

9 Gloucester Road, Hurstville

# Planning Proposal

# Planning Proposal

## 9 GLOUCESTER ROAD, HURSTVILLE

**August 2022**

Prepared under instructions from  
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by

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## 1.0 EXECUTIVE SUMMARY

This Planning Proposal has been prepared by Sutherland & Associates Planning Pty Ltd on behalf of GTB Hurstville Pty Ltd in relation to the site known as 9 Gloucester Road, Hurstville.

The site has been the subject of an extensive master planning process since 2015. The master planning process informed a Planning Proposal for new planning controls which were implemented as changes to the height and FSR controls in the Hurstville Local Environmental Plan 2012 as well as a site specific section 8.3 of the Hurstville Development Control Plan No. 2. The concept prepared for the site by Turner architects which formed the basis of the Planning Proposal included a residential flat building at the northern end of the site on Gloucester Road, as well as 0.5:1 commercial component along the Forest Road frontage and also the corner of Forest Road and Gloucester Road.

However, since gazettal of the new controls for the site, the Hurstville Local Environmental Plan 2012 has been replaced by the Georges River Local Environmental Plan (GRLEP) 2021. Whilst the new GRLEP maintains the same B4 Mixed Use zone for the site, it has nonetheless made “residential flat development” a prohibited use on the site.

This results in an adverse outcome because it will prevent the distribution of the required quantum of commercial floor space to the most optimal and appropriate parts of the site, and instead would require commercial floor space to be relocated to the ground floor along the entire of the Gloucester Road frontage of the site. This is contrary to the concept and vision that underpinned the recent site specific Planning Proposal for the site.

It is appropriate to allow ground floor apartments along the northern end of the Gloucester Road frontage for the following reasons:

- At a macro level, the subject site is in a transition area and is not a core business location and so there is a reduced basis for ground floor commercial use across the entire site.
- At a micro level, the northern end of the Gloucester Road frontage is on the peripheral of the B4 Mixed Use zoned land and is also directly opposite and adjacent to R4 High Density Residentially zoned land and is a fundamentally residential context where ground floor residential use is more appropriate and consistent with the immediate site context at this end of the site.
- The Planning Proposal does not seek any relief from the requirement to provide a minimum 0.5:1 commercial component and instead is intended to provide flexibility to deliver this commercial floorspace in the most optimal parts of the site which is important to ensure the success of the development and maximise its potential for job creation.

In order to allow the development of the site as intended with ground floor residential apartments at the northern end of the Gloucester Road frontage, this Planning Proposal seeks to amend Schedule 1 of the Georges River Local Environmental Plan 2021 to:

- introduce “residential flat building” as an additional permitted use on “Area A” of the site, and
- exclude the application of Clause 6.13 from “Area A”.

The proposed additional permitted use has strategic and site merit as it is based upon the principles established for the site under the recent Planning Proposal.

In the absence of support for this Planning Proposal and the entire ground floor of the Gloucester Road frontage is required to be commercial floorspace, this will most likely result in a dead and inactive zone in a highly densified residential setting, and ultimately a failure to fulfil the objective of the minimum 0.5:1 commercial floor space requirement.

The Planning Proposal has been prepared in accordance with section 3.33 of the Environmental Planning & Assessment Act 1979 (EP&A Act). As required by section 3.33 of the EP&A Act this Planning Proposal includes the following:

- a statement of the objectives or intended outcomes of the proposed instrument,
- an explanation of the provisions that are to be included in the proposed instrument,
- the justification for those objectives, outcomes and provision and the process for their implementation,
- if maps are to be adopted by the proposed instrument – a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument, and
- details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

The Planning Proposal has also been prepared having regard to the 'Local Environmental Plan Making Guideline – December 2021' developed by the NSW Department of Planning and Environment. The report addresses the Proposal's consistency with Greater Sydney Region Plan - A Metropolis of Three Cities, the South District Plan, strategic plans and assesses the consistency of the Planning Proposal against relevant State Environmental Planning Policies and Ministerial Directions.

## 2.0 SITE DESCRIPTION AND LOCATION

### 2.1 Locality Description

The site is located within the Hurstville City Centre, the main centre for the southern Sydney region and is 15 kilometres south west of the Sydney CBD and 7 kilometres from Kingsford-Smith International Airport and Port Botany. The centre has close access to the M5, is focused around Hurstville Railway Station and forms the main centre along the Illawarra railway line.

The locality statement for the site in Section 8.3.2.1 of the Hurstville Development Control Plan No. 2 – Hurstville City Centre states:

The site is located within the Hurstville City Centre, bounded by Gloucester and Forest Roads to its north and south. The site is currently zoned B4 Mixed Use, which facilitates a variety of uses including commercial, which is present on the Site. Its immediate context comprises of a public car park and a service station on the north-east and various commercial premises along Forest Road on the south. The site is well planted with mature street trees, creating a green gateway to the Centre when entering via King Georges Road. The new development needs to provide a range of flexible commercial floor space, contribute to the public domain and maintain the amenity of adjoining residential land uses.

The location of the site is illustrated in Figure 1 below.

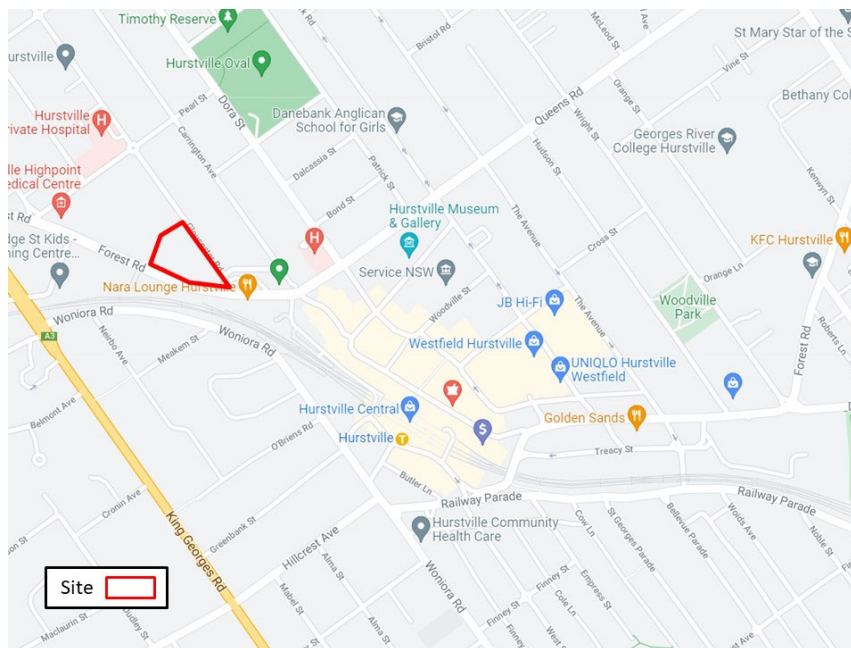


Figure 1:

Site Location:  
(Source:  
Google Maps)

## 2.2 Site Description

The site comprises a single allotment and is legally described as Lot 30 in DP 785238 and is commonly known as 9 Gloucester Road, Hurstville. The site is also sometimes referred to as 420 Forest Road, Hurstville.

The site is triangular in shape and bound by Gloucester and Forest Roads to its north and south which intersect at its most eastern point in a spayed corner. The site has a 148.7 metre frontage to Gloucester Road, a 158.3 metre frontage to Forest Road, and staggered north-western boundary of a 108.5 metre. The site has a total area of 9,240 square metres.

The highest point of the site is the western end of the Forest Road frontage with an RL of 65.4m, with a fall of approximately 4 metres to the south-eastern corner of the site. There is also a cross fall from Forest Road through to Gloucester Street at the north-western end of the site of approximately 4 metres, whilst the fall along Gloucester Road from west to east is more moderate and approximately 0.5 metre.

The site is currently occupied by three commercial buildings between two and four storeys in height in an 'office park' configuration of buildings with an indirect relationship with the adjoining public domain and a partially exposed one level basement car park. Vehicular access is provided from Gloucester Road and there is a through-site link from Forest Road to Gloucester Road.



