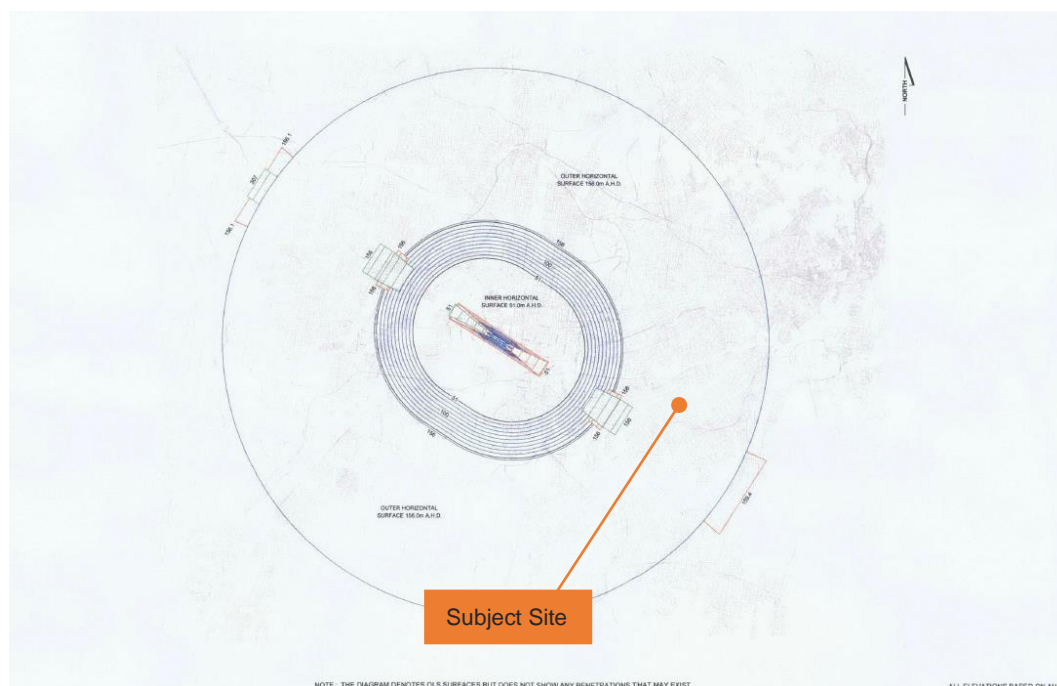


Figure 16 Bankstown Airport OLS Map with height limitations (Source Sydney Metro Airports/ Rehbein 2013)

### Procedures for air navigation services – aircraft operations (PANS- OPS) surfaces



As illustrated in Figure 17, the Hurstville Civic Precinct has potential to impact PANS-OPS surfaces for Bankstown Airport. Figure 17 does not provide sufficient clarity to identify specific height limitations associated with PANS-OPS, however it appears that the site is located beneath runway approaches where a horizontal plane of above 300 AHD applies. It is not expected that the PP will impact on OLS surfaces, however any impacts of the PP on height restrictions associated with OLS for Bankstown Airport will be identified via the referral process.

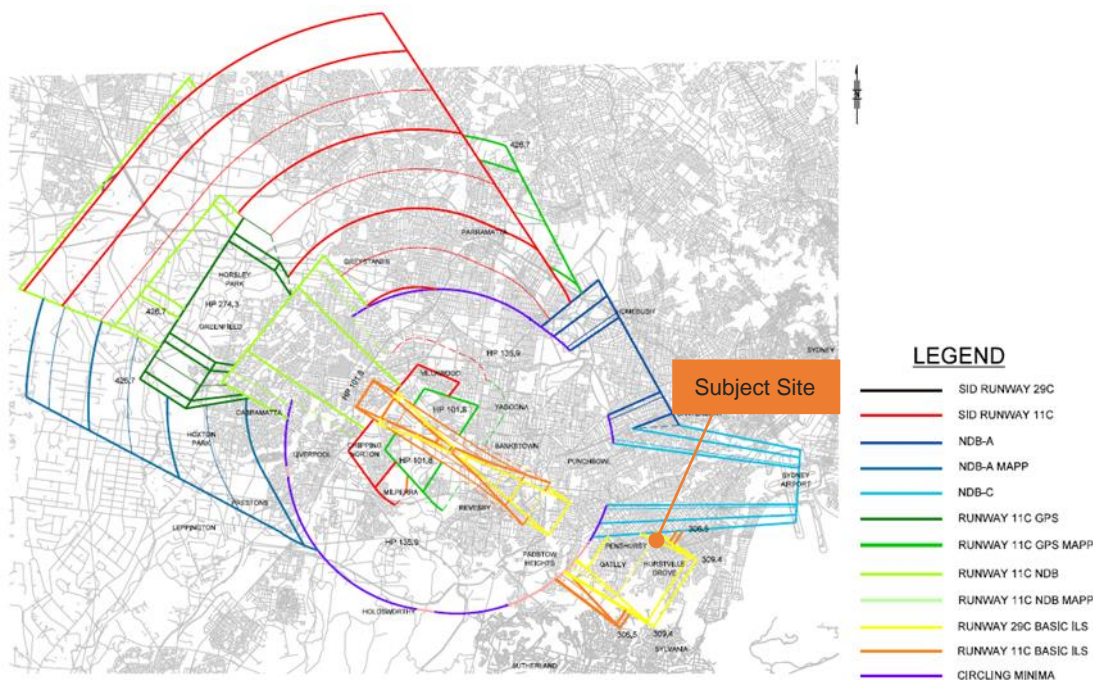


Figure 17 Bankstown Airport PANS-OPS Map (Source BAMP 2014)

As demonstrated above, the PP is not inconsistent with this direction as the PP purposes building heights within acceptable limits and does not seek to increase density within a sensitive ANEF zone.

#### s9.1 Direction - 4.1 Acid Sulphate Soils

This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulphate soils.

The PP and any subsequent DA will be considered against any Acid Sulphate Soils (map) prepared by Council. A review of Council's Acid Sulphate Soils map indicates that the subject site is not located within an area affected by Acid Sulphate Soils and is therefore this Direction is not relevant.

#### s9.1 Direction - 6.2 Reserving Land for Public Purposes

This PP has been prepared with consideration for s9.1 Direction – 6.2 Reserving Land for Public Purposes.

##### Objectives

(1) The objectives of this direction are:

(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and

(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

*Where this direction applies*

*(2) This direction applies to all relevant planning authorities.*

*When this direction applies*

*(3) This direction applies when a relevant planning authority prepares a planning proposal.*

*What a relevant planning authority must do if this direction applies*

*(4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).*

*(5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:*

*(a) reserve the land in accordance with the request, and*

*(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and*

*(c) identify the relevant acquiring authority for the land.*

*(6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:*

*(a) include the requested provisions, or*

*(b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.*

*(7) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.*

*Consistency*

*(8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:*

*(a) with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land can be determined, or*

*(b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.*

The PP proposes to put in place the appropriate land use zoning to enable the development of a Civic and Community Hub.

The PP does not propose to create alter the reserve status of any land within the precinct or create a zone that would preclude the land from being used for public purposes.

At a later detailed design or development application stage, the need to establish reserves may eventuate; however this would be subject to a separate planning process and would not occur as a direct result of this PP.

As such the PP is consistent with this direction.

### s9.1 Direction - 6.3 Site Specific Provisions

The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls. The PP is consistent with this direction as it does not seek to impose any development standards or requirements in addition to those already contained in the standard environmental planning instrument.

#### *Objective*

*(1) The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.*

#### *Where this direction applies*

*(2) This direction applies to all relevant planning authorities.*

#### *When this direction applies*

*(3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.*

#### *What a relevant planning authority must do if this direction applies*

*(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:*

*(a) allow that land use to be carried out in the zone the land is situated on, or*

*(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or*

*(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.*

*(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.*

#### *Consistency*

*(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.*

The PP is consistent with this direction as it does not seek to impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended, which is the Hurstville LEP 2012. The PP does not seek to unnecessarily restrict the site.

While the PP will result in some degree of articulation of building height and FSR controls, it is not considered that the level of articulation provided is unduly onerous as it is consistent with the approach to height articulation permitted under the HLEP 2012 for other nearby sites. This is intended to provide reasonable certainty with respect to the distribution of massing while providing sufficient flexibility in detailed design stages as appropriate.

Detailed design matters will be guided via the draft DCP provided as Appendix B.

As such the PP is consistent with this Direction.

### **3.3. Section C – Environmental, Social and Economic Impact**

#### **3.3.1. 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?**

No. The site is currently occupied by existing low scale civic buildings and asphalted car park. Given the site's urban locality and existing development, the PP will not result in impacts to critical habitat; threatened species populations or ecological communities, or their habitats on the site.

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

This PP proposes to amend maximum height and FSR permissible to the subject site. While this will result in a change in visual impacts resulting from increased building bulk, it is considered that these are appropriate and manageable in a city centre TOD context in walking distance from the Hurstville train station. The impacts on building bulk can be appropriately managed as outlined within this PP and further assessed against HLEP 2012 objectives for height and FSR. A draft site specific DCP has been provided as Appendix B and seek to guide outcomes that reflect design excellence and well considered place making outcome.

Further discussion of environmental impacts are discussed as follows:

#### **Visual impact and interface with adjacent public realm**

Site planning and distribution of land use and massing has been carefully and methodically considered to ensure that all land uses and public spaces create a meaningful and active relationship, particularly at ground level.

Key design considerations embedded into the indicative concept within the Concept Design Report at Appendix A are outlined as follows:

- A Civic Plaza will be provided as a key public destination in the precinct. This space will be interfaced with new retail spaces and the community and cultural facilities encouraging activation of the plaza and its edges. Existing and proposed building massing has been carefully analysed by DWP to ensure appropriate levels of solar access to the civic plaza and nearby buildings.
- The PP will facilitate the development of a mixed-use precinct that provide an interactive experience between the public realm and land uses and activities occurring within the precinct. This will be facilitated by active non-residential frontages at ground levels and a high level of permeability throughout the precinct.

- The Civic Plaza will be provided adjacent to the MacMahon Street, which provides opportunity to showcase and celebrate the various heritage buildings on that street. It achieves this by enabling buildings on the opposite side of MacMahon Street to front the north western defining edge of the Civic plaza. This is intended to be supported by paving treatments that will encourage the slow movement of traffic and a pedestrian mall feel along MacMahon Street.
- Lower scale medium density residential development exists opposite the site on Park Road. The PP ensures appropriate visual impacts to these dwellings by carefully modulating the form of upper levels to at the corner of Queens Road and Park Road to reduce visual and overshadowing impacts on nearby land and the civic plaza.
- The PP, supported by Concept Design Report at Appendix A and a draft site specific DCP at Appendix B advocates high quality architectural form to maximise visual experience of the site, noting that the site is a key entry gateway and beacon at the north eastern approach to the Hurstville City Centre.
- Commercial land uses will be focused at the southern end of the site where commercial land uses are most prevalent. This will transition northwards via civic and cultural uses that connect with shop top housing towards the north of the site.

As described above, the PP and Concept Design Report, supported by a site specific DCP provide for a harmonious land use balance that will facilitate as design excellence as well as compatibility of land use and built form.

### Building Height

This section seeks to demonstrate that the proposed maximum height of building controls are capable of achieving building heights that are consistent the Clause 4.3 Objectives under the HLEP 2012.

Noting that as outlined in 3.2.4 of the PP, Obstacle Limitation Surfaces (OLS) associated with Sydney Airport controlled airspace are a key consideration in the determination of maximum heights within the Hurstville City Centre.

Clause 4.3 Objective	PP Justification
(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,	<p>The proposed height is generally consistent with existing and approved development on Dora Street opposite the subject site.</p> <p>The Hurstville Civic Precinct is located within an intensifying urban city centre precinct identified as a strategic urban centre under the Greater Sydney Plan and South District Plan.</p> <p>Building height has been designed to include articulation of massing that transitions towards the residential areas north of the Hurstville Civic Precinct in order to create more slender form on upper levels and reduce visual impacts.</p>
(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas and public domain, including parks, streets and lanes,	<p>Solar analysis provided for in the Concept Design Report at Appendix A demonstrates that sufficient solar access will be achieved to new residential apartments within the site and those surrounding the site.</p> <p>The indicative building envelopes provided for in the Concept Design Report at Appendix A have been determined based on analysis of existing shadow fall across the precinct and extensive testing of various potential building envelopes to optimise solar access to residents, streets and public spaces.</p> <p>The building envelope along Dora Street has been carefully considered to minimise overshadowing to existing mixed use developments at 9 and 15 Dora Street as well as other nearby properties.</p>



Clause 4.3 Objective	PP Justification
(c) to minimise the adverse impact of development on heritage items,	<p>The PP does not seek to amend the heritage listing of heritage item (item I157) in Schedule 2 of the Hurstville 1994 LEP.</p> <p>As indicated in the Concept Design Report at Appendix A, it is intended that heritage item (item I157) be retained which will be addressed as a part of a future detailed design process.</p> <p>Any future impacts on nearby heritage items can be managed at future detailed design stages as a part of a future development application.</p>
(d) to nominate heights that will provide a transition in built form and land use intensity,	<p>Building height transitions downwards towards the residential areas north of the Hurstville Civic Precinct.</p> <p>Modulated building height includes a podium, with upper levels set back to ensure the building can respond appropriately to the human scale of the street while minimising the visual impact of upper levels from the street.</p>
(e) to establish maximum building heights that achieve appropriate urban form consistent with the major centre status of the Hurstville City Centre,	<p>The proposed building heights respond appropriately to the intended future scale of the Hurstville City Centre within the locality of the subject site, which is undergoing rapid transformation as a high density mixed use precinct.</p>
(f) to facilitate an appropriate transition between the existing character of areas or localities that are not undergoing, and are not likely to undergo, a substantial transformation,	<p>The proposed building heights respond appropriately to the intended future scale of the Hurstville City Centre within the locality of the subject site, which is undergoing rapid transformation as a high density mixed use precinct.</p> <p>The Hurstville Civic Precinct will become the heart of the Hurstville Civic Centre. It is appropriate for taller building heights to be provided in this location as a 'beacon' and gateway to the Hurstville City Centre.</p>
(g) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain.	<p>Building separation distances outlined within the Apartment Design Guide/ SEPP 65 will ensure that the boundaries of all neighbouring development to ensure that neighbouring sites are not disadvantaged in terms of their future development potential.</p> <p>The indicative building envelopes provided for in the Concept Design Report at Appendix A have been determined based on analysis of existing shadow fall across the precinct and extensive testing of various potential building envelopes to optimise solar access to residents, streets and public spaces.</p>

The DWP Concept Design Report (Appendix A) is based on rigorous urban design analysis outlining the approach for building height distribution across the Hurstville Civic Precinct.

The Concept Design Report considers the location of towers and building height distribution across the site in accordance with a variety of site planning and contextual factors, which are outlined as follows. Figure 18 illustrates how the proposed site and buildings sit within the current and proposed local context as informed by the Hurstville City Centre Urban Design Strategy adopted in 2018.

