

PRE-GATEWAY REVIEW – Information Assessment and Recommendation Report

Local Governmental Area:	Hunters Hill	
Amended Local Environmental Plan:	Hunters Hill Local Environmental Plan 2012	
Address:	The site comprises the following land: • 1, 1C, 1A & 1B Massey Street; • 1-3 Flagstaff Street; • 2, 4, 8 & 10 Cowell Street; and • part of 215 Victoria Road, Gladesville.	
Reason for review:	☒ Council notified proponent it will not support proposed amendment	☐ Council failed to indicate support for proposal within 90 days
Is a disclosure statement relating to reportable political donations under s147 of the Act required and provided?	☒ Provided ☐ N/A Comment: There are no donations or gifts to be disclosed.	
Assessment Fee:	☒ Provided & correct	☐ Not provided / incorrect

1. SUMMARY OF THE PROPOSAL

The planning proposal (Tab E) seeks to amend the building height and floor space ratio (FSR) applicable to 1, 1C, 1A & 1B Massey Street; 1-3 Flagstaff Street; 2, 4, 8 & 10 Cowell Street; and part of 215 Victoria Road, Gladesville (the site) to enable the development of a new mixed use building with five residential towers ranging from 16 storeys to 4 storeys above podium height. The site comprises ten allotments and has an area of approximately 10,800 square metres. It slopes from Massey Street (north) to Cowell Street (south) with the lowest point of the site being midway along its frontage to Flagstaff Street (east). A right of way borders the western edge of the site servicing properties fronting Victoria Road (Figure 1: page 2).

The site is located 8km north-west of the Sydney CBD within the Hunters Hill Local Government Area (LGA). The site is located approximately 50m east of Victoria Road, which borders Ryde LGA and is identified as an urban renewal investigation area in *A Plan for Growing Sydney*.

The proposal seeks to amend development controls for the site under *Hunters Hill Local Environmental Plan 2012* (Hunters Hill LEP 2012) as follows:

- increase the maximum permissible building height from 26m and 34m, to a range of heights using Reduced Levels (RL) as follows: 75RL, 101RL, 89RL, 72RL and 65 RL (Figure 2: page 3); and
- increase the maximum floor space ratio from 1.3:1, 2.3:1, 2.5:1 and 2.7:1 to 3.4:1 across the whole site (Figure 3: page 3).

No change is proposed to the current B4 Mixed Use zoning of the site (Figure 4: page 3).

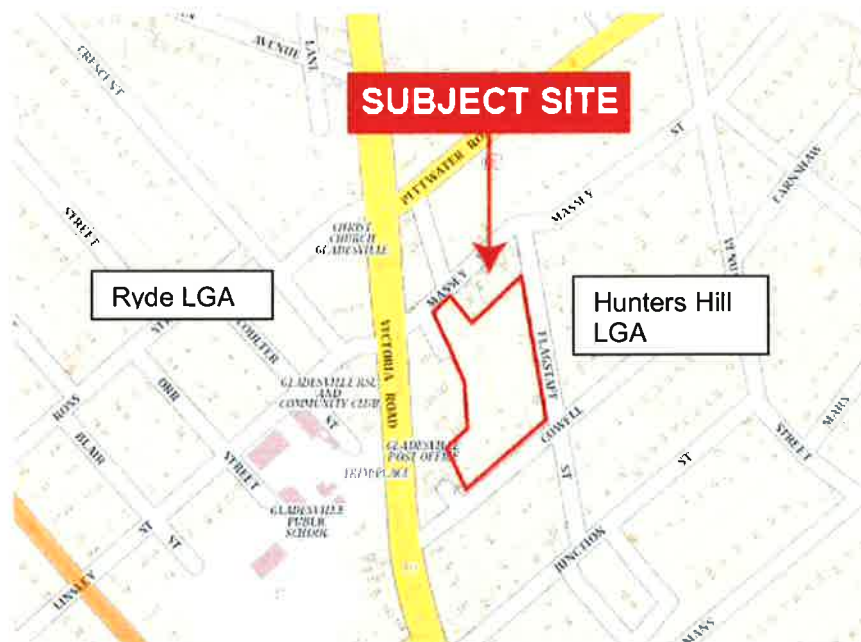


Figure 1: Location of site (outlined in red). Source: DFP Planning 2016

The planning proposal will enable the development of a mixed use development with five residential towers, containing 25,550 square metres of residential floor space (250 apartments), 1,900 square metres of commercial floor space and 9,300 square metres of retail floor space.