Figure 2:

Aerial view of the site (Source: Six Maps, Department of Lands 2020)



Photograph 1:

The northern end of the  
Gloucester Road  
frontage of the site



Photograph 2:

The existing vehicular  
access from Gloucester  
Road



Photograph 3:

The eastern end of the  
Gloucester Road  
frontage of the site  
facing west

Photograph 4:

Corner of site to Forest Road and Gloucester Road



Photograph 5:

The eastern end of the Forest Road frontage of the site

Photograph 6:

Forest Road frontage of site





### Photograph 7:

The western end of the  
Forest Road frontage  
of the site

## 3.0 BACKGROUND

### 3.1 9 Gloucester Road - First Planning Proposal

In October 2015, a request to prepare a Planning Proposal for the site was lodged with Council.

A rigorous assessment of the masterplan which informed the Planning Proposal was undertaken by Council, which led to a range of subsequent amendments. Following this, at its meeting on 27 August 2018, Council resolved to endorse the amended Planning Proposal to be forwarded to the Department of Planning and Environment for a Gateway Determination, seeking to amend the Hurstville Local Environmental Plan 2012 (HLEP 2012) to increase the FSR from 3:1 to 4:1 (including a minimum non-residential FSR of 0.5:1) and increase the maximum building height applying to the site from 23m to a range of heights of 23m, 30m, 40m, 50m and 60m. A Gateway Determination to publicly exhibit the Planning Proposal was issued by the Department on 26 February 2019.

However, Council's resolution contained a numerical error relating to the proposed height and so at its meeting on 24 June 2019, Council resolved to endorse an amended Planning Proposal and supporting documentation, including the correct height range and extension of timing to complete the amendment to the LEP is to be forwarded to the Department of Planning and Environment for their endorsement and approval to publicly exhibit.

The Planning Proposal and draft DCP were publicly exhibited in January and February 2020. The Planning Proposal sought to:

- Increase height from 23m to a range of heights of 23m, 30m, 40m, 55m and 60m.
- Increase FSR from 3:1 to 4:1 including a minimum non-residential FSR of 0.5:1.

The concept scheme which supported the Planning Proposal is illustrated in Figure 3 below and comprised a mixed use component (commercial and residential flat building) at the northern end of the site with ground floor apartments and a shop top housing component at the southern end of the site.

The configuration of the masterplan design comprised a perimeter block form of development with buildings ranging in height from 4 to 18 storeys as follows

- Building A – 4 to 18 storeys (60m)
- Building B – 4 to 16 storeys (55m)
- Building C – 12 storeys (40m)
- Building D – 8 storeys (30m)
- Building E – 4 to 6 storeys (23m)

The Planning Proposal was also supported by a Voluntary Planning Agreement which requires the developer to pay a monetary contribution of \$3,619,308 to Council for the provision of public facilities in the Council's area, including public infrastructure, amenities and services, public domain and public road infrastructure, and key traffic and road infrastructure in the Hurstville City Centre. The Voluntary Planning Agreement has been executed.

In conclusion, the subject site has been the subject of an extensive masterplanning process since 2015 which informed a Planning Proposal for new planning controls which were implemented as changes to the Hurstville Local Environmental Plan 2012 and the Hurstville Development Control Plan No. 2 – Hurstville City Centre.

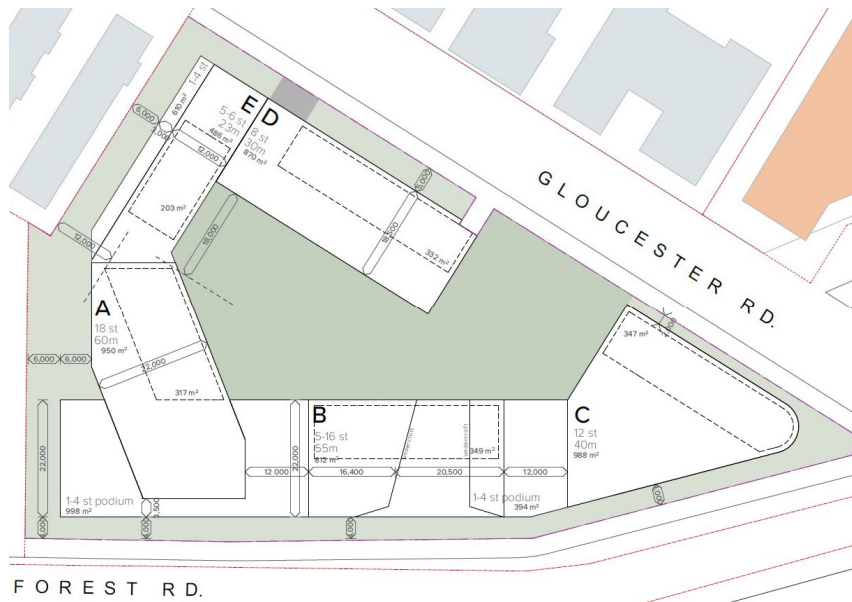
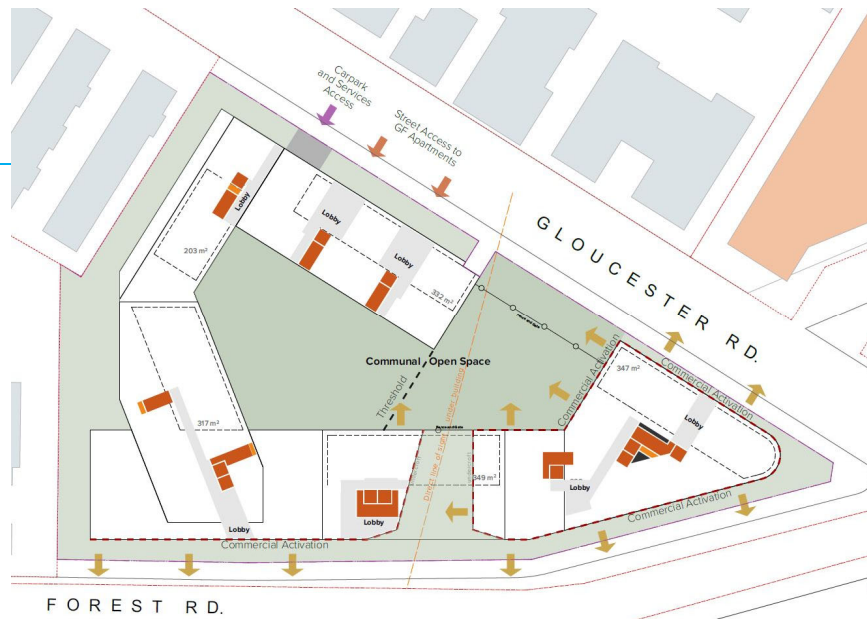


Figure 3:

Planning  
Proposal  
envelopes

Figure 4:

Planning  
Proposal  
ground floor  
strategy with  
ground floor  
apartments  
facing  
Gloucester  
Road



### 3.2 Development Application

A Development Application is lodged concurrently with this Planning Proposal, which is the culmination of the extensive strategic planning work undertaken for the site, is consistent with the anticipated built form for the site, and fulfills the vision that has been established for the site.

The Development Application provides commercial floorspace which meets the required minimum 0.5:1 FSR.

The Development Application will be made permissible by the proposed draft amendment to the GRLEP and is submitted pursuant to Section 3.39 of the Environmental Planning & Assessment Act 1979 which states that nothing in the Act prevents:

- (a) the making of a development application to a consent authority for consent to carry out development that may only be carried out if an environmental planning instrument applying to the land on which the development is proposed to be carried out is appropriately amended, or
- (b) the consideration by a consent authority of such a development application.

A description of the Development Application is provided below.

### 3.2.1 General Description

The proposal provides for the demolition of all existing structures on the site and erection of a mixed use development with a 4 storey podium and 4 x buildings above between 8 to 18 storeys comprising 4,620 square metres of commercial floor space and 349 apartments, above 3 basement levels containing 459 car parking spaces,

The proposed distribution of built form and massing of the buildings across the site is the result of a considered analysis of the context of the site, the concept which informed the Planning Proposal and the desire to deliver an exemplary urban design outcome that is consistent with the desired future character of the locality. The proposal is generally consistent with the layout envisaged by the Hurstville Development Control Plan No. 2 – Hurstville City Centre and ensures that all street edges are properly addressed and activated and the internal ground floor plane is functional. The design of the proposal achieves a highly modulated built form outcome which serves to reduce the apparent bulk and mass of the development and deliver a visually dynamic outcome.