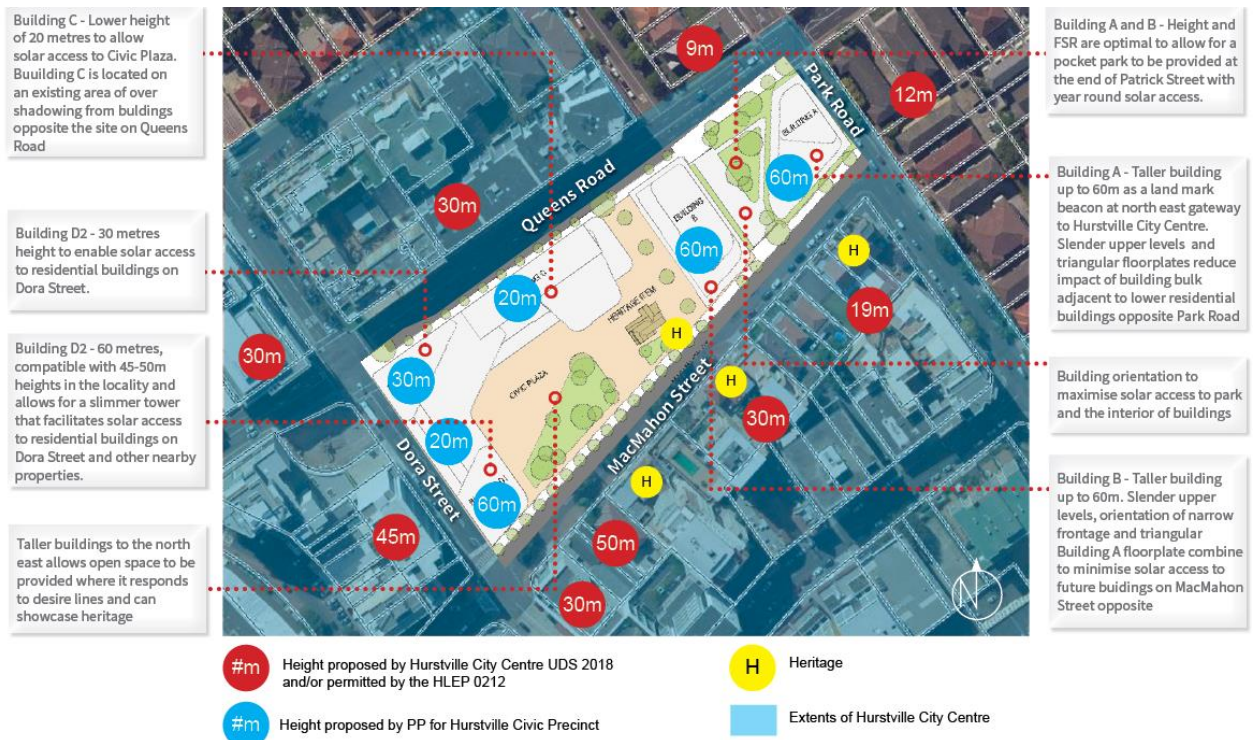


Figure 18 Height context

*Responding to desire/view lines and establishing a relationship between with the Civic Plaza and the wider city centre*

Locating the plaza near the corner of Dora Street and MacMahon Street enables plaza to be viewed from multiple aspects and to align with existing desire lines. This is illustrated in Figure 18 above . The corner of Building D will be raised on columns to establish a generously raised undercroft to maintain an inviting and accessible visual relationship between the Civic Plaza and the wider CBD as is illustrate in Figure 19.



Figure 19 Raised undercroft on the corner of Dora Street

At the Dora Street end of the site, building heights are proposed to be generally compatible with the height of the existing mixed-use buildings and permissible height along Dora Street of 45m and 50m at the Dora Street end of MacMahon Street, which are supported by the recommendations of the Hurstville

City Centre Urban Design Strategy. While the PP proposes zones of 20m, 30m and 60m at this end of the site, the additional height allows for additional floor to floor height required for commercial buildings as well as to provide a slender tower that minimises overshadow impacts to residential uses on Dora Street and other nearby properties.

*A gateway beacon at the corner of Queens Road and Park Street*

Locating taller residential/ mixed use buildings at the north east end of the site enables a landmark 'beacon' to be established on the Queens Road approach to the key Hurstville City Centre northern gateway. While it is recognised that this is adjacent to the lower scale residential areas to the north and east of the Civic Centre, triangular floor plates and narrow frontage to Park Street assist in reducing the visual impact of building bulk in relation to the existing residential buildings in this location. The DCP also includes provisions to guide upper levels setbacks to reduce the visual impacts of building bulk with narrower forms on upper levels. Taller heights enable a smaller footprint for the residential towers, allowing for the creation of a north facing pocket park and through site link to correspond to the Patrick Street vista towards MacMahon Street.

### Building Bulk and Density

This section seeks to demonstrate that the proposed maximum floor space ratio controls are capable of achieving massing and density that are consistent the Clause 4.4 Objectives under the HLEP 2012.

Clause 4.4 Objective	PP Justification
(a) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality,	<p>The proposed density and massing are generally consistent with existing and approved development on Dora Street opposite the subject site.</p> <p>The Hurstville Civic Precinct is located within an intensifying urban city centre precinct identified as a strategic urban centre under the Greater Sydney Plan and South District Plan.</p> <p>The Concept Design Report at Appendix A provides for a significant area of public open space in the form of a civic plaza and smaller complementary public places.</p>
(b) to establish the maximum development density and intensity of land use, accounting for the availability of infrastructure and generation of vehicular and pedestrian traffic to achieve the desired future character of the locality,	<p>The Hurstville Civic Precinct is in an existing urban area with access to service utilities.</p> <p>Location within the Hurstville City Centre and proximity to bus interchange and train station will reduce the need for vehicle trips and thus minimise impacts on the existing road network.</p> <p>As demonstrated by GTA's transport impacts assessment at Appendix C, the PP will not result in unmanageable increase in traffic volumes and will in fact assist in ameliorating issues relating to the lack of public car parking spaces in the Hurstville City Centre.</p>
(c) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain,	<p>Modulated building height includes a podium, with upper levels set back to ensure the building can respond appropriately to the human scale of the street whilst minimising the visual impact of upper levels from the street.</p> <p>The indicative building envelopes provided for in the Concept Design Report at Appendix A have been determined based on analysis of existing shadow fall across the precinct and extensive testing of various potential building envelopes to optimise solar access to residents, streets and public spaces.</p>
(d) to facilitate an appropriate transition between the existing character of areas or localities that are not undergoing and	<p>The proposed density responds appropriately to the intended future scale of the Hurstville City Centre within the locality of the subject site, which is undergoing rapid transformation as a high density mixed use precinct.</p>

Clause 4.4 Objective	PP Justification
are not likely to undergo a substantial transformation,	
(e) to minimise the adverse impact of the development on heritage items,	<p>The PP does not seek to amend the heritage listing of heritage item (item I157) in Schedule 2 of the Hurstville 1994 LEP.</p> <p>As indicated in the Concept Design Report at Appendix A, it is intended that heritage item (item I157) be retained which will be addressed as a part of a future detailed design process.</p> <p>Any future impacts on nearby heritage items can be managed at future detailed design stages as a part of a future development application.</p>
(f) to establish maximum floor space ratios that ensure the bulk and scale of development is compatible with the major centre status of the Hurstville City Centre.	<p>The proposed density in this inner city location responds appropriately to the intended future bulk and scale of the Hurstville City Centre, which is undergoing rapid transformation as a high density mixed use precinct.</p>

### Access, traffic and parking

As demonstrated by GTA's transport impacts assessment at Appendix C, the PP will not result in unmanageable increase in traffic volumes and will in fact assist in ameliorating issues relating to the lack of public car parking spaces in the Hurstville City Centre. GTA concludes that the planning proposal cannot be expected to compromise the safety or function of the surrounding road network.

### Overshadowing

The building envelopes comprising Building D has been carefully considered as a two tower configuration to minimise overshadowing to the existing mixed use developments at 9 and 15 Dora Street, the Civic Plaza and nearby non residential properties.

#### 9 Dora Street

In order to investigate and confirm the existing conditions currently enjoyed by 9 Dora Street and the potential to improve impacts for a future development in the Hurstville Civic Precinct, detailed floorplate modelling of the building on that site was undertaken as a basis for testing solar access. This was informed by the DA and Modification plans approved in 2013.

It is noted that development consent granted for 9 Dora Street was based on the former Residential Flat Design Code (RFDC), and assessment criteria for meeting 70% of apartments receiving 2 hours of solar access were less rigorous than the controls now in place under the Apartment Design Guide (ADG). Irrespective of the controls the development of 9 Dora Street was assessed under in 2013, all design testing for the purpose of these investigations has been undertaken in accordance with stringent interpretation of the following current ADG controls:

*Objective 4A-1 - To optimise the number of apartments receiving sunlight to habitable rooms, primary windows and private open space*

*Design Criteria:*

*Living rooms and private open spaces of at least 70%*

*A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid winter*



*Design Guidance:*

*To maximise the benefit to residents of direct sunlight within living rooms and private open spaces, a minimum of 1m<sup>2</sup> of direct sunlight, measured at 1m above floor level, is achieved for at least 15 minutes*

The results of solar analysis of the current situation undertaken by DWP are summarised in the table below and demonstrate that based on assessment under ADG criteria, a total of 68% apartments currently achieve ADG compliant solar access.

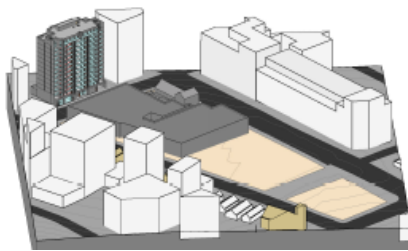


Figure 20 Current baseline scenario

EXISTING NO 9 DORA WITH NO ADJACENT DEVELOPMENT							
floor level	use	apartment number	sunlight mid winter living room	total hours	compliance	apt totals	complying totals
ground	retail						
level 1	community		9 to 130	4.5	Y		
	res	1	9 to 11	2	Y	1	1
	res	2	9 to 12	3	Y	1	1
	res	3	9 to 11	2	Y	1	1
	res	4	245 to 3	N	N	1	0
levels 2- 12	res	5	9 to 11	2	Y	11	11
	res	6	9 to 11.30	2.5	Y	11	11
	res	7	9 to 12	3	Y	11	11
	res	8	9 to 11	2	Y	11	11
	res	9	9 to 11	2	N	11	0
	res	10	245 to 3	N	N	11	0
level 13	res	1	not tested		Y	1	1
	res	2	not tested		Y	1	1
						72	49
							68%

The results of solar analysis of the Planning Proposal undertaken by DWP are summarised in the table below and demonstrate that based on assessment under ADG criteria, a total of 50% apartments achieve ADG compliant solar access.

While this is less than the 68% compliance currently achieved by 9 Dora Street, design guidance under Objective 3B-2 of the ADG allows for a 20% reduction in solar access where an adjoining property does not currently receive the required hours of solar access. The revised concept will reduce the solar access to this property in the order of 25%. While this exceeds the additional overshadowing measures of 20% recommended under the design guidance, it is considered a reasonable outcome in a high-rise CBD environment and represents a substantial improvement in the original concept.

floor level	use	apartment number	sunlight mid winter living room	total hours	compliance	apt totals	complying totals
ground	retail						
level 1	community		8-9.30am	1.5			
	res	1	10.30 to 11.30	1	N	1	0
	res	2	9 to 12	3	Y	1	1
	res	3	9 to 11	2	Y	1	1
	res	4	245 to 3	N	N	1	0
levels 2- 12	res	5	0.5	0	N	11	0
	res	6	9 to 11.30	2.5	Y	11	10
	res	7	9 to 12	3	Y	11	11
	res	8	9 to 11	2	Y	11	11
	res	9	10.30 to 11.30	1	N	11	0
	res	10	245 to 3	N	N	11	0
level 13	res	1	not tested	Y	Y	1	1
	res	2	not tested	Y	Y	1	1
						72	36
							50%

### Consideration for solar impacts of the Preferred Development Scenario on neighbouring sites

Revisions to the design concept warranted consideration for how the amendments impact on the solar access of nearby properties. The following 'sun eye' diagrams have been prepared to enable consideration of the impacts of solar development on neighbouring properties between 9am and 3pm mid-winter. A video has also been supplied, which provides an animated view of overshadowing effects.

- 15 Dora Street - recently completed strata shop top housing building.
- 33 MacMahon Street - strata commercial building.



- c) 34 MacMahon Street - commercial building - owned by Council.
- d) 350 Forest Road - heritage listed Hurstville Ritz Hotel - maximum permissible height of 23 metres, with no additional building height recommended by the Hurstville City Centre Urban Design Strategy.

These properties are located as per Figure 21.

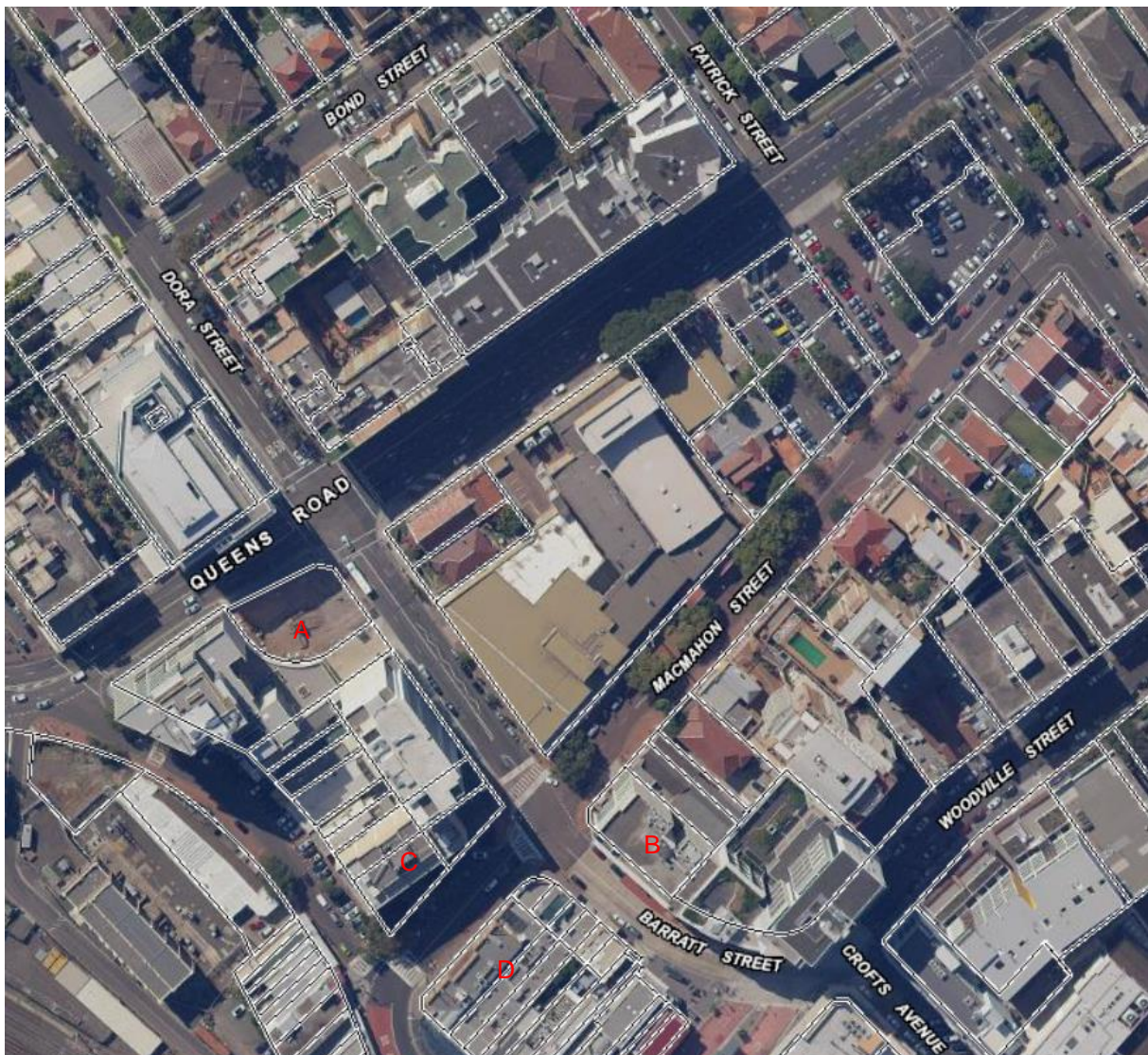


Figure 21 Location of neighbouring sites considered

Figure 22 to Figure 28 illustrate the shadowing effects of the proposal.