1.1 Background

The planning proposal was formally lodged with Hunters Hill Council on 8 October 2015. A revised version of the proposal was submitted to Council on 15 January 2016.

As the site includes some land that was previously owned by Council (sale completed in April 2016), Council employed independent town planning consultants (Architectus) and traffic consultants (McLaren Traffic Engineering) to assess the planning proposal.

On 29 March 2016, Council resolved not to support the revised planning proposal.

On 15 April 2016, DFP Planning, on behalf of GSV Developments, wrote to the Department with a request for a pre-Gateway review of the planning proposal (Tab D).

1.2 Recommendation

The proposal is recommended to proceed to the Sydney East Joint Regional Planning Panel (the Panel) for independent review, as it demonstrates strategic merit while raising some site-specific merit issues.

2. REQUIREMENTS UNDER SECTION 55 OF THE EP&A ACT

2.1 Objective and intended outcomes

The aim of the planning proposal is to enable the development of a new mixed use building with five residential towers, incorporating commercial and retail floor space, and village green/plaza area.

The following objectives and intended outcomes have been put forward by the applicant:

- to locate the highest towers to the western edge of the site, tapering down to a lower scale of development at the local street frontages;
- to apply a single increased floor space ratio across the entire site, noting that the amendment to the building height will control built form outcomes; and
- to deliver compact building footprints to reduce site coverage and maximise open space for access and community use.