The proposal is a high quality transit orientated development that will provide both housing choice and employment generating floor space in a location that enjoys excellent access to metropolitan public transport systems inclusive of rail and cross regional bus services, a wide range of regional and district services and infrastructure such as shopping centres, entertainment facilities, schools and hospitals; and a range of employment opportunities including offices, retail and services.

A varied palette and materiality are used to provide a clear identity for the development. The varied architectural language generates a high level of visual interest.

The proposed development is detailed on the architectural plans prepared by Turner architects.

The detailed breakdown of the proposed development is as follows:

#### Basement Levels

Basement levels 01 to 03 contain parking, plant and storage for the various components of the development. Basement level 01 contains the loading dock. Entry and egress to the basement levels is provided from Gloucester Road.

### Building A

Building A is located adjacent to Forest Road at the western end of the site and is configured with a 4 storey street wall, and a tower above with total height of 18 storeys. A roof top common open space is provided for this building. The ground level of Building A contains a retail tenancy facing Forest Road (on level 01), whilst apartments are located on the balance of Level 01 and on the floor above.

### Building B

Building B is located centrally along the Forest Road frontage of the site and is configured with a 4 storey street wall with tower above and a total height of 16 storeys. A roof top common open space is provided for this building. The ground level of Building B contains a retail tenancy facing Forest Road (on level 01), whilst apartments are located above.

### Building C

Building C is located at the southern corner of the site with frontages to both Forest Road and Gloucester Road and is configured with a 4 storey street wall and mid-rise building above with a total height of 11 storeys. A roof top common open space is provided for this building. The ground level of Building C contains 5 retail tenancies, the first and second floors contain commercial floor space, whilst apartments are located on the levels above.

### Buildings D and E

Building D is located centrally along the Gloucester Road frontage of the site and is an 8 storey residential flat building with a roof top common open space. Building E is located along the north-western side of the site and is a 6 storey residential flat building which is attached to Building D. It also has a roof top common open space.

### Public Domain and Central Open Space

The proposal will deliver a high quality public domain outcome for the area as an integral element of the development comprising a single consolidated central landscaped open space for residents, workers, and the broader community which will greatly improve the amenity and facilities within the locality.

The central open space is designed with sufficient soil depth and volume to provide for mature and generous trees and vegetation. The central open space is the focal point and one of the key place making features within the development and is considered to be a critical component to the success of the commercial component of the development. It is a highly programmed space with a variety of outdoor furniture and hardscape and softscape elements. The design of this space allows for passive and active recreation and is detailed in the landscape package prepared by RPS which accompanies this application.



Figure 5:

CGI of proposal as viewed from the intersection of Durham Street and Forest Road facing east



Figure 6:

CGI of proposal as viewed from Forest Road facing south

## 4.0 LOCAL PLANNING PROVISIONS

### 4.1 Georges River Local Environmental Plan 2021

Georges River Local Environmental Plan 2021 (LEP 2021) applies to the site. Key provisions applying to the site are identified below:

#### 4.1.1 Zoning and Permissibility

The site is located within the B4 Mixed Use zone pursuant to Georges River Local Environmental Plan 2021 (GRLEP). pursuant to the Georges River Local Environmental Plan 2021 (GRLEP). An extract of the Land Zoning Map is included as Figure 7.

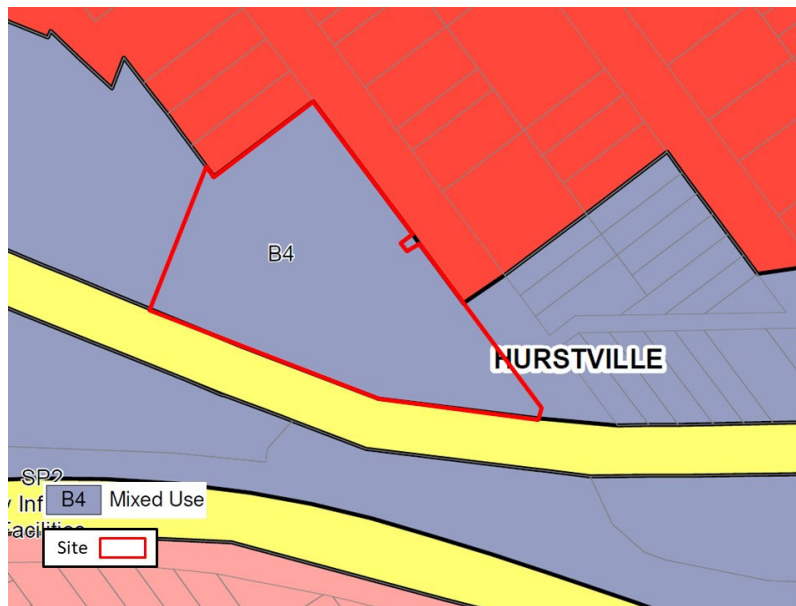


Figure 7:

Extract from GRLEP  
2021 Land Zoning  
Map

The objectives of the B4 Mixed Use zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To allow residential development that contributes to the vitality of the centre and provides housing that meets the needs of the community.
- To encourage the provision of community facilities and public infrastructure so that all residents have reasonable access to a range of facilities and services.

The following uses are permitted with consent in the B4 Mixed Use zone:

Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres;

Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

The following uses are prohibited with consent in the B4 Mixed Use zone (emphasis added):

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Attached dwellings; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; General industries; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Jetties; Marinas; Mooring pens; Moorings; Multi dwelling housing; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; **Residential flat buildings**; Rural industries; Rural workers' dwellings; Secondary dwellings; Semi-detached dwellings; Sewerage systems; Sex services premises; Transport depots; Truck depots; Vehicle body repair workshops; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities; Wholesale supplies

#### 4.1.2 Height

In accordance with clause 4.3 'Height of Buildings' the height of a building on any land is not to exceed the maximum height shown for the land on the 'Height of Buildings Map'. There are five height zones for the site with 23, 30, 40, 55 and 60 metres across the site as shown in, as shown in Figure 8.

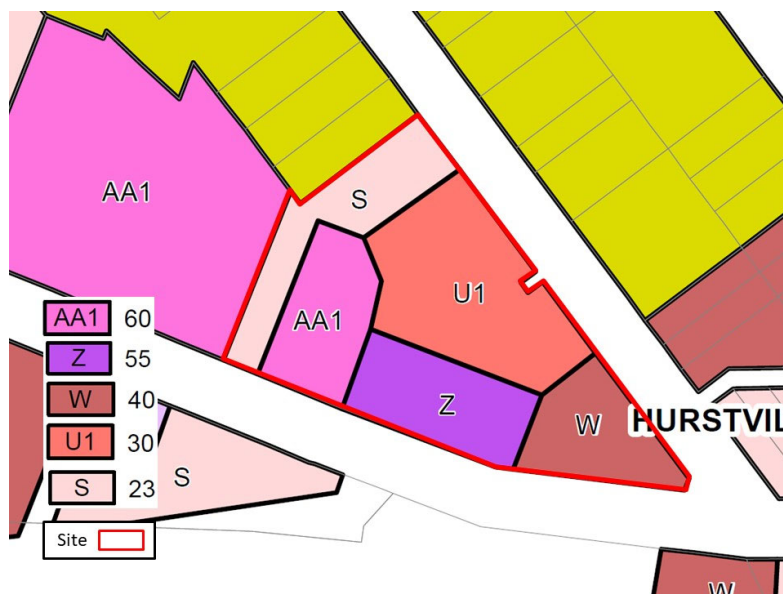


Figure 8:

Extract from the  
GRLEP 2021 Height of  
Buildings Map

#### 4.1.3 Floor Space Ratio

Clause 4.4(2) of the GRLEP provides that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

An FSR control of 4:1 applies to the site, as illustrated in Figure 9 below. The site is also nominated as “Area 3” subject to Clause 4.4B which states that development consent must not be granted unless the non-residential floor space ratio is at least 0.5:1. The objective of this clause is to encourage an appropriate mix of residential and non-residential uses in order to ensure a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of the business zones