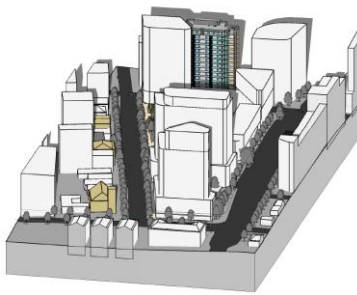


Figure 22 Overshadowing at 9am

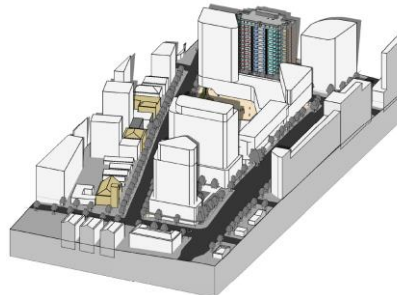


Figure 23 Overshadowing at 10am

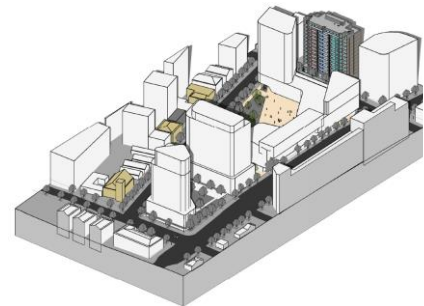


Figure 24 Overshadowing at 11am

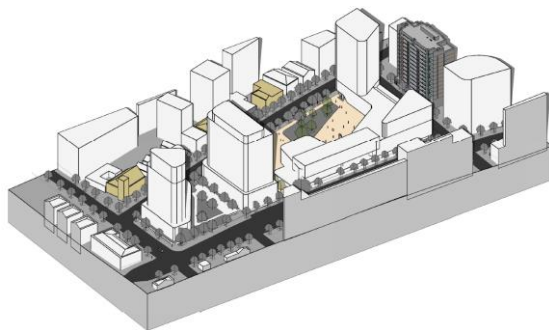


Figure 25 Overshadowing at 12 noon

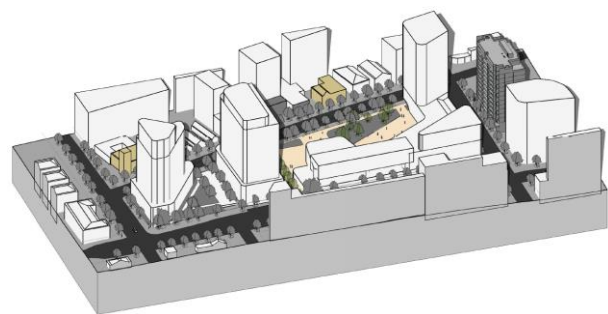


Figure 26 Overshadowing at 1pm

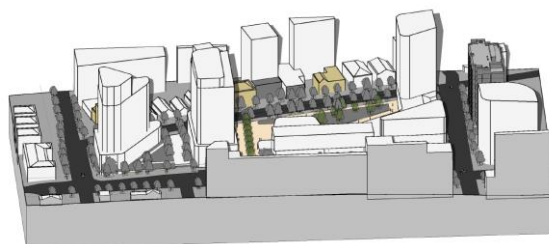


Figure 27 Overshadowing at 2pm

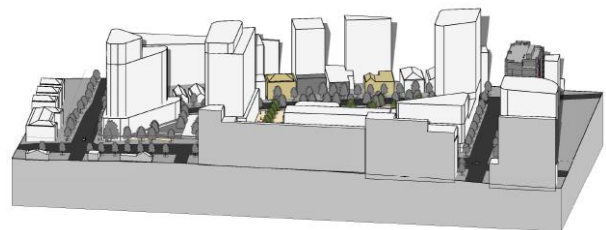


Figure 28 Overshadowing at 3pm

The following consideration is given to the solar shadowing effects of these neighbouring properties.





**A - 15 Dora Street - New Mixed Use Shop Top Housing Building**

There is a minor overshadowing effect on the Dora Street façade, which by 10am is minimal and 11am has no effect.



**B - 33 MacMahon Street - Strata Commercial Building**

This building receives good solar access between 9:00am and 12:00pm.



**C - 34 MacMahon Street - Council owned commercial building**

This building is disadvantaged by its setback behind the building line of 9 Dora Street. However, it receives direct sun between 11:00am and 12:30pm and the small public space in front of the building receives sunlight between 11:00am and 1:30pm, noting that the new civic plaza will offset any effects of solar access to this space.



**D - 350 Forest Road - Ritz Hotel Building**

Reasonable solar access between 9:15 am and 10:15am. Partial solar access between 12:00noon and 1:30pm. Then reasonable solar access to the main part of the building between 1:00pm and 3:00pm.

The above demonstrates that the building envelope will have an acceptable level of overshadowing impact in relation to nearby buildings. *Responding to existing overshadowing to maximise solar access to the Civic Plaza.*

Diagrams on Page 14 and Page 70 of DWP's Concept Design Report illustrate the overshadowing caused by existing buildings adjacent to the Hurstville Civic project and particularly those fronting Queens Road.

Figure 29 illustrates the overshadowing caused by existing buildings adjacent to the Hurstville Civic Precinct at 3pm at the 21 June winter solstice.

Figure 30 illustrates that the part of the site least affected by overshadowing in green. Taking advantage of existing solar access has been a key factor in locating the public open space and therefore the locations best suited to accommodate taller built form where impacts of overshadowing and building bulk can be appropriately managed.



Figure 29 Overshadowing caused by existing buildings adjacent to the Hurstville Civic Precinct

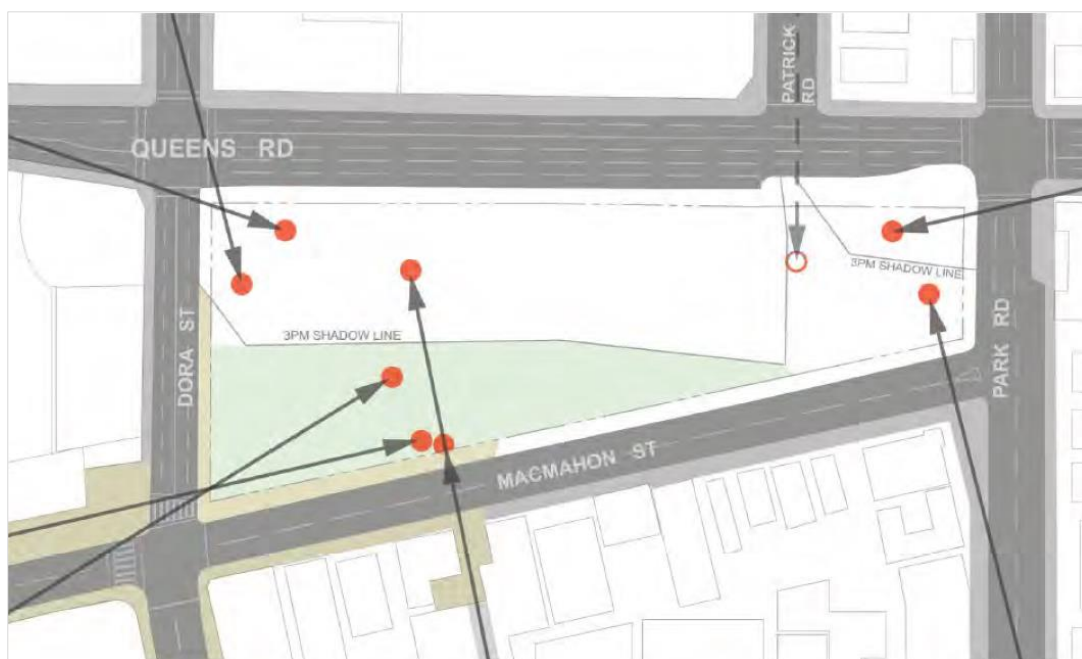


Figure 30 Existing shadow line and focal points

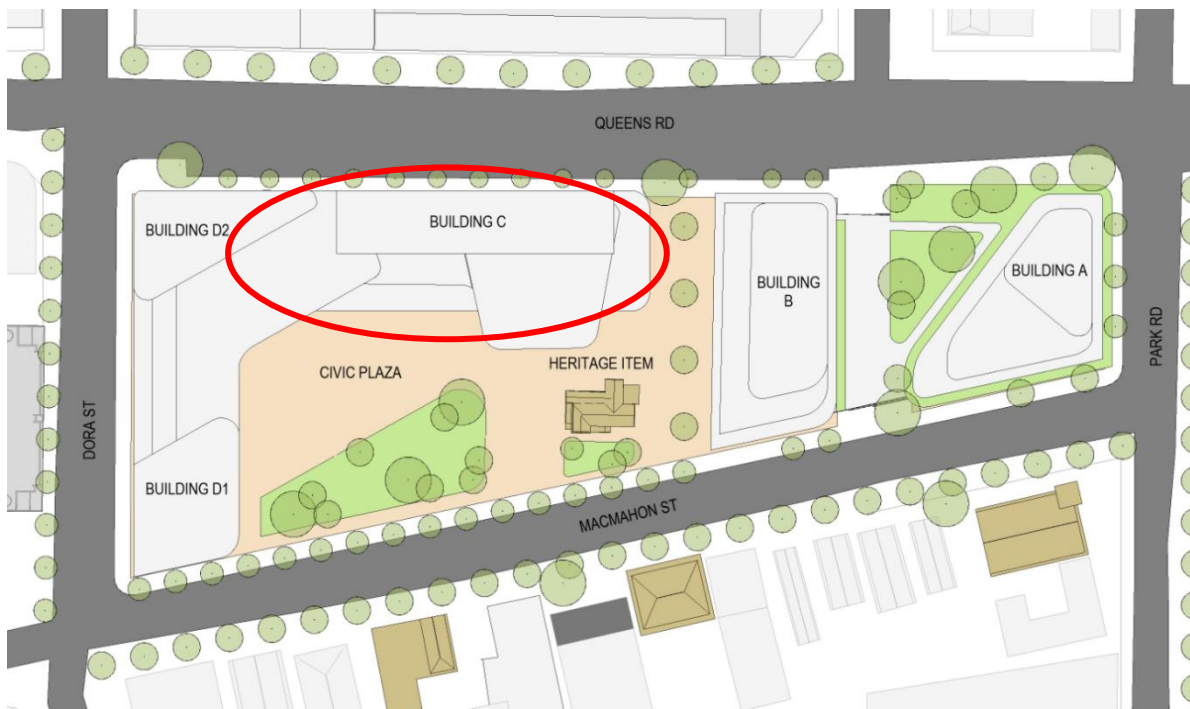


Figure 31 Indicative site layout (Source DWP)

This has also been a key factor in locating the low-rise civic building (Building C) adjacent to the plaza, as can be seen in Figure 31. The civic building is proposed to be a maximum of 20 metres and will provide a human scaled form adjacent to the plaza. As the civic building is will be sited on an already overshadowed areas of the site and the building is of a low scale, it will allow for a significant area of the plaza to have solar access in mid-winter.

Figure 32 to Figure 35 illustrate the area of the plaza that will receive solar access between the hours of 11am and 2pm at the winter solstice, when the usage of the space will be at is highest during lunchtime hours.

BLUE (PLAZA AREA) = 3162m<sup>2</sup>  
ORANGE (ADDITIONAL PLAZA IN SHADE) = N/A  
PINK (PLAZA WITH DIRECT SUN) = 1600m<sup>2</sup>  
PERCENTAGE OF PLAZA IN DIRECT SUN AT 12AM = 51%



Figure 32 Overshadowing of the Civic Plaza at 11am

BLUE (PLAZA AREA) = 3162m<sup>2</sup>  
ORANGE (ADDITIONAL PLAZA IN SHADE) = 24m<sup>2</sup>  
PINK (PLAZA WITH DIRECT SUN) = 1995m<sup>2</sup>  
PERCENTAGE OF PLAZA IN DIRECT SUN AT 12AM = 63%

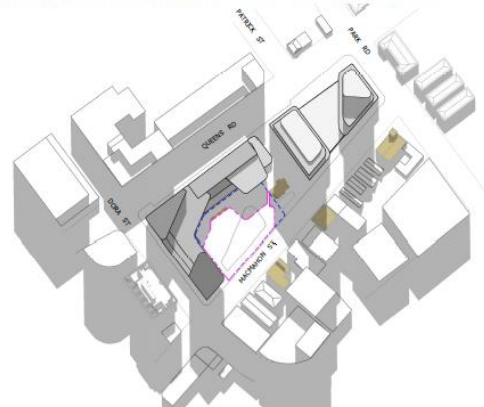


Figure 33 Overshadowing of the Civic Plaza at 12noon



BLUE (PLAZA AREA) = 3162m<sup>2</sup>  
ORANGE (ADDITIONAL PLAZA IN SHADE) = 67m<sup>2</sup>  
PINK (PLAZA WITH DIRECT SUN) = 1742m<sup>2</sup>  
PERCENTAGE OF PLAZA IN DIRECT SUN AT 1PM = 55%

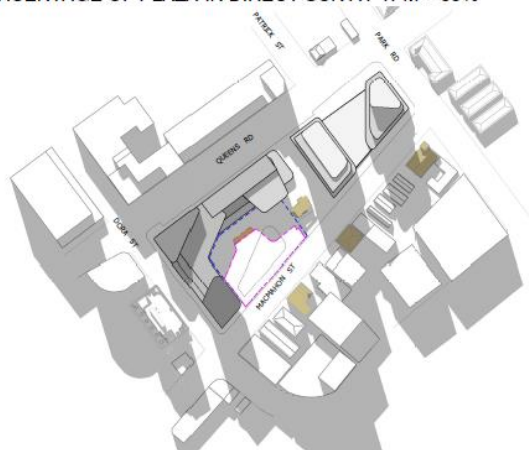


Figure 34 Overshadowing of the Civic Plaza at 1pm

BLUE (PLAZA AREA) = 3162m<sup>2</sup>  
ORANGE (ADDITIONAL PLAZA IN SHADE) = 117m<sup>2</sup>  
PINK (PLAZA WITH DIRECT SUN) = 1214m<sup>2</sup>  
PERCENTAGE OF PLAZA IN DIRECT SUN AT 2PM = 38%



Figure 35 Overshadowing of the Civic Plaza at 2pm

The average solar access between 11 am and 2pm is over 50%. To maintain protection over the amenity of the public domain, the PP seeks to introduce the following provision under cl 6.10 of the HELP 2012 to proposed that focuses on achieving an average solar access to the plaza between 11am and 2pm (i.e. a total of 3 hours). This protects solar access to the plaza during the warmest part of the day and the time when it is likely to experience the greatest use:

*Proposed cl 6.10(c)*

*(c) Public open space at ground level to a minimum of 50% of the total site area, inclusive of a civic plaza that receives an average of 50% direct sunlight between 11 am and 2pm midwinter; and*

The above clause will provide a suitable level of flexibility while protecting the amenity of the space for a 3 hour period of the day when its daytime usage will be at its greatest.

## Deep Soil

The ADG advises that deep soil zones are areas of soil not covered by buildings or structures within a development. They particularly exclude basement car parks, services, swimming pools, tennis courts and impervious surfaces including car parks, driveways and roof areas.

In the regulatory context, the explanatory notes, objectives, design criteria and guidance under Part 3E of the ADG provides for the following in relation to the provision of communal open space:

- Objective 3E-1 seeks to establish deep soil zones provide areas on the site that allow for and support healthy plant and tree growth. They improve residential amenity and promote management of water and air quality.
- Design Criteria under Objective 3E-1 provides for minimum communal open space equal to 7% of the total site area.
- Design Guidance under Objective 3E-1 states that deep soil zones should be located to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:
  - basement and sub-basement car park design that is consolidated beneath building footprints
  - use of increased front and side setbacks

- adequate clearance around trees to ensure long term health
- co-location with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil
- Achieving the design criteria may not be possible on some sites including where:
  - the location and building typology have limited or no space for deep soil at ground level (e.g. central business district, constrained sites, high density areas, or in centres).
  - there is 100% site coverage or non-residential uses at ground floor level.