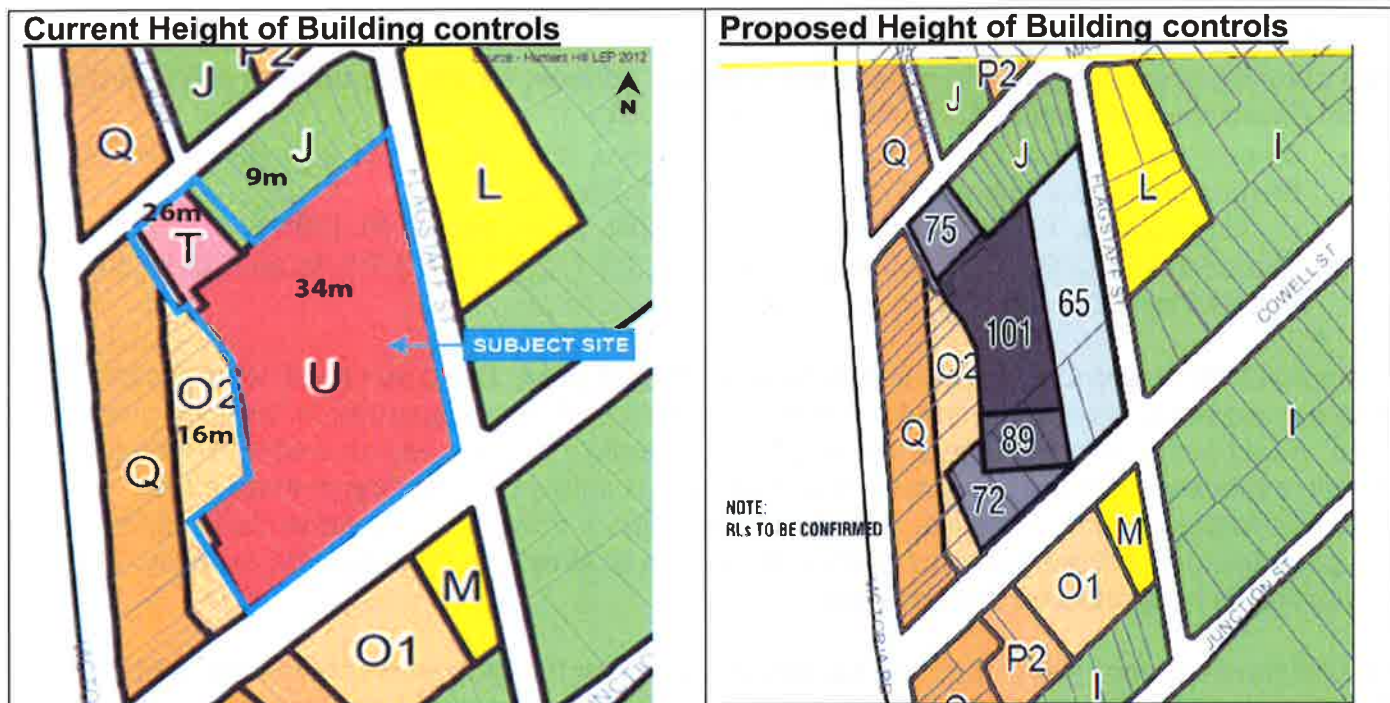


Figure 2: Current and Proposed building height controls. Source: Planning Viewer 2016 and DFP Planning 2016

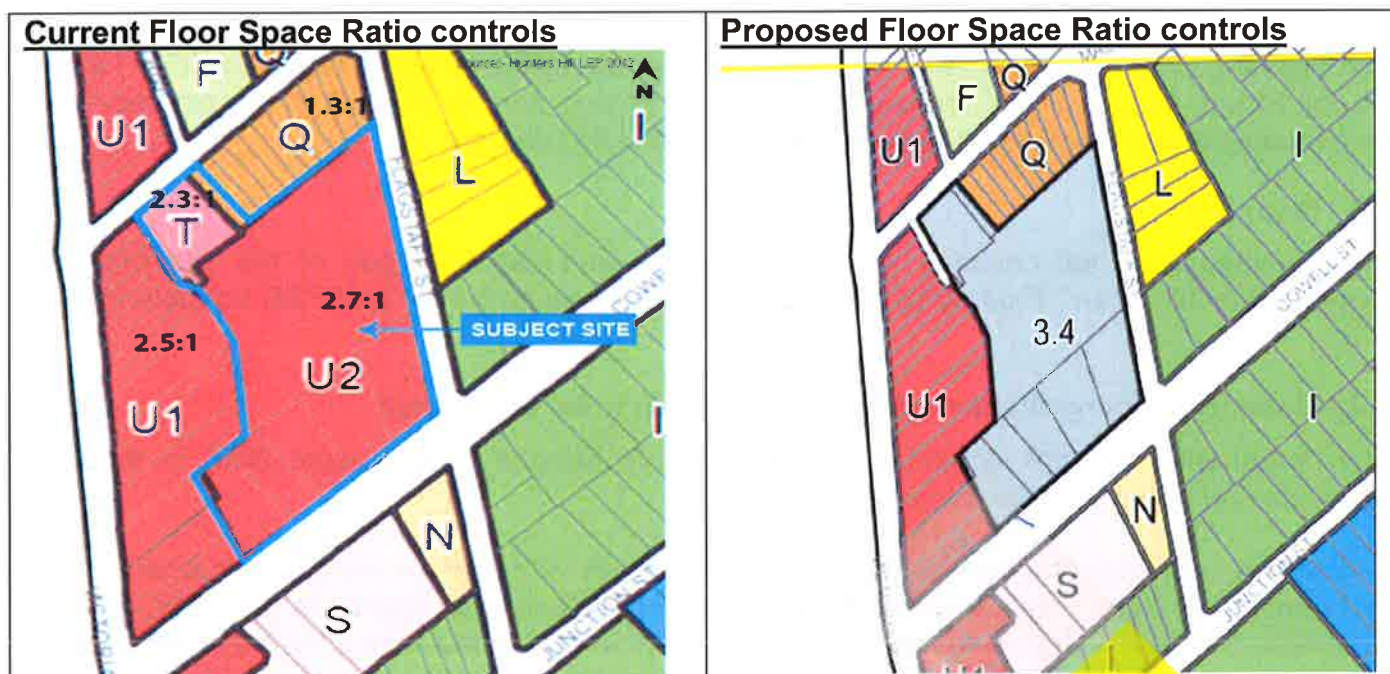


Figure 3: Current and Proposed floor space ratio controls. Source: Planning Viewer 2016 and DFP Planning 2016