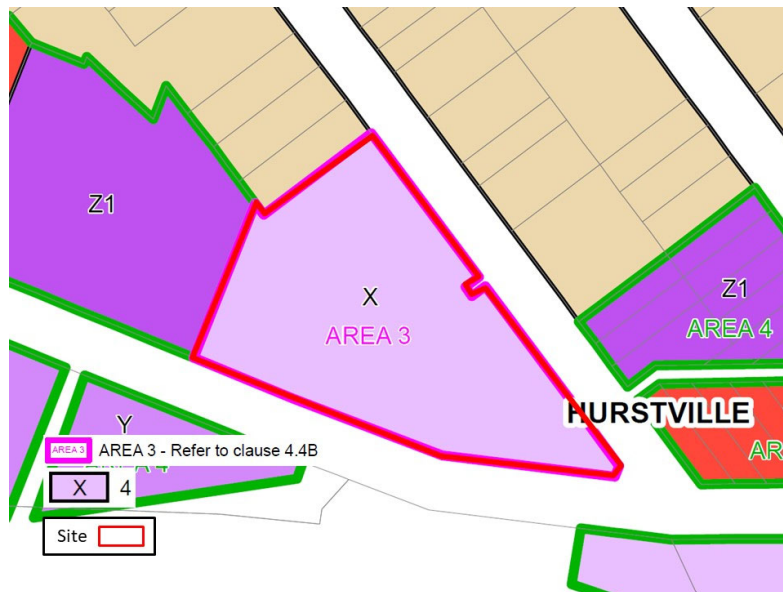


Figure 9:

Extract from GRLEP  
2021 FSR Map

## 5.0 PLANNING PROPOSAL

### 5.1 Overview

In accordance with section 3.33(2) of the Environmental Planning and Assessment Act 1979 (the EP&A Act) a Planning Proposal is to be comprised of five (5) parts:

- Part 1 – A statement of the objectives and intended outcomes of the proposed instrument.
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument.
- Part 3 – The justification for those objectives, outcomes and the process for their implementation.
- Part 4 – Maps, where relevant, to identify the intent of the Planning Proposal and the area to which it applies.
- Part 5 – Details of the community consultation that is to be undertaken on the Planning Proposal.

Section 3.33(3) of the Act allows the Secretary to issue requirements with respect to the preparation of a Planning Proposal. The Secretary's requirements include:

- Specific matters that must be addressed in the justification (Part 3) of the Planning Proposal
- A project timeline to detail the anticipated timeframe for the plan making process for each Planning Proposal.

The project timeline forms Part 6 of a Planning Proposal.

Section 5 of this report addresses and responds to the matters for consideration detailed within 'Planning Proposals - A Guide to Preparing Planning Proposals' (NSW Department of Planning and Environment, August 2016).

### 5.2 Part 1: Objectives or Intended Outcomes

A Planning Proposal for the site was first lodged with Council in October 2015 and has been the subject of a rigorous assessment by Council.

The final concept scheme which supported the Planning Proposal is illustrated in Figure 10 below and comprises a mixed use component (commercial and residential flat building) at the northern end of the site with ground floor apartments and a shop top housing component at the southern end of the site.

The master planning process for the site informed a Planning Proposal for new planning controls which were implemented as changes to the height and FSR controls in the Hurstville Local Environmental Plan 2012 as well as a site specific section 8.3 of the Hurstville Development Control Plan No. 2.

Since gazettal of the new controls for the site, the Hurstville Local Environmental Plan 2012 was replaced by the Georges River Local Environmental Plan (GRLEP) 2021 on 8 October 2021.

However, whilst the new GRLEP maintains the same B4 Mixed Use zone on the site, it has nonetheless made "residential flat development" a prohibited use on the site, which would prevent the delivery of the concept which underpinned the site specific Planning Proposal for the site, with the indicative ground floor plan which supported the Planning Proposal for the site.

This results in an adverse outcome because it will prevent the distribution of the required quantum of commercial floor space to the most optimal and appropriate parts of the site, and instead would require commercial floor space to be relocated to the ground floor along the entire of the Gloucester Road frontage of the site. This is contrary to the concept and vision that underpinned the recent site specific Planning Proposal for the site.

It is appropriate to allow ground floor apartments along the northern end of the Gloucester Road frontage for the following reasons:

- At a macro level, the subject site is in a transition area and is not a core business location and so there is a reduced basis for ground floor commercial use across the entire site.
- At a micro level, the northern end of the Gloucester Road frontage is on the peripheral of the B4 Mixed Use zoned land and is also directly opposite and adjacent to R4 High Density Residentially zoned land and is a fundamentally residential context where ground floor residential use is more appropriate and consistent with the immediate site context at this end of the site.
- The Planning Proposal does not seek any relief from the requirement to provide a minimum 0.5:1 commercial component and instead is intended to provide flexibility to deliver this commercial floorspace in the most optimal parts of the site which is important to ensure the success of the development and maximise its potential for job creation.

In the absence of support for this Planning Proposal and the entire ground floor of the Gloucester Road frontage is required to be commercial floorspace, this will most likely result in a dead and inactive zone in a highly densified residential setting, and ultimately a failure to fulfil the objective of the minimum 0.5:1 commercial floor space requirement.

### **Objective**

The objective of this Planning Proposal is to amend Schedule 1 of the GRLEP to provide a “residential flat building” as an additional permitted use on the site, to facilitate the redevelopment of the site as envisaged by the Planning Proposal process which has just been completed on the site.

### **Intended Outcomes**

The intended outcome for the Planning Proposal is to allow the redevelopment of the site as envisaged specifically by the recent Planning Proposal for the site, as illustrated in Figure 10 below.

In particular, the concept which underpinned the recent Planning Proposal provided the required 0.5:1 commercial floorspace along the Forest Road frontage of the site, and also across three levels at the corner of the site facing Forest and Gloucester Roads. These are the most appropriate locations for commercial floorspace on the subject site as it has the greatest exposure to the primary Forest Road.

Conversely, the context of the northern end of the Gloucester Road frontage is residential and so the proposal provides ground floor apartments at that end of the site.

This design solution was workshopped with Council over many years and this distribution of uses across the site has been endorsed by Council.

Indicative ground floor plan from the Turner masterplan which supported the Planning Proposal with ground floor apartments facing Gloucester Road

### 5.3.1 Proposed Changes to Georges River Local Environmental Plan 2021

- introduce “residential flat building” as an additional permitted use on “Area A” of the site, and
- exclude the application of Clause 6.13 from “Area A”.

SUTHERLAND &amp; ASSOCIATES PLANNING 22

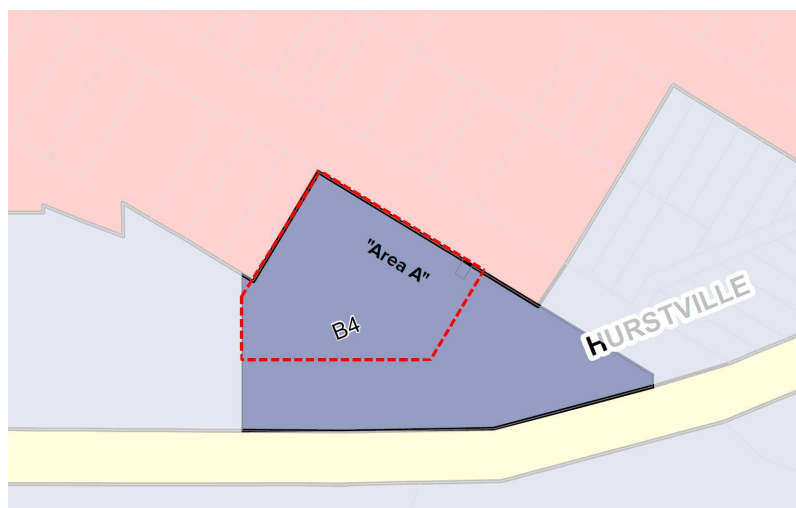


Figure 11:

Proposed GRLEP  
zoning map change

#### 5.4 Part 3: Justification

This Part of the Planning Proposal demonstrates both the strategic merit and site specific merit for the proposed amendments to the Georges River Local Environmental Plan 2021 as they apply to 9 Gloucester Road, Hurstville.

The table below contains the matters for consideration in Table 3 of The Local Environmental Plan Making Guideline which demonstrate that there is both strategic merit (Questions 1 to 7) and also site specific merit (Questions 8 to 12) for the proposal. The table contains a reference to the relevant section of this report where these questions are addressed.