The aim for the Hurstville Civic Precinct is to maximise activation and public access at the ground plane. This will require buildings to be designed with frontage to all sides. As such, it is most likely that any deep soil provisions would need to be provided within the public domain, or within publicly accessible private open space. Rationalisation of existing land tenure boundaries (i.e. future subdivision) has not been confirmed at this strategic stage of the planning process. The definition of future subdivision boundaries is dependent on a future detailed design proposal that enables potential delivery pathways to be considered in detail. It is therefore not possible at this point in time to measure how much open space, and potential deep soil portion within it, may be attributable to any particular building.

The area of deep soil able to be achieved across the Precinct is dependent on the design, configuration and depth of basement car parking. At this strategic stage of the planning process, it is not currently possible nor is it appropriate to design the extent and configuration of basement parking. The intended land uses within the precinct are indicative and will not be confirmed to the necessary degree until a detailed design process has been undertaken and supported by detailed technical investigations with consideration for the relevant planning guidelines, legislation and design excellence criteria. Further, Council has yet to resolve whether a provision of public car parking is required and how many spaces would be included, if it is indeed necessary. Such considerations are best deferred until development timeframes are known so a parking solution that responds to identified needs at the time of development can be accommodated.

As calculation of deep soil is dependent on basement car parking design and buildings with a residential component will need to interface with the public domain on all sides, the provision of deep soil needs to be considered on a whole of precinct basis in relation to the intended public open space areas. While the exact deep soil calculation cannot be provided at this strategic stage of the design process, with some 50% of the site being dedicated to public open space (supported by minimum open space provisions under the LEP as proposed by the PP), the current Concept Masterplan provides ample opportunity to accommodate deep soil. This will be informed by a future detailed design process and a Public Domain Strategy to be prepared post Gateway and prior to public exhibition as required by the resolution of Council made on 25 May 2020.

For the Hurstville Civic Precinct, the importance of deep soil relates primarily to the public domain to ensure that any future landscaping can accommodate the growth of mature trees in key open space areas and pedestrian thoroughfares. Supporting the future recommendations of the Public Domain Strategy, the provisions to guide deep soil have been included under the draft site-specific DCP to ensure that adequate deep soil is provided in public open space areas to support the development of mature trees:

- Section 3.4.1 of the Draft DCP requires the incorporation of mature trees into public open space areas (i.e. Civic Plaza, Patrick Street Pocket Park and Eats Street) shall be considered in the design of all basement parking structures to ensure provision of sufficient deep soil to facilitate healthy tree growth.
- Section 3.5.1 of the Draft DCP requires basement car parking design to allow sufficient deep soil provision to enable the incorporation of mature trees in public open space areas (i.e. Civic Plaza, Patrick Street Pocket Park and Eats Street to the west of Building B to facilitate healthy tree growth.

## Communal Open Space

As reflected in the Concept Masterplan (Appendix A of the PP), a future development on the site will include two mixed use towers at the northern end of the site, both of which are intended to incorporate a substantial residential component. These are intended to be in a mixed use format, however, subject to detailed design and feasibility considerations, there is potential for a wholly residential tower at the northern easternmost (Park Road) end of the site. The specific land use mix of these towers will be determined at detailed design and development application stage.

These towers will be instrumental in establishing a vibrant and activated Hurstville Civic Precinct. The edges of these towers have a unique role in that they will need to meaningfully address and activate the public domain on all sides of the building. This means that any open space at the ground level of these buildings is intended to be accessible to the public in perpetuity. There will be limited opportunity for communal open space to be provided at the ground level as this type of space would require screening and security barriers, which would conflict with the objective to address and activate the ground plane on all sides of these buildings. For these reasons, the provision of communal open space will need to be factored into the design of podium and roof spaces. This approach is common in high density business zones in a city centre context, and is also supported by design guidance provided under the ADG.

In the regulatory context, the explanatory notes, objectives, design criteria and guidance under Part 3D of the ADG provides for the following in relation to the provision of communal open space:

- Design Criteria under Objective 3D-1 provides for minimum communal open space equal to 25% of the total site area.
- The underlying objective for providing communal open space is to enhance residential amenity and to provide opportunities for landscaping.
- The useable part of the communal open space area may be supplemented by public open space.
- Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions.
- Where communal open space cannot be provided at ground level, it should be provided on a podium or roof.
- Where developments are unable to achieve the design criteria, such as on small lots, sites within business zones, or in a dense urban area, they should:
  - provide communal spaces elsewhere such as a landscaped roof top terrace or a common room.
  - provide larger balconies or increased private open space or apartments.
  - demonstrate good proximity to public open space and facilities and/or provide contributions to public open space.

As can be seen in Figure 36, Towers A and B are capable of achieving substantial areas of roof and podium space that with well-considered design can accommodate a useable area of communal open space, which can be further resolved at detailed design stage.

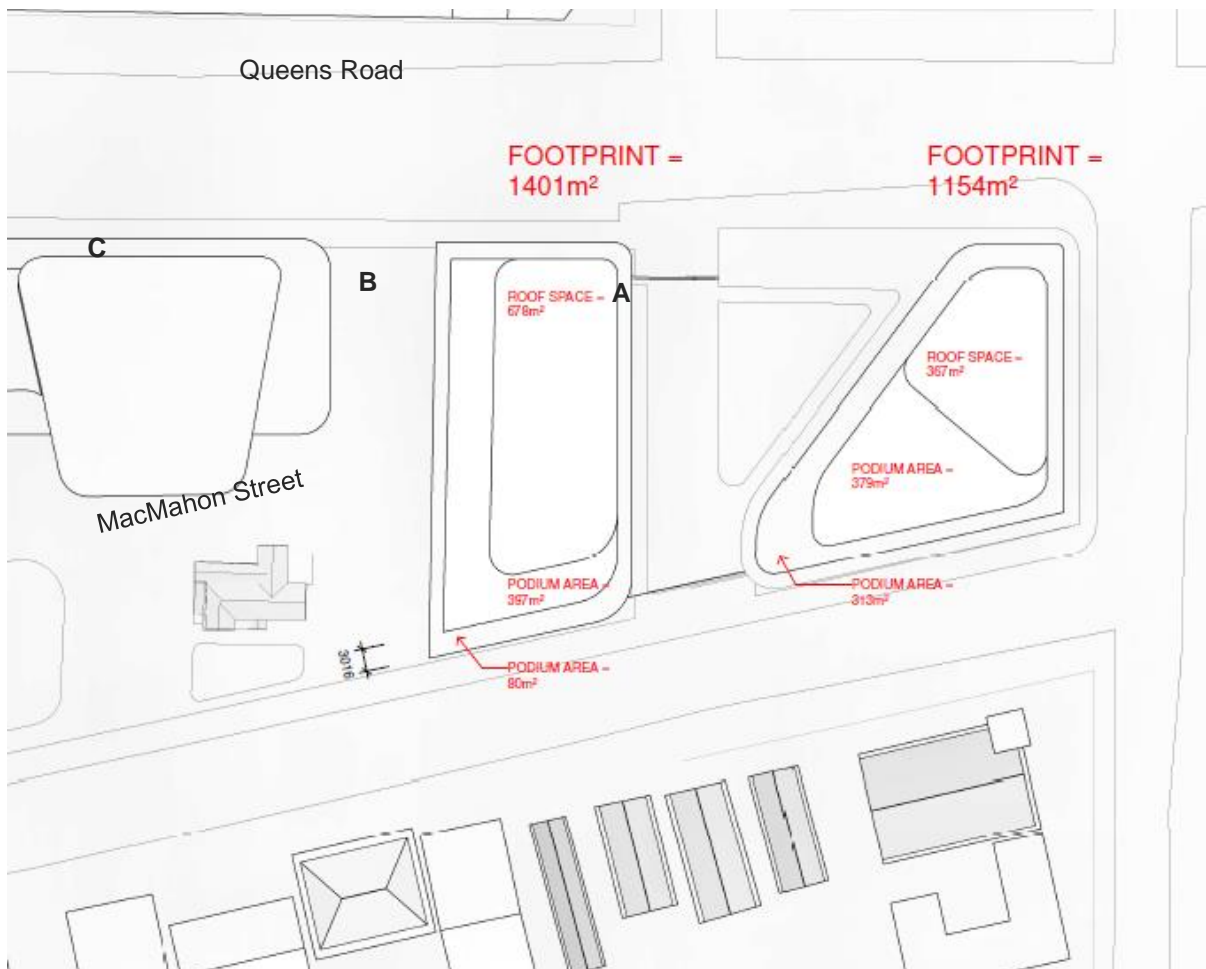


Figure 36 Roof and podium areas

The design of broader Hurstville Civic Precinct Master Plan is predicated on the delivery of a substantial area of public open space to be provided, equivalent to approximately half of the entire area of the Hurstville Civic Precinct. This will include the following key spaces that will support the amenity of residential uses above by providing a space for social interaction and recreation:

- Civic Plaza: A large civic space to be situated on MacMahon Street, interfaced with cultural, community, civic and active retail/ food and beverage uses.
- Patrick Street Pocket Park: a smaller, community oriented and north facing space providing public amenity for adjacent residents, potential retail/ café uses at ground level, as well as maintaining the Patrick Street view corridor.

The combined effects of communal open space located on the roof and podium, with the substantial area of public open space, will more than adequately provide for the amenity, social interaction and recreation of future residents of the Hurstville Civic Precinct. The benefits of the substantial public open space area will also extend to the commercial, civic and community-oriented components of the site and their respective users. The same potential exists to use roof space of non-residential buildings for enhancing the amenity of users, which can be explored at detailed design stage as a part of a competitive design excellence process.

### **3.3.3. How has the planning proposal adequately addressed any social and economic effects?**

Social and economic considerations relating to this PP have been integrated into the previous sections of this PP. This proposal to introduce a B4 zoning as well as maximum permissible FSR and height on the subject site located in the Hurstville City Centre will facilitate change, which will result in positive social consequences that will enhance the lifestyle of the existing and future community in Hurstville City Centre and LGA.

#### **Economic Effects**

The PP is intended to be a catalyst for positive change in this retail and transport hub. It provides for new residential retail, commercial, civic and cultural opportunities, which will support and complement existing town centre economic in terms of growth and sustainability. It is intended to support population growth, which in turn will result in greater utilisation of existing retail and transport infrastructure. The works proposed at the ground level and the intended integration with the existing public realm and new Civic Plaza is aimed at improving resident and community amenity and quality of life as well as support economic development and revitalisation in the immediate locality.

Council's intent to provide public car parking on the site with over 500 public car parking spaces envisaged to be accommodated on the site, subject to the outcomes of a parking strategy. The increase in height and FSR for the subject site will create achievable and sustainable economic circumstances by assisting to offset cost imposts of providing high quality facilities catering for the growing community and entertainment needs of the Hurstville City Centre and Georges River LGA.

The PP proposes the a like-for-like transition of the subject site's current Zone No 3 (b) City Centre Business Zone under the HLEP 1994 to a B4 Mixed use zone, as has previously occurred under HLEP 2012 Amendment No 3, for surrounding land. In this regard, the PP will not result in the creation of a mixed use zone that had not already been previously provided for. As such, there will not likely be any impact on the retail hierarchy of the centre due to this proposal. The economic considerations are favourable with the future development of the site providing improved and revitalised facilities for business and contributing to broader dwelling supply.

#### **Public Benefit**

The amendments to the HLEP 2012 Land Use Map, Height of Buildings and FSR development standards on the subject site would deliver a number of positive of community benefits. It will establish the best use and a basis for the most economic and orderly development of land within walking distance of existing train and bus stations and in an established and intensifying mixed use retail, commercial and residential setting.

The PP will provide for a number of public benefits that will facilitate an interconnectivity between a variety of land uses, assisting to create a vibrant and lively hub centred around a new Civic Plaza. This will also create opportunities for community interaction promoting greater social cohesion and community development. Specifically, this PP, the Concept Design Report provided as Appendix A and draft DCP at Appendix B sets out Council's vision to deliver a range of public benefits through combined public and private investment and development.

Key land uses identified for the site include new Council chambers and offices, commercial, retail and residential space as well as community and public open space. Additionally, the following community facilities are identified for inclusion by the Concept Design Report include:

- Council Civic Chambers and customer service centre.
- Community facilities including a library, museum and gallery.
- Flexible auditorium/function space for a range of activities including some 500 seats with stage for performances and events.



- Food and beverage outlets and a civic plaza and smaller complementary plaza space to foster community interaction, cultural expression and passive recreation.

The public benefits intended to be delivered as a result of this planning proposal will be supported by inserting a development standard under Part 6 Additional Local Provisions, ensuring that these benefits will be provided.

In providing for the above, the PP will:

- reinvigorate an area of the Hurstville City Centre that is lacking in vitality and vibrancy by introducing a range of land uses that provide specifically for the needs of the community;
- establish a new high quality public place and destination that will cater for new city centre residents, visitors and office workers;
- present the opportunity to include appropriate mixed use 'shop top' housing development to occur on the subject site of a scale that considers the site's Hurstville City Centre location in proximity to the Hurstville railway station and the emerging high density and high-rise context of the immediate locality;
- allow for increased density to be achieved on the subject site that responds to existing areas of the site overshadowed by neighbouring development to ensure optimal solar access to existing and proposed building forms and the new Civic Plaza;
- facilitate the urban renewal of an underutilised site within a revitalising area of the existing Hurstville City Centre by supporting economic activity and thereby enhance public enjoyment and safety. This will be assisted by encouraging greater activity on the street and increasing activity and passive surveillance from both ground level and upper levels land uses;
- allow for the provision of more housing choice for the subject site and in the Hurstville City Centre, in a location of high amenity and public transport accessibility;
- ensure the activation of the streetscape with non-residential land uses at ground level for both existing streets and the new Civic Plaza, which will assist in improving and enhancing the vibrancy, safety and town centre service offer in the locality within the Hurstville City Centre;
- allow for increased residential density that will provide the opportunity for greater urban consolidation in a location capable of accommodating it. In this regard, greater density in this location will take full advantage of an urban renewal opportunity in an existing town centre and accommodating demand for housing without further exacerbating the need to expand Sydney's urban footprint.

The PP will result in a net community benefit as it will allow future development to take full advantage of its location in close proximity to transport hubs and infrastructure in the form of a transit-oriented development, which has wider benefits than just for the local community. This encourages sustainable transport use and discourages car dependence, which in turn has positive flow-on effects for the local and wider traffic network such as reduced energy consumption and a smaller ecological footprint.

### **3.4. Section D – State and Commonwealth Interests**

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

The Hurstville Civic Precinct is located within the Hurstville City Centre, which has sufficient public infrastructure to accommodate the achievable development that would be facilitated by this Planning Proposal. The site is located in close proximity to the Woodville Street bus interchange and Hurstville railway station. Increasing residential, commercial, civic and cultural opportunities in this location will assist in increasing patronage of existing transport infrastructure.

The site is currently used for urban purposes and is connected to existing infrastructure services.

More detailed engineering studies and plans for utility services infrastructure connections would be carried out as part of a future Development Application for detailed design and construction of development.

**3.4.2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

No State or Commonwealth authorities have been consulted yet by the proponent. It is anticipated that the planning authorities in Georges River Council and Department of Planning and Environment will consult relevant public authorities in accordance with the provisions of the EP&A Act and Regulation.

In correspondence dated 24 November 2017, Roads and Maritime Services (RMS) advised that it is investigating a potential upgrade of the Queens and Park Roads intersection, which may involve localised widening on the south-western corner of the signalised intersection and would require part of Council owned land. At the time of preparing this PP, a conclusive design solution had not been provided to Council for that intersection.

Following formal lodgement of the PP with Council, the PP will be referred to State government authorities for comment, including the RMS. Any further submissions and concepts put forward by the RMS may be considered in the refinement of the PP post Gateway.

## 4. [PART 4] MAPPING

### 4.1. The Site

#### 4.1.1. Site Description

The Hurstville Civic Centre is located on the northern edge of the CBD, approximately 150m to the north-east of the Hurstville train station. Georges River Council is the owner of the site. The site is approximately 12,645.5m<sup>2</sup> in area and has frontage to Dora Street, Queens Road, MacMahon Street and Park Street. The location of the subject site is illustrated as Figure 37.



Figure 37 Site location (source DWP)

#### 4.1.2. Legal Description

The current legal description of the subject site is Lots 14 to 21 Section 1 DP 2647 and Lot 1 DP 76735 and Lot 1 DP 721683.

The site comprises a number of land parcels, as outlined in Figure 38 and Table 8:

Table 8 Land parcels forming the subject site

Lot and DP	Area m <sup>2</sup>	Ownership	Classification/ Reserve status (from Land Register)
Lot 5 in DP 13720	448.9m <sup>2</sup>	Georges River Council	Operational
Lot 6 in DP 13720	411m <sup>2</sup>	Georges River Council	Operational
Lot 200 in DP 831931	5,739m <sup>2</sup>	Georges River Council	Operational

Lot and DP	Area m <sup>2</sup>	Ownership	Classification/ Reserve status (from Land Register)
Lot 201 in DP 831931	788.1m <sup>2</sup>	Georges River Council	Operational
Lot 1 in DP 13720	411m <sup>2</sup>	Georges River Council	Operational
Lot B in DP 321590	486.9m <sup>2</sup>	Georges River Council	Operational
Lot A in DP 340310	390.5m <sup>2</sup>	Georges River Council	Operational
Lot B in DP 340310	429.4m <sup>2</sup>	Georges River Council	Operational
Lot A in DP 389008	670.2m <sup>2</sup>	Georges River Council	Operational
Lot B in DP 389008	980.1m <sup>2</sup>	Georges River Council	Operational
Lot 14 in DP 6510	493.2m <sup>2</sup>	Georges River Council (Gazettal 31/03/2017)	Community Land
Lot 13 in DP 6510	436.3m <sup>2</sup>	Georges River Council (Gazettal 31/03/2017)	Community Land
Lot 100 in DP 260103 (Patrick Street)	960.9m <sup>2</sup>	Georges River Council	Road Reserve – GRC is currently in the process of undertaking a road closure (presently in the process of negotiating relocation of services located within road reserve). Refer Appendix D.
<b>Total Area</b>	<b>12,645.5m<sup>2</sup></b>		

As can be seen above, the majority of the site is classified as 'operational' land and all sites are owned by Georges River Council.

On 31 March 2017, Council acquired Lot 13 in DP 6510 and Lot 14 in DP 6510 (i.e. Baptist Church and adjoining land). Land acquired under the *Land Acquisition (Just Terms Compensation) Act 1991* is transferred to Council with a default 'community' classification, including associated trusts. As such, these lots are presently classified as 'community' land.

This Planning Proposal seeks also to reclassify the above land parcels from 'community' to 'operational' land, and to discharge all trusts.

The cadastral setting of the site is further described in Figure 38.





 Subject Site

Figure 38 Cadastral setting of the site (source SIX Maps) Note: Lot 100 in DP 260103 (Patrick Street) is subject to road closure process and is subject to change

#### 4.1.3. Site Features and Existing Development

The subject site is predominantly civic in nature and accommodates the following existing development and uses:

- Georges River Council's Administration Building and Council Chambers;
- Civic and Entertainment Centre;
- Hurstville Museum;
- Senior Citizens Centre;
- Council public car parking; and
- The former Baptist Church.

A public road reserve exists in the western portion of the site connecting MacMahon Street to Queen Street. The carriageway is not currently used and forms part of the public car park with a fence restricting access to Queen Street. Council is in the process of undertaking a formal road closure (with the road closure application already submitted).

The land uses currently occurring on the site are outlined in the Table 9 below.

Table 9 Existing land uses

Existing land uses	Size
Council Offices – Commercial	1,200m <sup>2</sup> GFA
Entertainment Centre	4,291m <sup>2</sup> GFA



Existing land uses	Size
Youth Centre	500m <sup>2</sup> GFA
Seniors Centre	507m <sup>2</sup> GFA
Museum and Gallery	615m <sup>2</sup> GFA
Church	500m <sup>2</sup> GFA
Total	7,613m <sup>2</sup> GFA
Car Parking	157 spaces

Key site features are illustrated in the following photographs and highlighted in the preliminary site survey provided as Appendix D. Figure 39 to Figure 44 provide an overview of the existing development on the site.



*Figure 39 Georges River Council's civic offices located at the corner of MacMahon Street and Dora Streets*



Figure 40 The Marana Auditorium provides an entertainment destination on the site



Figure 41 Hurstville Senior Citizens and community centre





Figure 42 Hurstville Museum and Gallery is heritage listed



Figure 43 Existing at-grade car park for Council worker and public at the Park Road end of the site



*Figure 44 Former Baptist Church on Dora Street and neighbouring dwelling house are contained within the site. These are not heritage listed and have DA approval for demolition*

#### **4.1.4. Historical use of the site**

A review of 1943 aerial imagery available on the NSW Land and Property Information SIX Maps website demonstrates that, prior to its current use the site was predominantly used for residential purposes with some commercial activity at the corner of MacMahon Street and Dora Street and a church at the corner of Dora Street and Queens Road. Refer Figure 45.





Figure 45 1943 Aerial imagery (source SIX Maps)

#### 4.1.5. Surrounding Land Use Context

The subject site is located to the north east edge of the Hurstville City Centre, which is an elongated centre stretched along the north side of the Illawarra railway line. Hurstville's retail core is central to the wider city centre and generally focused around the Hurstville railway station.

The Hurstville Civic Precinct is generally within short walking distance to the train station and adjacent Woodville Street bus interchange.

Forest Road is the traditional shopping street lined with 2-3 storey buildings and provides a diverse retail and food offer with shops on the street level. Forest Road runs parallel to the railway line and is situated to the south of the subject site. As a key pedestrian street, providing for intuitive pedestrian connection with Forest Road is an essential consideration for this PP.

Major high-rise construction is transforming the character of the City Centre with much of this development occurring in close proximity to the subject site.

Westfield Shopping Centre is situated to the south east of the subject site, with direct open street connections providing easy access between this major retail destination and the Hurstville Civic Centre via Barratt Street and Crofts Avenue.

A variety of open space opportunities are in 10 minute walking distance to the Hurstville City Centre and subject site including Hurstville Oval, Penshurst Park, Woodville Park, Croot Park and Kempt Field. Few open space opportunities exist within the Hurstville City Centre itself, with the exception of Memorial Square on Forest Road.

The site is also located in close proximity to a number of educational establishments including Sydney Technical College, Hurstville Primary School, Hurstville Boys High and Bethany College.



The Westfield Shopping centre is located approximately 300m to the south-east of the site and provides regionally significant retail facilities and employment, with main street amenities located nearby on Forest Road. Refer Figure 46.



Figure 46 Surrounding land use context (source DWP)

Figure 47 to Figure 55 illustrate the surrounding land use and built form context:

#### MacMahon Street (south east of the Hurstville Civic Precinct)



Figure 47 High density development on the southern side of MacMahon Street incorporating heritage items





Figure 48 Church building at the corner of MacMahon Street and Park Road



Figure 49 Bungalows on MacMahon Street opposite the site



*Figure 50 Six (6) storey mixed use development at the corner of MacMahon Street and Dora Street*

### **Dora Street (south west of the Hurstville Civic Precinct)**



*Figure 51 Existing mixed use towers at 9 Dora Street (left) and 15 Dora Street (right)*





*Figure 52 Existing Hurstville Library on the corner of Queens Road and Dora Street with residential apartments above*



*Figure 53 Waratah Private Hospital on the corner of Queens Road and Dora Street opposite the site*



### Park Road (north east of the Hurstville Civic Precinct)



Figure 54 Three (3) storey walk up flat buildings along Park Road opposite the site.



Figure 55 Traffic queues at the Queens Road Park Road intersection.

#### 4.1.6. Transport and Accessibility

##### Road Network

The subject site is well connected to regional road networks Forest Road provides good connection to the A3/ King Georges Road, which provides ready access to the M5 Motorway, M4 Motorway and the A1/ Princes Highway.

##### Public Transport

The subject site is well located to public transport within 200m of the Hurstville Train Station and 100 metres from the Woodville Street Transport (Bus) Interchange.

##### Active Transport

Pedestrian footpaths are provided on roads around the vicinity of the subject site. Council's cycling map identifies Queens Road, Dora Street and MacMahon Street as key cycle routes in the locality.

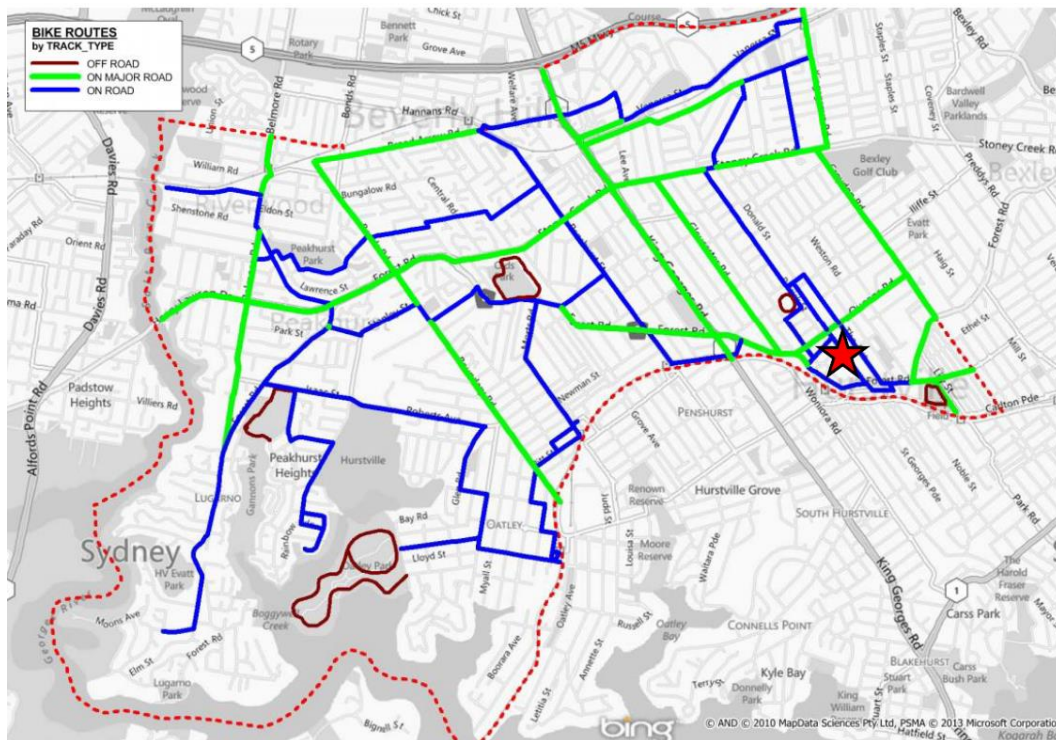


Figure 56 Surrounding Cycling Routes (source GTA) Subject site denoted by red star

## 4.2. Current Planning Provisions

### 4.2.1. Current Land Classification

The majority of the subject site is classified as 'operational land' under the Local Government Act 1993. The recently acquired Lot 13 in DP 6510 and Lot 14 in DP 6510 (i.e. former Baptist Church and adjoining land) are presently classified as 'community' land. Land acquired under the *Land Acquisition (Just Terms Compensation) Act 1991* is transferred to Council with a default 'community' classification, including associated trusts.



#### 4.2.2. Hurstville Local Environmental Plan 1994

As the site is listed as a 'Deferred Matter' under HLEP 2012, the current provisions of the Hurstville Local Environmental Plan 1994 (HLEP 1994) apply. The Planning Proposal will result in the rezoning of the site from the current 3(b) City Centre Business zone under HLEP 1994, and 'Deferred Matter' under HLEP 2012, to the B4 Mixed Use zone. Following which the provisions of HLEP 1994 would cease to be applicable to the site.

The following subsections focus on the HLEP 1994 controls directly relating to this Planning Proposal, that being Land Use zoning, Height of Building, Floor Space Ratio and Heritage. It also considers the broader impact of lifting the deferred matter in relation to other provisions within the HLEP 1994 instrument.

##### Land Use Zoning (HLEP 1994)

In accordance with the HLEP 1994, the subject site is zoned 3(b) - City Centre Business Zone, which is illustrated as Figure 57.

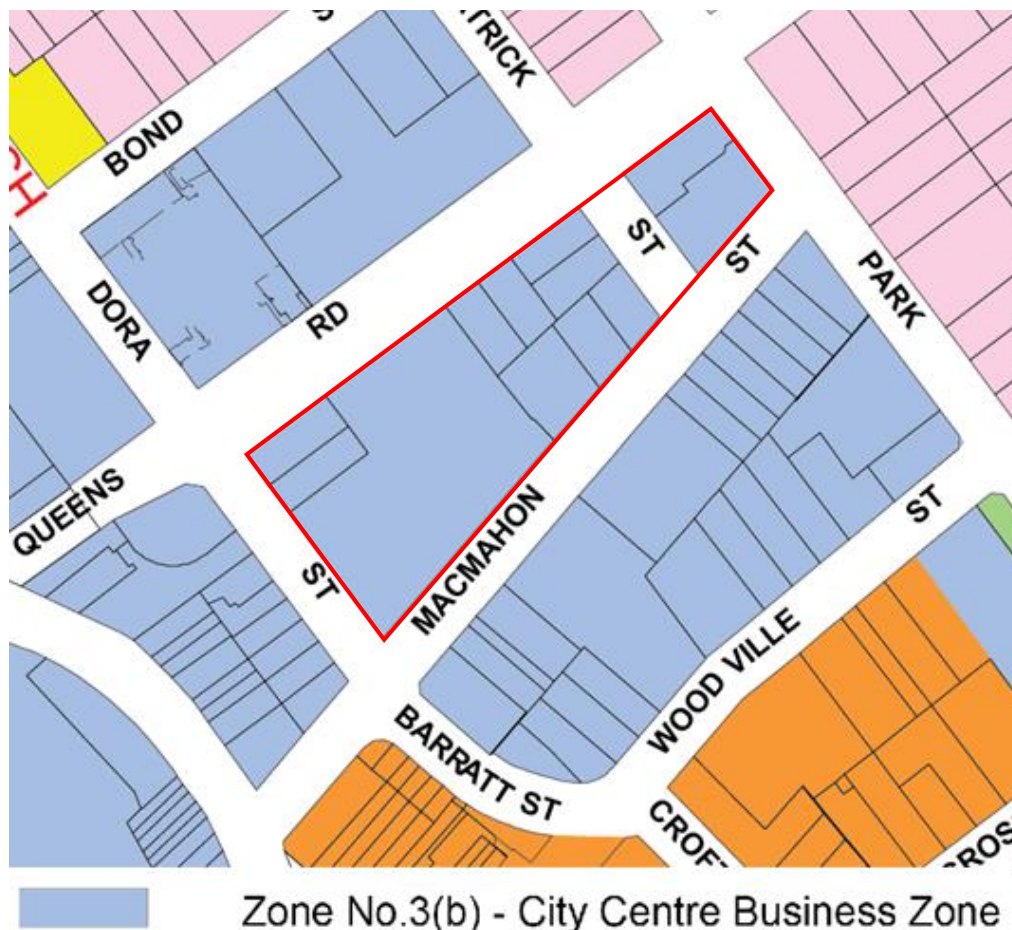


Figure 57 HLEP 1994 Land use map (source GRC)- Site in red boundary

The following objectives and permissibility apply within the 3(b) zone:

Zone No 3 (b) (City Centre Business Zone)

Zone objectives

*The objectives of this zone are:*

- (a) to designate sufficient areas of land to meet the projected needs of the Hurstville Town Centre as a multi-functional regional centre,*
- (b) to facilitate development of land within the Hurstville Town Centre for commercial, retail, residential and community purposes,*
- (c) to provide a single business zone for the Hurstville Town Centre as a sub-regional centre,*
- (d) to facilitate the implementation of a development control plan for the Hurstville Town Centre:*
  - (i) by introducing appropriate floor space ratio controls,*
  - (ii) by encouraging an economically viable retail core which is centrally located and in close proximity to public transport,*
  - (iii) by enhancing employment opportunities and to service the needs of the local and regional community,*
  - (iv) by encouraging and facilitating the use of public transport,*
  - (v) by providing and enhancing pedestrian and public open space areas for shoppers and workers,*
  - (vi) by maintaining and improving the environmental and aesthetic quality of the Hurstville Town Centre and its surrounds,*
  - (vii) by ensuring adequate and accessible off-street car parking, and*
- (e) to improve traffic flow in and around the Hurstville Town Centre.*

**1 Without development consent**

*Exempt development; public utility undertakings other than gas holders or generating works.*

**2 Only with development consent**

*Any purpose other than a purpose included in item 1 or 3.*

**3 Prohibited**

*Amusement centres; animal establishments; boarding houses; caravan parks; gas holders and generating works; hazardous industry; hazardous storage establishments; industries; institutions; materials recycling yards; offensive industries; offensive storage establishments; panel beating workshops; sex services premises; transport depots; warehouse or distribution centres.*

Based on the above, residential flat buildings, business premises, office premises and shops are not expressly prohibited in the zone and are therefore considered permissible within the 3(b) zone.