Strategic Merit		
Section A – need for the planning proposal		
Question 1	Is the planning proposal a result of an endorsed LSPS, strategic study or report?	Section 5.4.1
Question 2	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	Section 5.4.2
Section B – relationship to the strategic planning framework		
Question 3	Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?	Section 5.4.3
Question 4	Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?	Section 5.4.4
Question 5	Is the planning proposal consistent with any other applicable State and regional studies or strategies?	Section 5.4.5
Question 6	Is the planning proposal consistent with applicable SEPPs?	Section 5.4.6
Question 7	Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?	Section 5.4.7

Strategic Merit		
Site-Specific Merit		
Section C – environmental, social and economic		
Question 8	Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?	Section 5.4.8
Question 9	Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?	Section 5.4.9
Question 10	Has the planning proposal adequately addressed any social and economic effects?	Section 5.4.10
Section D – Infrastructure (Local, State and Commonwealth)		
Question 11	Is there adequate public infrastructure for the planning proposal?	Section 5.4.11
Section E – State and Commonwealth Interests		
Question 12	What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?	Section 5.4.12

#### 5.4.1 Question 1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Yes. This Planning Proposal is the result of an extensive masterplanning process for the site with Council since October 2015.

The purpose of the Planning Proposal is to correct an anomaly which has occurred as a result of the transition from the Hurstville Local Environmental Plan 2012 to the Georges River Local Environmental Plan 2021, with the prohibition of “residential flat building” on the site, which would prevent the delivery of the concept which underpinned the recent Planning Proposal for the site.

#### 5.4.2 Question 2 - Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal is the best and only means of achieving the objectives and intended outcomes for the site to allow the delivery of the final concept scheme which supported the recent Planning Proposal for the site.

In the absence of support for this Planning Proposal and the entire ground floor of the Gloucester Road frontage is required to be commercial floorspace, this will most likely result in a dead and inactive zone in a highly densified residential setting, and ultimately a failure to fulfil the objective of the minimum 0.5:1 commercial floor space requirement.

#### 5.4.3 Question 3 - Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

##### Greater Sydney Region Plan – A Metropolis of Three Cities

In March 2018 the *Greater Sydney Region Plan - A Metropolis of Three Cities* was released. The Plan sets a 40-year vision to 2056 and establishes a 20-year plan to manage growth and change for Greater Sydney. The vision for Greater Sydney as a metropolis of three cities — the Western Parkland City, the Central River City and the Eastern Harbour City where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

The Plan sets out 10 Directions which set out the aspirations for the region and objectives to support the Directions. The 10 Directions are:

- A City supported by infrastructure
- A collaborative city
- A city for people
- Housing the city
- A city of great places
- A well-connected city
- Jobs and skills for the city
- A city in its landscape
- An efficient city
- A resilient city

The Plan provides 38 objectives concerning, Infrastructure and collaboration, Liveability, Productivity and Sustainability which are aimed at achieving the identified Directions.

The following table summarises the proposals consistency with relevant objectives of the Plan:

Objective	Comment	Consistent
<b>4. Liveability</b>		
Objective 10: Greater housing supply Objective 11: Housing is more diverse and affordable	The Planning Proposal does not in itself result in any difference to the overall quantum of housing to be delivered as part of the redevelopment of the site. However, it facilitates a distribution of the housing and commercial floorspace in an optimal arrangement across the site.  This is achieved by locating the commercial floor space in the best location on the site for success being along the Forest Road frontage and the corner of the site to Forest Road and Gloucester Road. At the same time, the proposal seeks to allow ground floor apartments at the northern end of the Gloucester Road frontage, which is more consistent with the context at this end of the site.	Yes
Objective 12: Great places that bring people together	The Planning Proposal will support the development of the site as previously envisaged with the provision of a	Yes

Objective	Comment	Consistent
	publicly accessible pocket park towards the centre of the site on Gloucester Road, as well as a public pedestrian underpass through-site link which connects Forest and Gloucester Roads. The communal open space will be activated by retail uses at ground level. The proposal intends to transform the existing underutilised office park into an attractive new community meeting space.	
<b>5. Productivity</b>		
Objective 14: A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities	A central component of this objective is to co-locate activities in metropolitan, strategic and local centres and attract housing in and around centres to create walkable, cycle-friendly neighbourhoods. The Planning Proposal will support a significant quantum of new employment floor space in locations on the site which have the greatest likelihood of success, and therefore the proposal will contribute towards the 30-minute city objective, by providing increased employment in very close proximity to an existing train station.	Yes
Objective 22: Investment and business activity in centres. Objective 24: Economic sectors are targeted for success	The Planning Proposal remains consistent with this objective as it does not seek any relief from the required minimum amount of commercial floor space, rather, it will facilitate the placement of this floor space in the optimal parts of the development where it will have the greatest likelihood of success.  The Planning Proposal will facilitate the appropriate redevelopment of a site that will deliver additional employment floor space and housing within an existing centre which will promote both business activity and private sector investment within the centre providing for the growth and evolution of the centre.	Yes

#### South District Plan

In March 2018 the Greater Sydney Commission published the South District Plan which outlines how the Government will make decisions on public spaces, community facilities, housing, jobs, transport options, schools and hospitals to meet the needs of communities across Greater Sydney to give effect to *Greater Sydney Region Plan - A Metropolis of Three Cities*.

The South District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney.

The Planning Proposal will support the development of the site as previously envisaged. In particular, the Planning Proposal will enable the delivery of the previously identified quantum of housing and commercial floorspace on the site, albeit with an optimised distribution, and is therefore consistent with Planning Priority Planning Priority S5: Providing housing supply, choice and affordability, with access to jobs, services and public transport.

The following table summarises the Planning Proposal's consistency with relevant components of the South District Plan:

Chapter	Comment	Consistent
<b>Infrastructure</b>		
S1. Planning for a city supported by infrastructure	Given the site is located in close proximity to the Hurstville strategic centre and train station, the introduction of additional housing at the ground floor of Area A for the subject site will positively contribute to this objective by placing additional housing, in a highly convenient location that will encourage usage of existing transport infrastructure.	Yes
<b>Liveability</b>		
S5. Providing housing supply, choice and affordability, with access to jobs, services and public transport	<p>The Planning Proposal will support the development of the site as previously envisaged. In particular, the Planning Proposal will enable the delivery of the previously identified quantum of housing on the site.</p> <p>The proposal will allow for a transit-oriented development that will assist in achieving housing diversity and affordability on a site that is well located to services and facilities.</p>	Yes
<b>Productivity</b>		
S10. Retaining and managing industrial and urban services land	The Planning Proposal will facilitate the delivery of commercial floor space in the most appropriate parts of the site to ensure the success of the commercial elements which will provide an ongoing function of providing goods and services to the local community.	Yes
S12. Delivering integrated land use and transport planning and a 30-minute city	The Planning Proposal is consistent with the strategic intent to deliver more housing closer to public transport. The proposal would aid the 30-minute city concept, increasing the diversity of employment within the centre.	Yes
<b>Sustainability</b>		
S5 Reducing carbon emissions and managing energy, water and waste efficiently	By providing additional housing in an existing centre with excellent public transport connectivity, the proposal maximises the efficiency of existing infrastructure and reduces pressure on the fringe of Sydney and other sensitive locations. Any future building on the site would be required to be consistent with the principles of ecological sustainable design which can be addressed in any future development application.	Yes

**5.4.4 Question 4 - Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?**

**Georges River Local Strategic Planning Statement (GRLSPS) 2040**

The subject Planning Proposal is seeking an amendment to the Georges River LEP 2021 to allow the delivery of the concept which underpinned the previous Planning Proposal for the site as illustrated in Figure 10 of this report and now reflected on the site specific section 8.3 of the Hurstville Development Control Plan No. 2.

In Council's assessment of that concept and Planning Proposal, the following was noted in the Council's Environment and Planning Committee Report dated 11 May 2020 in relation to the GRLSPS:

46. In March 2018, amendments to the Environmental Planning and Assessment Act 1979 introduced a new requirement for local councils to prepare and make a Local Strategic Planning Statement (LSPS) which will set out planning priorities which meet the community's needs, and deliver key State and regional planning objectives. The LSPS received assurance from the Greater Sydney Commission in March 2020.