### **Height of Buildings (HLEP 1994)**

The HLEP 1994 does not state a maximum building height for development in the 3(b) zone. Height controls for the subject site are stipulated within the Hurstville City Centre Development Control Plan 2, which applies to development within the Hurstville City Centre.



### Floor Space Ratio (HLEP 1994)

The HLEP 1994 does not state a maximum Floor Space Ratio (FSR) for development in the 3(b) zone. FSR controls for the subject site are stipulated within the Hurstville City Centre Development Control Plan 2, which applies to development within the Hurstville City Centre.

### Heritage (HLEP 1994)

The site is listed as a heritage item (item I157) in Schedule 2 of the Hurstville 1994 LEP. It is also included in the State Heritage Inventory (SHI) database (1810094) and identified as an item of local heritage significance.

### Consideration for other applicable HLEP 1994 provisions

There are a number of other provisions that also apply to the subject site, which would cease to apply once the intended zoning comes into effect. These are considered in Table 10, which demonstrates that while the provisions of HLEP 1994 would cease to apply, HLEP 2012 and draft GLEP 2020 (when effective) contain equivalent provisions that will continue to provide effective and up to date guidance as currently provided for under the HLEP 1994 instrument.

Table 10 Consideration for other applicable HLEP 1994 provisions

HLEP 1994 Provision	Applicable	Comment
<b>Part 1 Preliminary</b>		
1 Name of plan	✓	Equivalent provision under Part 1 CI 1.1 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
2 Aims, objectives etc	✓	Equivalent provision under Part 1 CI 1.2 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
3 Land to which plan applies	✓	Equivalent provision under Part 1 CI 1.1 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
4 Relationship to other environmental instruments	✓	Equivalent provision under Part 1 CI 1.8 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
5 Interpretation	✓	Equivalent provision under Part 1 CI 1.4 of HLEP 2012 and associated 'Dictionary' definitions will apply (or draft GLEP 2020 when effective).
6 Consent authority	✓	Equivalent provision under Part 1 CI 1.6 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
6A Transitional provisions for certain development applications	✓	Equivalent provision under Part 1 CI 1.8A of HLEP 2012 will apply (or draft GLEP 2020 when effective).
<b>Part 2 General restrictions on development of land</b>		
7 Zones indicated on the map	✓	Equivalent provision under Part 2 CI 2.1/ 2.2 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
8 Zone objectives and development control table	✓	Equivalent provision under Part 2 CI 2.3 of HLEP 2012 will apply (or draft GLEP 2020 when effective).

HLEP 1994 Provision	Applicable	Comment
9 Council policies	X	A site specific DCP is proposed to guide the design and delivery of intended outcomes of the PP. This will be prepared and adopted pursuant to Part 3 Division 3.6 of the EP&A Act.
Table	✓	Equivalent land use table under HLEP 2012 will apply (or draft GLEP 2020 when effective).
Part 3 Special provisions		
9A What is exempt and complying development	✓	Equivalent provision under Part 3 CI 3.1/ 3.2 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
9B Exceptions to development standards	✓	Equivalent provision under Part 4 CI 4.6 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
10 Subdivision generally	X	Equivalent provision under Part 2 CI 2.6 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
11 Minimum lot sizes for dwelling houses on land within Zone No 2	X	Site is not located in Zone 2, therefore not applicable.
11A Dual occupancies	X	Minimum lot size controls are applicable only to residential zoned land (Zone 2). The site is in existing and proposed business zoned land. Therefore, not applicable.
11AA Multiple dwellings for seniors and people with a disability	X	Site is not located in Zone 2, therefore not applicable.  Housing for seniors and people with a disability is adequately provided for under <i>SEPP (Housing for Seniors or People with a Disability) 2004</i> .
13 Floor space ratios	X	No FSR prescribed in the 3(b) zone. The PP would subject the site to FSR limits and the provisions of cl 4.4 and cl 4.4B and associated mapping under the HLEP 2012 will apply (or draft GLEP 2020 when effective).
13A Size of display or sales area in shops on land within Zone No 3 (a)	X	Site not located in Zone 3(a). Therefore, not applicable.
14 Tree preservation orders	✓	No equivalent provision under the HLEP 2012 or draft GLEP 2020 exists. Optional <i>cl 5.9 Preservation of trees or vegetation</i> was repealed from Standard Instrument. SEPP (Vegetation in Non-Rural Areas) 2017 now provides effective guidance in this regard.
15 Services	✓	Equivalent provision under Part 6 CI 6.7 of HLEP 2012 will apply (or cl 6.9 of the draft GLEP 2020 when effective).
15A Height restrictions for land within Zones Nos 3 (a) and 3 (c)	X	No height restrictions prescribed in the 3(b) zone. The PP would subject the site to height of buildings limits and the provisions of cl 4.3 and associated mapping under the HLEP 2012 will apply (or draft GLEP 2020 when effective).

HLEP 1994 Provision	Applicable	Comment
16 Development in industrial zones	X	Site not located in an industrial zone. Therefore, not applicable.
16A Sex services premises	✓	Equivalent provision under Part 6 Cl 6.8 of HLEP 2012 will apply (or cl 6.18 of the draft GLEP 2020 when effective).
17 Bulky goods retailing	X	Site not located within Zone 4, therefore not applicable.
18 Development in open space zones	X	Site not located within Zone No 6 (a) or 6 (b), therefore not applicable.
19 Foreshore building lines	X	Site not located within the foreshore building line, therefore not applicable.
19A Development in foreshore areas	X	Site not located in a foreshore area, therefore not applicable.
19B Foreshore scenic protection area	X	Site not located in a foreshore scenic protection area, therefore not applicable.
20 Community use of school facilities or sites	X	No education facilities located within the site, therefore not applicable.
21 Roads	✓	<p>The provisions of this clause were applicable at a time when roads were not assigned a land use zone. Effective guidance equivalent to cl 21 of HLEP 1994 is provided through the following legislative mechanisms:</p> <ul style="list-style-type: none"> <li>▪ Roads are now assigned a land use zone under the LEP based on the Standard Instrument (i.e HLEP 2012/ draft GLEP 2020).</li> <li>▪ Cl 5.1 Relevant Acquisition Authority under HLEP 2012 (and draft GLEP 2020 when effective).</li> <li>▪ SEPP (Infrastructure).</li> <li>▪ Roads Act 1993.</li> </ul>
22 Excavation, filling of land	✓	No equivalent provision exists under HLEP 2012, however cl 6.2 of the draft GLEP 2020 will provide adequate guidance in relation to earthworks, when effective.
22A Development on land identified on the Acid Sulfate Soils Planning Map	X	<p>Site not located in an area affected by Acid Sulfate Soils.</p> <p>Equivalent provision under Part 6 cl 6.1 of HLEP 2012 will apply (or draft GLEP 2020 when effective).</p>
22B Remediation of contaminated land	✓	No equivalent provision under HLEP 2012 or draft GLEP 2020. Should there be a need to remediate any part of the site due to contamination, the provisions of <i>SEPP 55 - Remediation of Land</i> will apply and provide adequate guidance.
23 Acquisition and development of land reserved for arterial roads	X	No land identified in Zone 9 for acquisition.

HLEP 1994 Provision	Applicable	Comment
		Equivalent provision under Part 5 CI 5.2 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
24 Suspension of certain laws etc	✓	Equivalent provision under Part 1 CI 1.9A of HLEP 2012 will apply (or draft GLEP 2020 when effective).
25 Temporary use of land	✓	Equivalent provision under Part 2 CI 2.8 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
25A Advertising and signage	✓	There are no equivalent provisions under the HLEP 2012 or draft GLEP 2020. Adequately provided for under SEPP 64 and supported by comprehensive DCP provisions.
26 Development of land for certain additional purposes	X	No additional uses applicable to the site identified under HLEP 1994, therefore not applicable.
26AA Development of No 1 Forest Road, Hurstville	X	Site specific, therefore not applicable.
26AAA Development on certain land in Narwee	X	Site not located in Narwee, therefore not applicable.
26A Classification and reclassification of public land as operational land	✓	The PP proposes to reclassify the sites at 4-6 Dora Street (Lot 13 in DP 6510 and Lot 14 in DP 6510) from community to operational. Equivalent provision under Part 5 CI 5.2 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
26B Savings and transitional provision	✓	Equivalent provision under Part 1 CI 1.8A of HLEP 2012 will apply (or draft GLEP 2020 when effective).
26C Demolition requires development consent	✓	Equivalent provision under Part 2 CI 2.7 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
26D Conversion of fire alarms	✓	Equivalent provision under Part 5 CI 5.8 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
<b>Part 4 Heritage provisions</b>		
27 Aims in relation to heritage	✓	Equivalent provision under Part 5 CI 5.10 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
28 Protection of heritage items	✓	Equivalent provision under Part 5 CI 5.10 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
29 Advertised development	✓	Equivalent provision under Part 5 CI 5.10 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
31 Development affecting places or sites of known or potential Aboriginal heritage significance	X	No places or sites of known or potential Aboriginal heritage significance.



HLEP 1994 Provision	Applicable	Comment
		Equivalent provision under Part 5 CI 5.10 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
32 Development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance	X	No places or sites of known or potential Aboriginal heritage significance. Equivalent provision under Part 5 CI 5.10 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
33 Development in the vicinity of a heritage item	✓	Equivalent provision under Part 5 CI 5.10 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
34 Conservation incentives	✓	Equivalent provision under Part 5 CI 5.10 of HLEP 2012 will apply (or draft GLEP 2020 when effective).
Schedule 1 Amendment of other environmental planning instruments	X	EPIs referred to under Schedule 2 no longer in effect. These are: <i>State Environmental Planning Policy No 25—Residential Allotment Sizes and Dual Occupancy Subdivision</i> <i>Sydney Regional Environmental Plan No 12—Dual Occupancy</i> Therefore, not applicable.
Schedule 2 Heritage items	✓	This PP proposes to include heritage item (item I157) on the heritage map and list the item under (equivalent) Schedule 5 of the HLEP 2012. Equivalent provision under Part 5 CI 5.10 of HLEP 2012 supported by Schedule 5 will apply (or draft GLEP 2020 when effective).
Schedule 3 Development of land for certain additional purposes	X	No additional uses applicable to the site identified under HLEP 1994.
Schedule 4 Classification and reclassification of public land as operational land	✓	The PP proposes to reclassify the sites at 4-6 Dora Street (Lot 13 in DP 6510 and Lot 14 in DP 6510) from community to operational. Equivalent provisions under Part 5 CI 5.2 supported by Schedule 4 of HLEP 2012 (or draft GLEP 2020 when effective).

As is demonstrated in Table 10 above, there are no provisions contained in the HLEP 1994 that are not adequately provided for under the HLEP 2012 (or draft GLEP 2020), applicable SEPPs, DCP or other legislation. As such, by rezoning the site to B4 Mixed Use and removing the site's Deferred Matter status, adequate guidance will continue to be provided in relation to the site.

#### 4.2.3. Hurstville Local Environmental Plan 2012

##### Land Use Zoning (HLEP 2012)

The subject site is listed as a 'Deferred Matter'. Therefore, the provisions of the HLEP 2012 are not currently applicable to the subject site. Clause 1.3 (1A) of the HLEP 2012 states:

*(1A) Despite subclause (1), this Plan does not apply to the land identified as "Deferred matter" on the Land Application Map.*

The above confirms that HLEP 1994 remains the principal environmental planning instrument applicable to the subject land, until such time that the subject site's status as a 'Deferred Matter' is removed and an appropriate zone is assigned. Refer Figure 58.

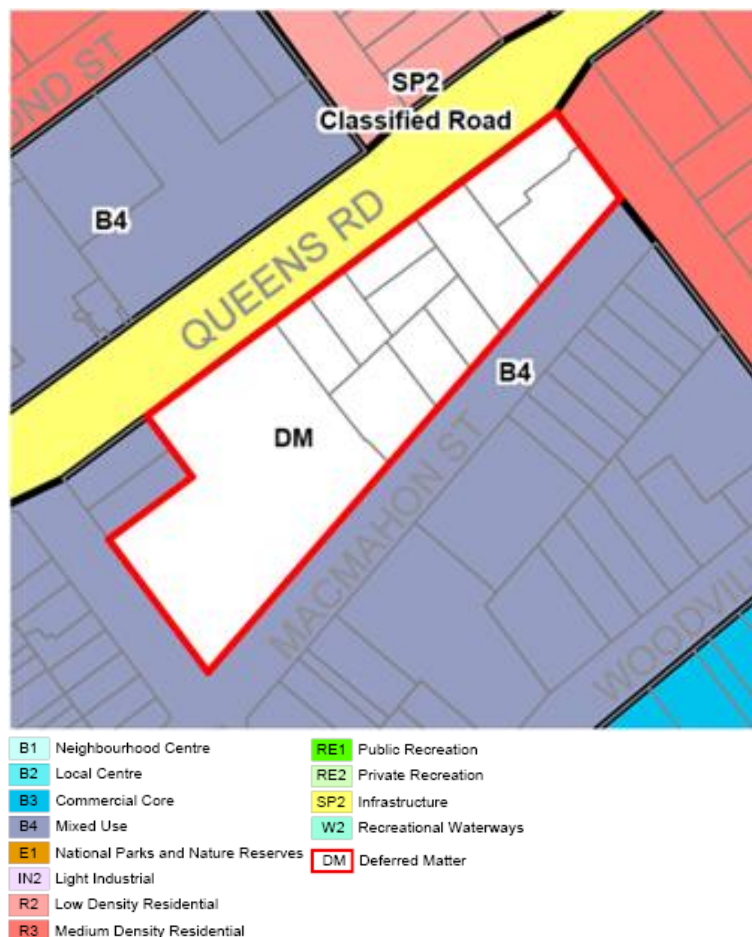


Figure 58 HLEP 2012 Land use zoning (Source NSW Legislation)

##### Building Height (HLEP 2012)

As the majority of the Hurstville Civic Precinct site is a deferred matter under HLEP 2012 a maximum building height does not presently apply, with the exception of 4-6 Dora Street to which a maximum height of 15m applies. Refer Figure 59.