47. Council's LSPS guides land use planning and the delivery of significant infrastructure for the Georges River LGA until 2040. It delivers on the NSW Government's Greater Sydney Region Plan (A Metropolis of Three Cities) and the Greater Sydney South District Plan.

48. It creates a land vision for the future of the LGA that recognises the character of its suburbs and builds on the Georges River community's social, environmental and economic values and strengths.

49. The Statement includes visions for a number of themes, one of which is Theme 3 - Housing and Neighbourhoods, which includes the ability to have access to a choice of housing types and sizes, and new high quality buildings to be concentrated in key transport nodes. Further, it also includes Theme 4 - Economy and Centres. This theme visualises appropriately zoned land for employment growth which can be supported long term.

50. The Planning Proposal is consistent with the abovementioned themes, as it seeks to provide both residential and commercial development within the Hurstville City Centre in a Mixed Use zone.

The subject Planning Proposal is likewise consistent with the GRLSPS as it only seeks an amendment to allow the delivery of the concept already supported by Council and subsequently the Department of Planning & Environment.

Notwithstanding, further detail is provided below in relation to the consistency of the Planning Proposal with the GRLSPS.

In relation to Theme 4 Economy and Centres, the GRLSPS identifies the following in relation to future commercial activity in the Georges River local government area (emphasis added):

As part of Greater Sydney's Eastern Harbour City, Georges River LGA is home to almost 56,000 jobs. Community surveys indicated that the number one reason for locating a business in Georges River was 'proximity to home'. Our well educated community works in knowledge-intensive job sectors with an emerging presence in the health and education job sectors.

The growth, innovation and evolution of commercial centres are central to the economy of the South District and critical to achieving a well connected 30 minute Greater Sydney. Facilitating the growth of our centres is a priority in growing the number of jobs available in Georges River.

It's forecast that between 2016-2036 employment generated within the LGA's centres is to increase by around 13,000 jobs. It is important that our centres accommodate this growth by remaining economically viable and **by providing an additional 25% of employment floor space**. Council will seek to facilitate this additional floor space not only through development controls, but also through the growth of the following commercial centres:

- Allawah
- Beverly Hills
- Carlton
- **Hurstville**
- Kingsgrove
- Kogarah
- Mortdale
- Narwee
- Oatley
- Peakhurst
- Penshurst
- Ramsgate
- Riverwood and
- South Hurstville

The Planning Proposal is entirely consistent and aligned with the need to provide an additional 25% of employment floor space, as it does not seek any relief from the obligation to deliver a minimum 0.5:1 as commercial floorspace. Rather, it seeks flexibility to optimise the location of the commercial floorspace by not needing to locate it at the ground floor across the entire site. This is important to provide the greatest likelihood of success of the commercial floor space.

#### [Hurstville City Centre Urban Design Strategy \(2018\)](#)

The subject Planning Proposal is seeking an amendment to the Georges River LEP 2021 to allow the delivery of the concept which underpinned the previous Planning Proposal for the site as illustrated in Figure 10 of this report and now reflected on the site specific section 8.3 of the Hurstville Development Control Plan No. 2.

In Council's assessment of that concept and Planning Proposal, the following was noted in the Council's Environment and Planning Committee Report dated 11 May 2020 in relation to the Hurstville City Centre Urban Design Strategy (2018):

42. The Hurstville City Centre Urban Design Strategy was endorsed by Council at its meeting dated 25 June 2018 as a strategic planning document which informs the review and update of existing development standards within the Hurstville City Centre.

43. The site is located in the City West Transition Area character precinct. The Strategy identifies that the area is well planted with mature street trees and creates a green gateway to the Centre when entering from King Georges Road.

44. The Strategy acknowledges that the site is subject to a current Planning Proposal and recommends that the HLEP 2012 is amended to increase the height of the sub-block 2D (the subject site) from 23m to 60m at the western end of the site, stepping down to 40m at the eastern end.

45. The Planning Proposal is consistent with the overall maximum building height identified by the Strategy and retains the existing landscaped character of the City West Transition Area character precinct.

The subject Planning Proposal is likewise consistent with the Hurstville City Centre Urban Design Strategy (2018) as it only seeks an amendment to allow the delivery of the concept already supported by Council and subsequently the Department of Planning & Environment.

The site is specifically identified as being located within the City West Transition Area character precinct, and is not a core business location and so there is a reduced basis for ground floor commercial use across the entire site. Furthermore, the northern end of the Gloucester Road frontage is on the peripheral of the B4 Mixed Use zoned land and is also directly opposite and adjacent to R4 High Density Residentially zoned land and is a fundamentally residential context where ground floor residential use is more appropriate and consistent with the immediate site context at this end of the site.

The Planning Proposal is consistent with the Hurstville City Centre Urban Design Strategy (2018).

#### Commercial Centres Strategy

On 24 February 2020, Council adopted the Commercial Centres Strategy Part 1 Centres Analysis to inform the preparation of GRLEP 2021 and its development control plan.

From the evidence findings and community consultation, the Strategy identifies a number of issues that need to be addressed to ensure the continued growth and ongoing viability of the LGA's centres. In particular, the Strategy is particularly focused on the provision of sufficient employment floor space to support ongoing employment growth across the LGA.

The subject Planning Proposal seeks no change to the minimum commercial FSR which applies to the site. In fact, the Planning Proposal is in complete alignment with the Strategies' concern with the provision of sufficient employment floorspace, because it seeks flexibility to deliver the required commercial floor space in the most optimal locations on the site which have the greatest likelihood of success.

In the absence of support for this Planning Proposal and the entire ground floor of the Gloucester Road frontage is required to be commercial floorspace, this will most likely result in a dead and inactive zone

in a highly densified residential setting, and ultimately a failure to fulfil the objective of the minimum 0.5:1 commercial floor space requirement.

#### Georges River Local Housing Strategy

The Georges River Local Housing Strategy (Strategy) sets out the strategic direction for housing in the Georges River Local Government Area (LGA) over the next 20 years. It identifies the housing demand, gaps and issues, and establishes housing objectives to manage future growth.

The Strategy provides that the population of the LGA is projected to increase from 156,293 in 2017 to approximately 185,000 by 2036, resulting in the need for approximately an additional 14,000 dwellings by 2036. The Strategy further provides that under the existing planning controls, major development applications and planning proposals under assessment, approximately an additional 12,000 dwellings can be provided, which results in a shortfall of approximately 2,000 dwellings that will need to be provided by 2036. To address this shortfall, the Strategy commits to providing the capacity for an additional 2,000 dwellings in the next 20 years.

The Housing Survey which was undertaken in the preparation of the Strategy identifies that the Georges River community values a home that is close to public transport, shops, services and open space.

The subject planning proposal is not of direct relevance in relation to the Strategy. In the event that the Planning Proposal did not proceed, this would require a redistribution of the residential and commercial floorspace within the development, rather than any change to the quantum of dwellings to be delivered on the site. The consequence of a redistribution of the commercial floorspace to the ground floor along Gloucester Street instead of apartments would be an adverse impact to the success of the commercial floorspace.

#### Georges River 'Working together for a better future – Community Strategic Plan 2022-2032

The Georges River Community Strategic Plan 2022 - 2032 represents the Georges River community's ambitions and expectations for the area for the next ten years. It is part of the Integrated Planning and Reporting framework that all councils must adhere to under the Local Government Act (1993), and is aimed at meeting the needs of residents, businesses and visitors and for Georges River area to fulfill its broader role within Sydney.

The Plan is structured around 6 pillars, as follows:

- Pillar 1: Our Community
- Pillar 2: Our Green Environment
- Pillar 3: Our Economy
- Pillar 4: Our Built Environment
- Pillar 5: Our Place in Sydney
- Pillar 6: Our Governance

The Planning Proposal is consistent with Pillar 3 in particular because it ensures that the commercial floor space within the future development on the site can be located in the optimal areas of the building to ensure their economic success. This will support local job and local businesses to grow and succeed.

The Planning Proposal is also consistent with Pillar 4 as it will ensure that this development will make Georges River more liveable, vibrant and sustainable. It will support quality housing options on the site.

#### 5.4.5 Question 5 - Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

The subject Planning Proposal seeks no change to the quantum of commercial and residential floor space to be delivered across the site, and instead seeks flexibility to deliver the required commercial floor space in the most optimal locations on the site which have the greatest likelihood of success. Furthermore, the Planning Proposal will allow the location of ground floor apartments at the northern end of the Gloucester Road frontage where the immediate context is residential rather than commercial.

Accordingly, the nature of the Planning Proposal is of no consequence in relation to State and regional studies or strategies.

#### 5.4.6 Question 6 - Is the planning proposal consistent with applicable SEPPs?

The Planning Proposal is consistent with all relevant State Environmental Planning Policies as summarised in the following table:

SEPP	Comment	Consistent
State Environmental Planning Policy – (Transport and Infrastructure) 2021	<p>The aim of SEPP Transport and Infrastructure is to facilitate the effective delivery of infrastructure across the State.</p> <p>Detailed compliance with SEPP Transport and Infrastructure will need to be demonstrated in the development application.</p> <p>The proposed amendment does not alter the required mix of uses and minimum 0.5:1 commercial component.</p>	Yes
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>Chapter 4 Remediation of Land under State Environmental Planning Policy (Resilience and Hazards) 2021 is relevant to the Planning Proposal.</p> <p>The Planning Proposal does not contain provisions that will contradict or hinder the application of this SEPP.</p> <p>The site is already zoned to allow residential and commercial uses and this Planning Proposal does not involve any change of use for the site, but a rather a change to the building configuration to allow apartments on ground floor in Area A.</p> <p>The previous Planning Proposal supported by a Preliminary Site Investigation prepared by Douglas Partners which concluded that based on the information to date and in consideration of the site's historical use, (residential and commercial) it is considered that the site has a low to medium risk of contamination.</p>	Yes
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	<p>The aim of SEPP BASIX is to encourage sustainable residential development.</p> <p>The future redevelopment of the site for a residential flat building would be capable of complying with BASIX. Detailed compliance with BASIX will be demonstrated at the time of making an application for development.</p>	Yes
State Environmental Planning Policy No. 65	SEPP 65 aims to improve the design quality of residential flat developments, provide sustainable housing in social and	Yes

SEPP	Comment	Consistent
– Design Quality of Residential Apartment Development	environmental terms that is a long-term asset to the community and delivers better built form outcomes.  The future redevelopment of the site for a residential flat building would be capable of complying with SEPP 65. Detailed compliance with SEPP 65 will be demonstrated within the development application.	
State Environmental Planning Policy (Housing) 2021	SEPP Housing aims to enable the development of diverse housing types, including purpose-built rental housing. Many of the forms of development provided under SEPP Housing such as co-living housing rely on a residential flat building or shop top housing being a permissible form of development. The Planning Proposal is not of any consequence as shop top housing is already a permissible use on the subject site, and it is noted that boarding house is also already a permissible use on the site.	Yes
State Environmental Planning Policy (Primary Production) 2021	SEPP Primary Production aims to facilitate the orderly economic use and development of lands for primary production. The site does not currently comprise agricultural land, nor will the subject Planning Proposal make it possible to be used for primary production and so the Planning Proposal is of no consequence in relation to this SEPP.	N/A
State Environmental Planning Policy (Biodiversity and Conservation) 2021	SEPP Biodiversity and Conservation aims to protect the biodiversity values of trees and other vegetation and includes provisions in relation to vegetation clearing and is predominantly aimed at providing controls in relation to vegetation in rural settings. The non-rural controls apply to the subject site irrespective of the subject Planning Proposal, which is of no consequence in relation to this SEPP.	N/A
State Environmental Planning Policy (Industry and Employment) 2021	SEPP Industry and Employment includes provisions in relation to the western Sydney employment area, as well as controls relating to signage. The subject site is not located within the western Sydney employment area and so this component of the SEPP is irrelevant for the purpose of the subject Planning Proposal. Any signage proposed as part of a development application will be assessed at the development application stage.	Yes
State Environmental Planning Policy (Planning Systems) 2021	SEPP Planning Systems comprises provisions which identify state and regional development, development on Aboriginal land, and concurrences required. These provisions are not of direct relevance to the subject Planning Proposal, however, may be relevant to future development applications made possible as a result of the Planning Proposal.	Yes
State Environmental Planning Policy (Exempt and Development Codes) 2008	SEPP Codes provides a range of exempt and complying development. The subject Planning Proposal is not of any consequence in relation to SEPP Codes.	Yes

#### 5.4.1 Question 7 - Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The following table summarises the Planning Proposal's consistency with applicable Ministerial Directions:

S.9.1 Direction No. and Title	Comment	Consistent
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	This direction applies to land to which a Regional Plan has been released by the Minister for Planning. The Proposal is consistent with the Greater Sydney Region Plan and the South District Plan as detailed in section 6.4.3 of this report.	N/A
1.2 Development of the Aboriginal Land Council	Not Applicable.	N/A
1.3 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.  In accordance with the direction the Proposal does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. Further the Proposal does not identify future development on the site as designated development.	Yes
1.4 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. The direction applies when a relevant planning authority prepares a Planning Proposal that will allow a particular development to be carried out.  In this instance, the Planning Proposal seeks an additional permitted use in Schedule 1 of the GRLEP in order to correct an anomaly which has occurred as a result of the transition from the Hurstville Local Environmental Plan 2012 to the Georges River Local Environmental Plan 2021, with the prohibition of "residential flat building" on the site, which would prevent the delivery of the concept which underpinned the recent Planning Proposal for the site.	Yes
Focus Area 1: Place Based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not Applicable	N/A
1.6 Implementation of North West Priority Growth Area Land	Not Applicable	N/A

S.9.1 Direction No. and Title	Comment	Consistent
Use and Infrastructure Implementation Plan		
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable	N/A
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not Applicable	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not Applicable	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	Not Applicable	N/A
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not Applicable	N/A
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not Applicable	N/A
1.14 Implementation of Greater Macarthur 2040	Not Applicable	N/A
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not Applicable	N/A
1.16 North West Rail Link Corridor Strategy	Not Applicable	N/A

S.9.1 Direction No. and Title	Comment	Consistent
1.17 Implementation of the Bays West Place Strategy	Not Applicable	N/A
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	Not Applicable	N/A
3.2 Heritage Conservation	The site is not an identified heritage item or within a conservation area. The site is not located within the immediate vicinity of any heritage items.	N/A
3.3 Sydney Drinking Water Catchments	Not Applicable	N/A
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable	N/A
3.5 Recreation Vehicle Areas	Not Applicable	N/A
Focus Area 4: Resilience and Hazards		
4.1 Flooding	The site is not flood affected.	N/A
4.2 Coastal Management	Not Applicable	N/A
4.3 Planning for Bushfire Protection	The site is not identified as Bushfire Prone Land nor is it located in close proximity to land mapped as bushfire prone land.	N/A
4.4 Remediation of Land	<p>The site is already zoned to allow residential and commercial uses and this Planning Proposal does not involve any change of use for the site, but a rather a change to the building configuration to allow apartments on ground floor in Area A.</p> <p>The previous Planning Proposal supported by a Preliminary Site Investigation prepared by Douglas Partners which concluded that based on the information to date and in consideration of the site's historical use, (residential and commercial) it is considered that the site has a low to medium risk of contamination.</p>	Yes
4.5 Acid Sulphate Soils	The site is not identified as Class 1, 2, 3, 4 or 5 land on the Acid Sulfate Soil Map. Accordingly, this Direction is not applicable to the Proposal.	N/A
4.6 Mine Subsidence and Unstable Land	Not Applicable.	N/A
Focus Area 5: Transport and Infrastructure		

S.9.1 Direction No. and Title	Comment	Consistent
5.1 Integrating Land Use and Transport	The Planning Proposal will enable a quantum of residential as previously envisaged for the site, in close proximity to jobs and services, thereby encouraging walking, cycling and use of public transport.	
5.2 Reserving Land for Public Purposes	Not Applicable.	N/A
5.3 Development Near Regulated Airports and Defence Airfields	The site is a significant distance from any regulated airport or defence fields. In addition, the Planning Proposal does not involve any change to the existing height controls on the site and therefore is of no impact to airfields.	Yes
5.4 Shooting Ranges	Not Applicable.	N/A
Focus Area 6: Housing		
6.1 Residential Zones	<p>Whilst the site is not a residential zone, it nonetheless permits residential accommodation on the form of shop-top housing development.</p> <p>The purpose of the Planning Proposal is to correct an anomaly which has occurred as a result of the transition from the Hurstville Local Environmental Plan 2012 to the Georges River Local Environmental Plan 2021, with the prohibition of “residential flat building” on the site, which would prevent the delivery of the concept which underpinned the recent Planning Proposal for the site.</p> <p>The Planning Proposal does not result in any change to the quantum of residential floor space, and instead provides flexibility to distribute the commercial and residential floor space in the most appropriate locations across the site.</p>	Yes
6.2 Caravan Parks and Manufactured Home Estates	Not Applicable.	N/A
Focus Area 7: Industry and Employment		
7.1 Business and Industrial Zones	<p>The objectives of this direction are to:</p> <p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified strategic Centres.</p> <p>The proposal remains consistent with the Direction as it does not reduce the required minimum 0.5:1 non-residential floor space on the site.</p>	Yes
7.2 Reduction in non-hosted short-term	Not Applicable.	N/A