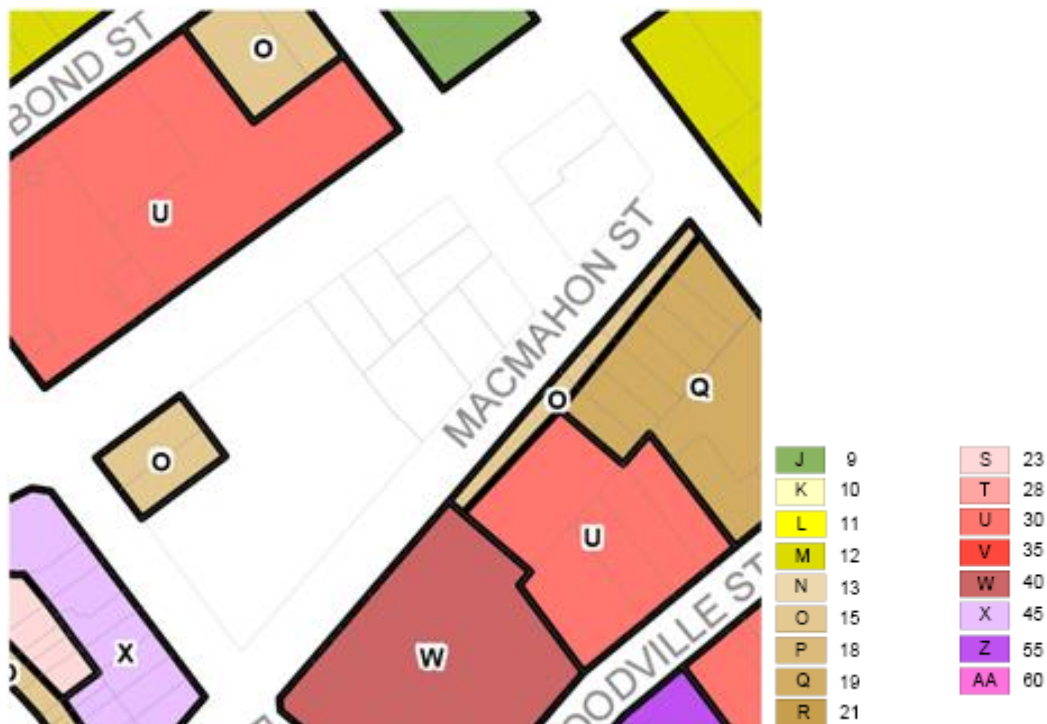


Figure 59 HLEP 2012 Height of Building (Source NSW Legislation)

### Floor Space Ratio

As the majority of the Hurstville Civic Precinct site is a deferred matter under HLEP 2012 a maximum FSR does not presently apply, with the exception of 4-6 Dora Street to which a maximum FSR of 3.0:1 applies. Refer Figure 59.

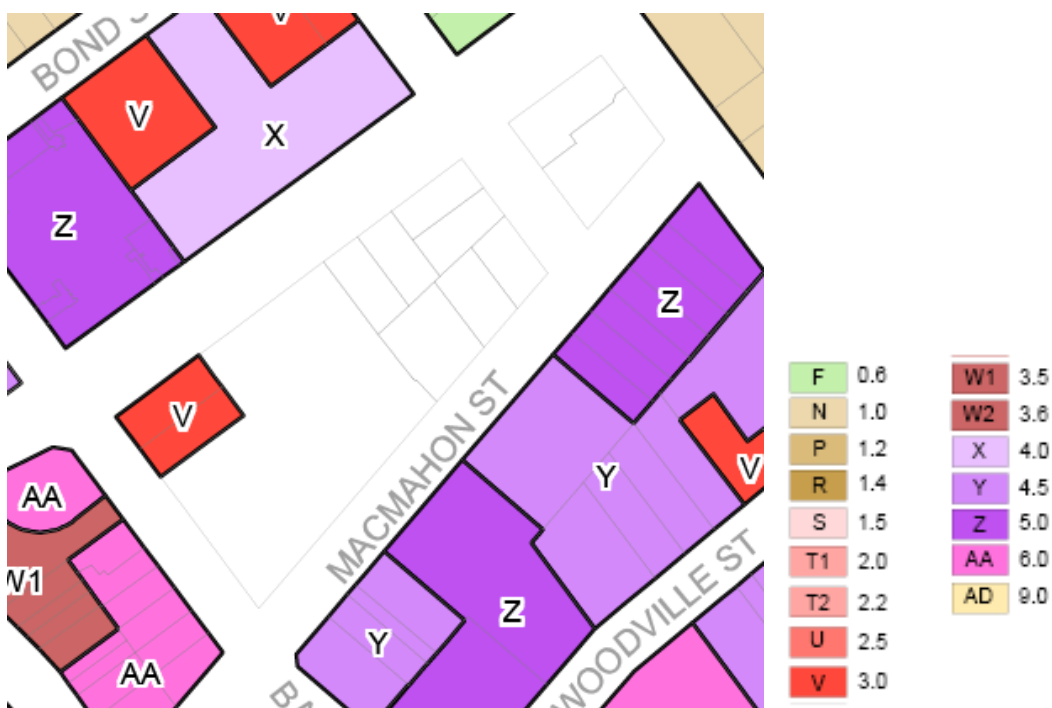


Figure 60 HLEP 2012 Maximum FSR mapping (Source NSW Legislation)

### Active Street Frontages

4-6 Dora Street (Lot 13 in DP 6510 and Lot 14 in DP 6510) are identified as having active street frontage. Delete the red line identifying 4-6 Dora Street (Lot 13 in DP 6510 and Lot 14 in DP 6510) as having active street frontage. Refer Figure 61.



Figure 61 HLEP 2012 Active Street Frontages (Source NSW Legislation)

### 4.3. Proposed Planning Provisions

#### Proposed amendments to the HLEP 2012 and relationship to the draft Georges River Local Environmental Plan 2020

This PP seeks to amend the Hurstville Local Environmental Plan 2012 (HLEP 2012). By amending the land use zoning of subject site, it will no longer carry the status as a 'Deferred Matter'. As such the provisions of HLEP 1994 will no longer apply. The site will be zoned and have the provisions of HLEP 2012 apply. This PP will also seek to introduce height, FSR and active street frontage controls commensurate with the subject site's planning and urban design context, consistent with all land in the LGA.

At the time of writing this Planning Proposal for the Hurstville Civic Precinct, the draft Georges River Local Environmental Plan 2020 (GLEP 2020) Planning Proposal (PP\_GRIVE\_001\_00) was in the advanced stages of finalisation, and is likely to be effective prior to the implementation of this Planning Proposal. The GLEP 2020 Planning Proposal had sought to include the Hurstville Civic Precinct. However, the schedule of conditions under the Gateway Determination dated 10 March 2020 directs that the Hurstville Civic Precinct be removed from the Planning Proposal and as such, it will remain a Deferred Matter when the draft GLEP 2020 comes into effect. The objectives and intended outcomes, as well as applicable or proposed future planning controls sought by this Hurstville Civic Precinct PP, will not be impacted by the GLEP 2020 Planning Proposal (PP\_GRIVE\_001\_00). The only change that will occur is the instrument being amended by this Planning Proposal.

Once the draft GLEP 2020 becomes effective, the Hurstville Civic Precinct will become subject to its provisions, including any proposed Design Excellence or Environmental Sustainability requirements (i.e. CI 6.10 and CI 6.11 of draft GLEP 2020) as well as any provisions proposed by this Hurstville Civic



Precinct Planning Proposal. It is noted that such provisions proposed under the draft GLEP 2020 may duplicate similar provisions proposed under the draft site specific DCP (e.g. Design Excellence and Environmental Sustainability provisions). This may necessitate a review of the draft site specific DCP at a later stage to avoid duplication of planning controls once that instrument is in effect.

Until such time that the draft GLEP 2020 is implemented, this Planning Proposal can only seek to amend the current instrument, which is HLEP 2012.

This PP specifically proposes to amend the HLEP 2012 as follows. Comparative current and proposed LEP mapping is provided in Appendix H.

#### 4.3.1. Proposed Land Classification

This Planning Proposal seeks to reclassify Lot 13 in DP 6510 and Lot 14 in DP 6510 (i.e. former Baptist Church and adjoining land) from 'community' to 'operational' land, and to discharge all trusts.

As such, the PP seeks an amendment to Schedule 4 - Classification and reclassification of public land in the HLEP 2012 by inserting the following:

*Schedule 4 - Classification and reclassification of public land*

*(Clause 5.2)*

*Part 2 Land classified, or reclassified, as operational land - interests changed*

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc. not discharged
Hurstville	Lot 14 in DP 6510 and Lot 13 in DP 6510	Nil

In accordance with section 29 of the *Local Government Act 1993 No 30*, a public hearing pursuant to Section 3.34 (2)(e) of the *Environmental Planning and Assessment Act 1979* to reclassify community land as operational land will be required.

#### 4.3.2. Proposed Land Use Zoning

This PP seeks to amend the HLEP 2012 land use zoning map 008A to remove the 'Deferred Matter' and rezone the site to B4 Mixed Use. Refer Figure 62.

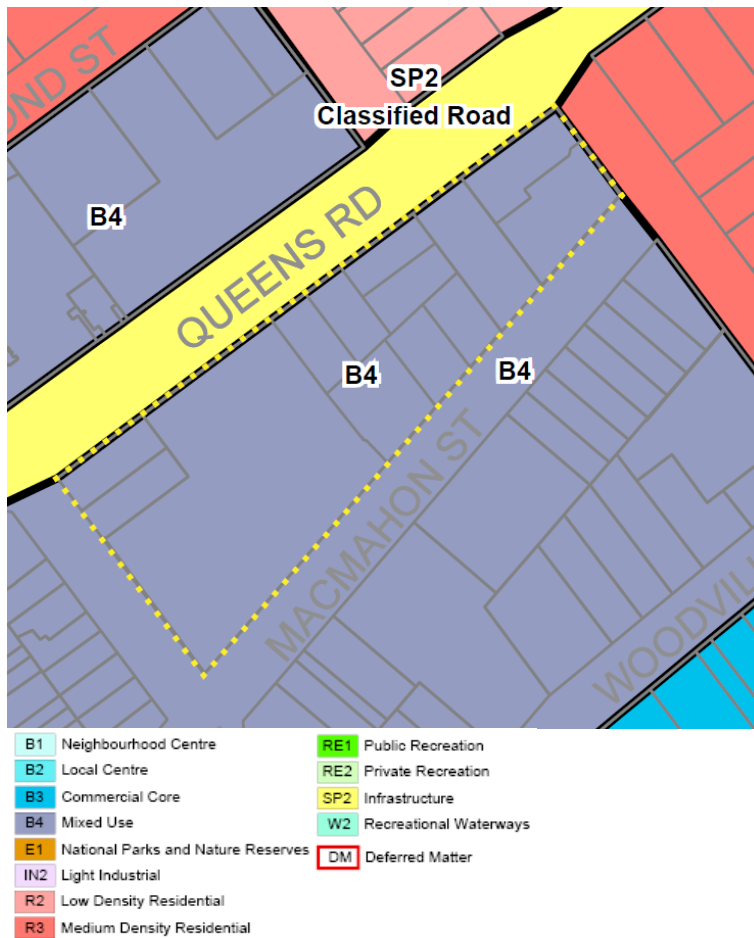


Figure 62 HLEP 2012 Proposed land use zoning (Source NSW Legislation)

The land parcels adjoining and in close proximity to the subject site are assigned a B4 Mixed Use zone and is the zone that is most characteristic of the desired future context surrounding the subject site. The proposed B4 Mixed Use zone is the most consistent with the subject site's 'Zone No 3 (b) City Centre Business Zone' under HLEP 1994 and should therefore be considered a like-for-like transition to a zone that is consistent with the zoning of neighbouring land parcels in the precinct.

Zoning of the site as B4 Mixed Use would result in the current HLEP 1994 will no longer being applicable to the subject site.

#### 4.3.3. Land Application Map

As the PP would result in the site no longer being zoned under HLEP 1994, this PP seeks to remove the Hurstville Civic Precinct 'Deferred Matter' from the Land Application Map.

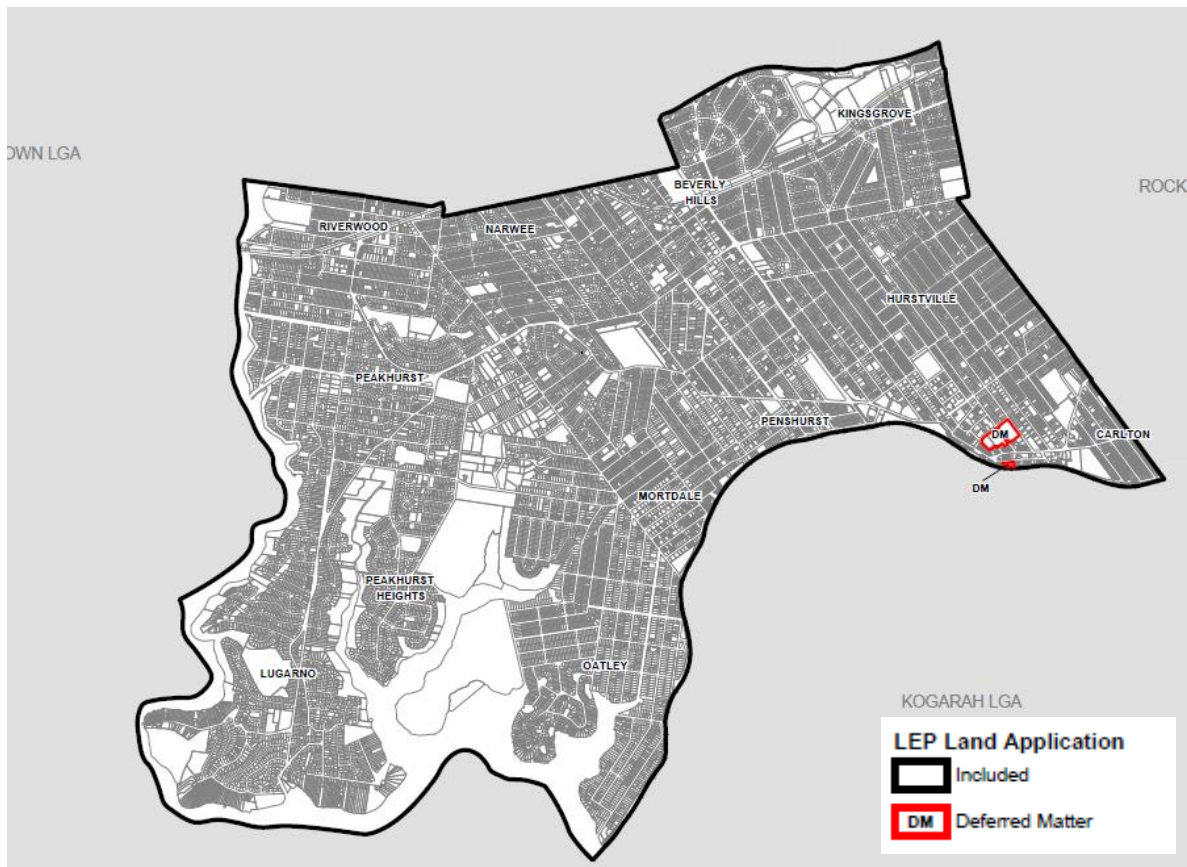


Figure 63 Proposed Land Application Map (Source NSW Legislation)

#### 4.3.4. Proposed Height of Buildings

This PP seeks to amend the HLEP 2012 maximum height map 008A to set:

- a maximum height of 60 metres under the height designation of 'AA' at the north eastern and south western portion of the site, where no maximum height limit is currently in effect within HLEP 2012, (refer Figure 64 and Appendix H).
- a maximum height of 30 metres under the height designation of 'U' where no maximum height limit is currently in effect within HLEP 2012, apart from Lots 13 and 14 in DP 6510, where a height limit of 15 meters currently applies (refer Figure 64 and Appendix H).
- a maximum height of 20 metres under the height designation of 'Q1' at the central portion of the site and at the central portion of Dora Street, where no maximum height limit is currently in effect within HLEP 2012, apart from Lots 13 and 14 in DP 6510, where a height limit of 15 meters currently applies (refer Figure 64 and Appendix H).