S.9.1 Direction No. and Title	Comment	Consistent
rental accommodation period		
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable.	N/A
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	Not Applicable.	N/A
Focus Area 9: Primary Production		
9.1 Rural Zones	Not Applicable.	N/A
9.2 Rural Lands	Not Applicable.	N/A
9.3 Oyster Aquaculture	Not Applicable.	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable.	N/A

**5.4.2 Question 8 - 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?**

The Planning Proposal will not adversely impact any critical habitat, threatened species, populations or ecological communities, or their habitats.

**5.4.3 Question 9 - Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are no environmental effects envisaged as a result of the Planning Proposal.

**5.4.4 Question 10 - Has the Planning Proposal adequately addressed any social and economic effects?**

The Proposal seeks to correct an anomaly which has occurred as a result of the transition from the Hurstville Local Environmental Plan 2012 to the Georges River Local Environmental Plan 2021, with the prohibition of “residential flat building” on the site, which would prevent the delivery of the concept which underpinned the recent Planning Proposal for the site.

The Planning Proposal will facilitate a positive economic and social outcome as it will provide flexibility to distribute the required commercial floor space to the most optimal locations on the site to provide the

greatest likelihood of success of the commercial floor space. The success of the commercial component of the development is important because it will contribute to the growth of the local economy and also towards job creation.

The proposal will avoid the need to deliver retail or business floor space in areas of the site where it will not be viable to lease or sell this type of floor space. The Planning Proposal does not alter the delivery of 0.5:1 commercial floorspace.

#### 5.4.5 Question 11 - Is there adequate public infrastructure for the Planning Proposal?

Required electricity, telecommunication, gas, water, sewer and drainage services are available to the site.

The site is well served by public transport infrastructure in that the site is within walking distance of the Hurstville train station and numerous bus services.

The demand for public infrastructure associated for any future development of the site will be appropriately considered during the assessment of a development application for any such proposal.

#### 5.4.6 Question 12 - What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

Relevant public authorities will be consulted following the Gateway determination.

### 5.5 Part 4: Mapping

The Planning Proposal will require the amendment of the land zoning map referenced in Georges River Local Environmental 2021 as it applies to the subject site to introduce "Area A" which is the part of the site where a "residential flat building" is proposed as an additional permitted use.

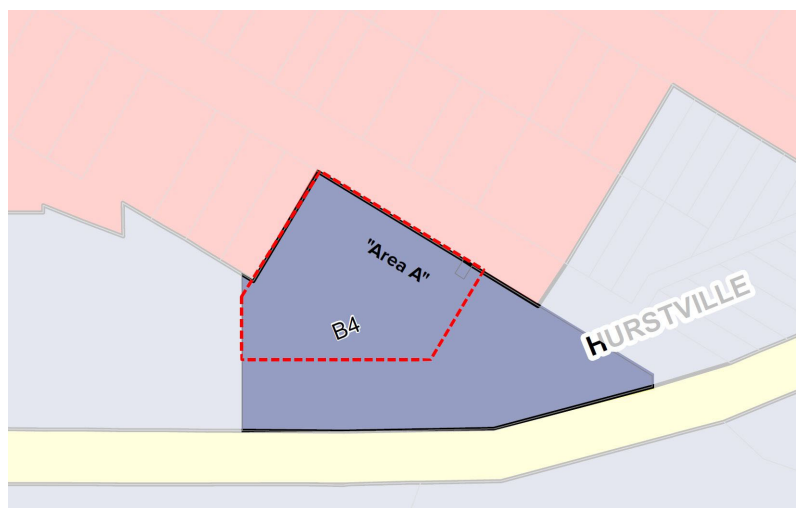


Figure 12:

Proposed GRLEP zoning map change

### 5.6 Part 5: Community Consultation

Georges River Council have been consulted during the preparation of the subject Planning Proposal.

The Local Environmental Plan Making Guideline produced by the NSW Department of Planning and Environment sets out the community consultation requirements for Planning Proposals. The guide indicates that consultation will be tailored to specific Proposals. The exhibition for standard Planning Proposals will generally be 20 working days whilst complex Planning Proposals will be 30 working days.

The proposal is considered to be a standard Planning Proposal as it is consistent with the pattern of surrounding land use zones and/or land uses; is consistent with the strategic planning framework; presents no issues with regard to infrastructure servicing; is not a principal LEP; and does not reclassify public land.

Given that the proposal, and in particular the height and FSR, reflect the scale and density of the already approved building on the site, it would be appropriate to exhibit the Planning Proposal for 20 days as it is considered to be a standard Planning Proposal.

Community consultation to be commenced by giving notice of the public exhibition of the Planning Proposal in a local newspaper, on the Council website and in writing to adjoining landowners.

The written notice of the Planning Proposal will:

- give a brief description of the objectives or intended outcomes of the Planning Proposal
- indicate the land affected by the Planning Proposal
- state where and when the Planning Proposal can be inspected
- give the name and address of the relevant planning authority (Georges River Council Council) for the receipt of submissions
- indicate the last date for submissions
- confirm whether delegation for making the LEP has been issued to the relevant planning authority.

## 5.7 Part 6: Project Timeline

The Project timeline will be dependent on Georges River Council and the Department of Planning.

However, the expected timeframes for each stage are summarised in the following table.

Stage	Timeframe
Gateway Determination	Aug 2022
Commencement and completion of public exhibition period	Sep 2022
Post-exhibition review	Oct/Nov 2022
Submission to the Department for finalisation	Dec 2022
Gazettal of LEP amendment	Feb 2023

## 6.0 CONCLUSION

The purpose of the Planning Proposal is to amend Schedule 1 of the Georges River Local Environmental Plan 2021 in relation to the site to:

- introduce “residential flat building” as an additional permitted use on “Area A” of the site, and
- exclude the application of Clause 6.13 from “Area A”.

The site has been the subject of an extensive master planning process since 2015. The concept prepared for the site by Turner architects comprised a mixed use component (commercial and residential flat building) at the northern end of the site and a shop top housing component at the southern end of the site.

The master planning process informed a Planning Proposal for new planning controls which were implemented as changes to the height and FSR controls in the Hurstville Local Environmental Plan 2012 as well as a site specific section 8.3 of the Hurstville Development Control Plan No. 2.

However, since gazettal of the new controls for the site, the Hurstville Local Environmental Plan 2012 has been replaced by the Georges River Local Environmental Plan (GRLEP) 2021.

Whilst the new GRLEP maintains the same B4 Mixed Use zone for the site, it has nonetheless made “residential flat development” a prohibited use on the site, which would prevent the delivery of ground floor apartments at the northern end of the site which was a fundamental element of the concept which underpinned the site specific Planning Proposal for the site.

In order to allow the development of the site as intended with an optimal distribution of the required commercial floor space, it is necessary to amend the Georges River Local Environmental Plan 2021 as proposed.

The proposal is demonstrated to have both strategic and site merit and is consistent with ‘A Metropolis of Three Cities’, the South District Plan and the Georges River Local Strategic Planning Statement and will facilitate the orderly and economic use of the site.

In the absence of support for this Planning Proposal and the entire ground floor of the Gloucester Road frontage is required to be commercial floorspace, this will most likely result in a dead and inactive zone in a highly densified residential setting, and ultimately a failure to fulfil the objective of the minimum 0.5:1 commercial floor space requirement.

For the reasons outlined above it is appropriate for Georges River Council, as the relevant planning authority, to support the Planning Proposal.