Figure 64 HLEP 2012 Proposed Maximum Height of Building mapping (Source NSW Legislation)

#### 4.3.5. Proposed Floor Space Ratio

This PP seeks to amend the HLEP 2012 maximum floor space ratio map 008A to set:

- a maximum FSR of 3:1 under the FSR designation of 'V' at the south western portion of the site, where no maximum FSR limit is currently in effect within HLEP 2012 (refer Figure 65 and Appendix H) other than for Lots 13 and 14 in DP 6510, where an FSR of 3:1 already applies.
- a maximum FSR of 7:1 under the FSR designation of 'AB' at the central/ north eastern portion of the site, where no maximum FSR limit is currently in effect within HLEP 2012 (refer Figure 65 and Appendix H).
- a maximum FSR of 5:1 under the FSR designation of 'Z' at the north eastern portion of the site, where no maximum FSR limit is currently in effect within HLEP 2012 (refer Figure 65 and Appendix H).



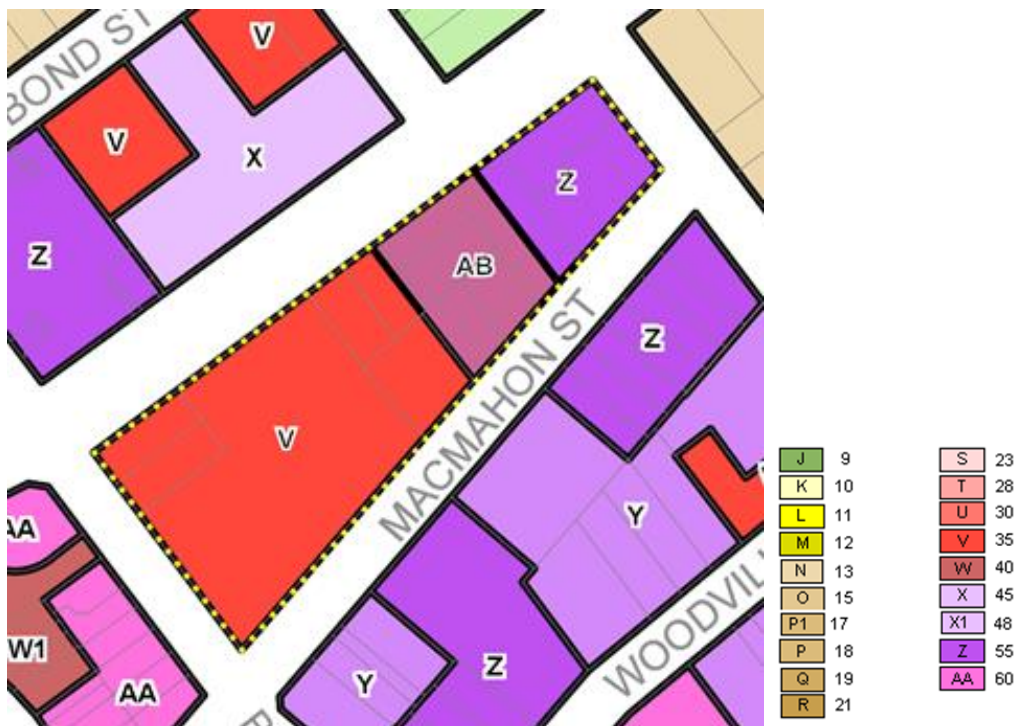


Figure 65 HLEP 2012 Proposed Maximum Floor Space Ratio mapping (Source NSW Legislation)

#### 4.3.6. Heritage

This PP proposes to include heritage item (item I157) on the heritage map and list the item under in Schedule 5 of the HLEP 2012. Refer Figure 66 and Appendix H.

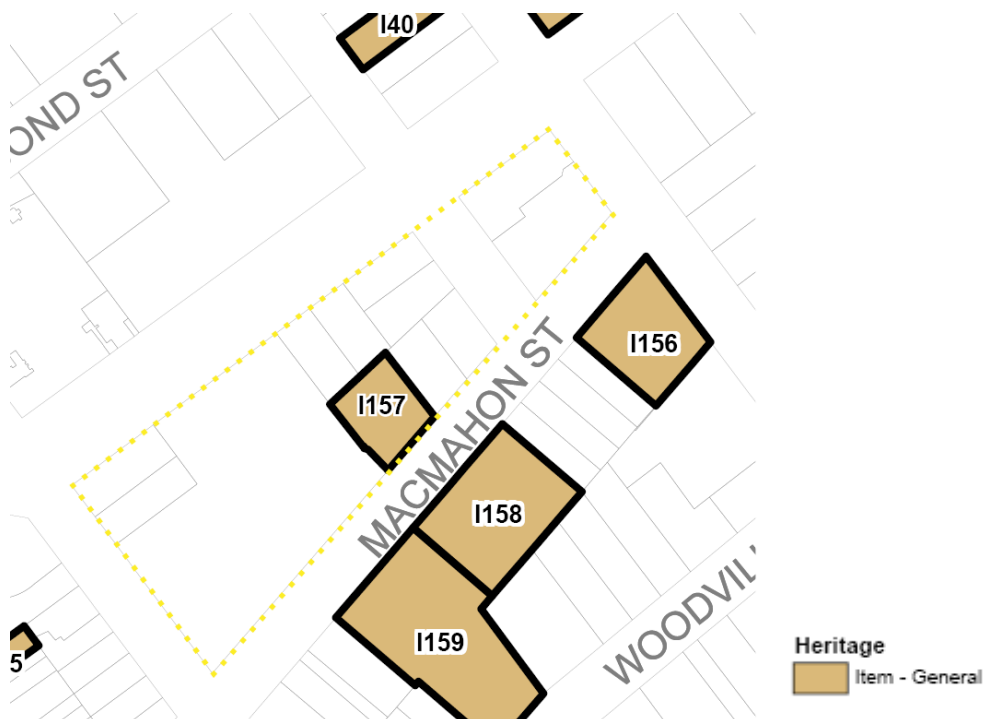


Figure 66 Proposed Heritage Mapping (Source NSW Legislation)

#### 4.3.7. Proposed Active Street Frontages

This PP seeks to delete the red line identifying 4-6 Dora Street (Lot 13 in DP 6510 and Lot 14 in DP 6510) as having active street frontage. Refer Figure 67 and Appendix H.



Figure 67 Proposed HLEP 2012 Active Street Frontages (Source NSW Legislation)

## 5. [PART 5] COMMUNITY CONSULTATION

The July 2016 PP prepared by (then) JBA was based on significant consultation with the community and stakeholders. JBA's Community Consultation Summary Report is provided at Appendix G. Council also informally exhibited the PP and supporting documentation in July 2016.

Following its exhibition, an independent review was undertaken by Council's nominated consultants. A presentation was also made to Georges River Council's Design Review Panel (DRP).

The outcomes of the initial consultation and feedback provided by Council's independent consultant and DRP has been considered in the preparation of this revised PP and supporting Concept Design Report.

The revised PP was presented to the elected Council in March 2018 and subsequent feedback has been considered and reflected in this revised PP and supporting Concept Design Report.

It is anticipated that the planning authorities in Georges River Council and Greater Sydney Commission will conduct community consultation in accordance with the relevant provisions of the EP&A Act and Regulation which includes newspaper advertisement, public exhibition at Council offices and on Council's website and notification letters to adjacent property owners.

Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

## 6. [PART 6] PROJECT TIMELINE

The following project timeline is provided in accordance with 'A guide to preparing planning proposals' prepared by the Department of Planning and Environment (2012).

	2020		...	2021								2022							
Month	M	J	...	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S
Proposal Lodged with Council (July 2018)																			
Council Endorsement	■	■		■															
DPE Assessment				■	■														
Gateway Determination					■														
Agency Consultation						■	■												
Community Consultation							■	■											
Public Hearing									■										
Consideration of submissions										■									
Report to Council on community consultation and finalisation											■								
Submission to DP&E to finalise LEP												■	■						
DPE consideration /Plan making													■	■					



## 7. CONCLUSION

This PP has been prepared to seek an amendment to the Hurstville LEP 2012 land use zoning, maximum floor space ratio (FSR) and maximum height of building development standards, which apply to the Hurstville Civic Centre. The PP also seeks to reclassify two (2) sites at the south west corner of the precinct from 'community' to 'operational'.

It is concluded that this PP considers all matters required to be addressed under the requirements for a planning proposal and has:

- taken into account and is consistent with State Government policies;
- taken into account and is consistent with all Ministerial Directions under Section 9.1 of the EP&A Act;
- identified that the site is suitable for the site and will not adversely impact any existing or future centres nearby; and
- demonstrated that it will bring about a number of net community benefits.

The PP will facilitate future redevelopment of the subject site in a manner that will:

- enable the Hurstville Civic Precinct to be enhanced as a key destination and community heart for the Hurstville City Centre inclusive of a Civic Plaza that will increase the open space provision in this City Centre location;
- facilitate design excellence through application of a site specific DCP;
- enable an increase in residential, retail, commercial, civic and cultural activity within a definite short-term time frame in line with the vision outlined in the Greater Sydney Plan and South District Plan, as a site is under a single land tenure that can be readily developed to achieve envisaged revitalisation outcomes;
- enable high quality contemporary mixed-use buildings to the Hurstville City Centre of a suitable design, character and scale to correspond to the desired future character of the centre as an urban scaled and lively mixed-use precinct;
- be appropriate in its context in terms of scale, form and design to fulfil its role as a transit-oriented development, whilst appropriately managing visual and amenity impacts of building bulk on the surrounding city centre and residential context;
- enhance the economic strength of Hurstville by enabling the creation of a civic, cultural commercial and retail destination that will give new life to business and amenity in the Hurstville City Centre, as well as increasing population and bringing more visitors to the centre;
- be able to meet car parking needs for the development and represents a reasonable increase in traffic that can be accommodate by the surrounding traffic network as well as providing for increased public car parking in the Hurstville City Centre; and
- include a broad range of positive social and economic effects in the locality catalysing urban revitalisation outcomes for the Hurstville City Centre.

Given the above strategic planning merit and justification, Council is requested to proceed to forward this planning proposal to the Minister or his delegate for a gateway determination under section 3.34 of the EP&A Act to enable the proposal to be exhibited for public, community and stakeholder input.

# APPENDIX A

## DWP Concept Design Report

# **APPENDIX B**

## **Draft Site Specific DCP**

# APPENDIX C

## Transport Impact Statement



# APPENDIX D

## Site survey

# APPENDIX E

## Table of SEPPs

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP 19 - Bushland in Urban Areas	✓		
SEPP 21 - Caravan Parks	✓		
SEPP 33 - Hazardous and Offensive Development	✓		
SEPP 36 - Manufactured Home Estates	✓		
SEPP 47 - Moore Park Showground	✓		
SEPP 50 - Canal Estate Development	✓		
SEPP 55 - Remediation of Land			✓
SEPP 64 - Advertising and Signage	✓		
SEPP 65 - Design Quality of Residential Flat Development			✓
SEPP 70 - Affordable Housing (Revised Schemes)	✓		
SEPP (Affordable Rental Housing) – 2009	✓		
SEPP (Aboriginal Land) 2019	✓		
<a href="#">SEPP (Activation Precincts) 2020</a>	✓		
SEPP (Building Sustainability Index: BASIX) 2004	✓		
SEPP (Coastal Management) 2018	✓		
SEPP (Concurrences and Consents) 2018	✓		
SEPP (Educational Establishments and Child Care Facilities) 2017	✓		
SEPP (Exempt and Complying Development Codes) 2008	✓		
SEPP (Gosford City Centre) 2018	✓		
SEPP (Housing for Seniors or People with a Disability) 2004	✓		
SEPP (Infrastructure) 2007			✓
<a href="#">SEPP (Koala Habitat Protection) 2020</a>	✓		
<a href="#">SEPP (Koala Habitat Protection) 2021</a>	✓		
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	✓		
SEPP (Kurnell Peninsula) 1989	✓		
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	✓		
SEPP (Miscellaneous Consent Provisions) 2007	✓		
SEPP (Penrith Lakes Scheme) 1989	✓		
SEPP (Primary Production and Rural Development) 2019	✓		

SEPP	Not Relevant	Justifiably Inconsistent	Consistent
SEPP (State and Regional Development) 2011	✓		
SEPP (State Significant Precincts) 2005	✓		
SEPP (Sydney Drinking Water Catchment) 2011	✓		
SEPP (Sydney Region Growth Centres) 2006	✓		
SEPP (Three Ports) 2013	✓		
SEPP (Urban Renewal) 2010	✓		
SEPP (Vegetation in Non-Rural Areas) 2017	✓		
SEPP (Western Sydney Employment Area) 2009	✓		
SEPP (Western Sydney Parklands) 2009	✓		



## **APPENDIX F**

### **Table of Section 9.1 Directions**

	Ministerial Direction	Not Relevant	Justifiably Inconsistent	Consistent
<b>1</b>	<b>Employment &amp; Resources</b>			
1.1	Business and Industrial Zones			✓
1.2	Rural Zones	✓		
1.3	Mining, Petroleum Production and Extractive Industries	✓		
1.4	Oyster Aquaculture	✓		
1.5	Rural Lands	✓		
<b>2</b>	<b>Environment &amp; Heritage</b>			
2.1	Environmental Protection Zones	✓		
2.2	Coastal Protection	✓		
2.3	Heritage Conservation			✓
2.4	Recreation Vehicle Areas	✓		
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	✓		
2.6	Remediation of Contaminated Land			✓
<b>3</b>	<b>Housing, Infrastructure and Urban Development</b>			
3.1	Residential Zones	✓		
3.2	Caravan Parks and Manufactured Home Estates	✓		
3.3	(Revoked 9 November 2020)	✓		
3.4	Integrating Land Use and Transport			✓
3.5	Development Near Licensed Aerodromes			✓
3.6	Shooting Ranges	✓		
<b>4</b>	<b>Hazard and Risk</b>			
4.1	Acid Sulfate Soils	✓		
4.2	Mine Subsidence and Unstable Land	✓		
4.3	Flood Prone Land	✓		
4.4	Planning for Bushfire Protection	✓		
<b>5</b>	<b>Regional Planning</b>			
5.1	(Revoked 17 October 2017)	✓		
5.2	Sydney Drinking Water Catchments	✓		
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	✓		

	Ministerial Direction	Not Relevant	Justifiably Inconsistent	Consistent
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	✓		
5.5	(Revoked 18 June 2010)	✓		
5.6	(Revoked 10 July 2008)	✓		
5.7	(Revoked 10 July 2008)	✓		
5.8	Second Sydney Airport: Badgerys Creek	✓		
5.9	North West Rail Link Corridor Strategy	✓		
5.10	(Revoked 17 October 2017)	✓		
5.11	Development of Aboriginal Land Council land	✓		
<b>6</b>	<b>Local Plan Making</b>			
6.1	Approval and Referral Requirements	✓		
6.2	Reserving Land for Public Purposes	✓		
6.3	Site Specific Provisions			✓
<b>7</b>	<b>Metropolitan Planning</b>			
7.1	(Revoked 9 November 2020)	✓		
7.2	(Revoked 28 November 2019)	✓		
7.3	Parramatta Road Corridor Urban Transformation Strategy	✓		
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	✓		
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	✓		
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	✓		
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	✓		
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	✓		
7.9	Implementation of Bayside West Precincts 2036 Plan	✓		

	Ministerial Direction	Not Relevant	Justifiably Inconsistent	Consistent
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	✓		
7.11	Implementation of St Leonards and Crows Nest 2036 Plan	✓		
7.12	Implementation of Greater Macarthur 2040	✓		
7.13	Implementation of the Pyrmont Peninsula Place Strategy	✓		

# APPENDIX G

## Community Consultation Outcomes (JBA 2016)



# APPENDIX H

## Mapping Amendments

## **APPENDIX I**

Executed Deed of Release (Redacted) for 4-6 Dora Street

## **APPENDIX J**

### **Land Titles for 4-6 Dora Street**

## **APPENDIX K**

### **Lease Agreements (Redacted) for 4-6 Dora Street**