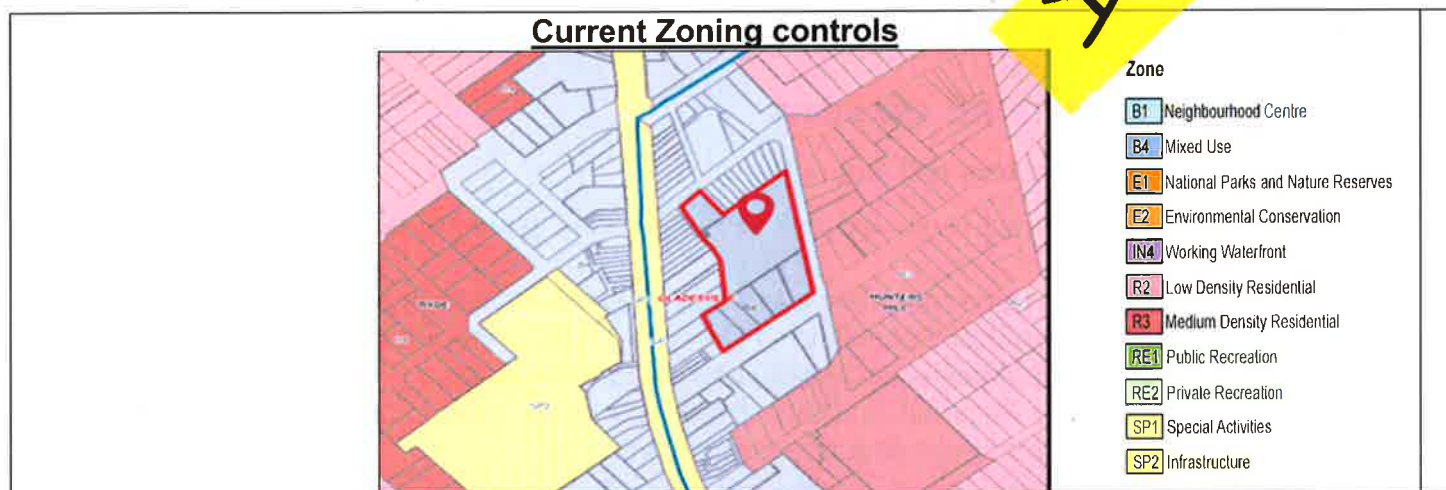


Figure 4: Current land zoning controls. Source: Planning Viewer 2016

2.2 Explanation of provisions

The planning proposal seeks to amend the following controls for the site under the *Hunters Hill Local Environmental Plan 2012* (Hunters Hill LEP 2012):

- amend the Height of Buildings Map from 9m, 16m, 26m and 34m to a range of building heights using RLs (Figure 2) consisting of the following:
 - 75RL (26m), 101RL (58m), 89RL (36m), 72RL (20m) and 65 RL (29m).
- amend the Floor Space Ratio Map from 1.3:1, 2.3:1, 2.5:1 and 2.7:1, to an FSR of 3.4:1 across the whole site (Figure 3).

It is noted that RLs reduce or equate levels to a common point, being sea level, whereas the height in metres control under the Standard Instrument LEP is measured from “existing ground level”. RLs can more easily reflect topography and finished street levels on a site. In addition, height in metres under the Standard Instrument LEP is subject to rounding in three metre intervals. In the context of this site, rounding heights up or down by this magnitude would have the potential to significantly impact upon solar access or to reduce development capacity. The use of RLs is supported on this occasion.

Notwithstanding, the relative building heights in metres for the proposed scheme are unclear. The proposal needs to confirm whether building heights in metres are being measured from “existing ground level” or from podium level (Figure 8: page 8).

The planning proposal also includes the option of removing the local heritage item (I514) at 10 Cowell Street, Gladesville. If removal of the local heritage item is supported, the provisions of the planning proposal will need to be updated to reflect this change.

2.3 Mapping

The planning proposal contains sufficient mapping and aerial images of the site and the proposed development. It demonstrates current and proposed height and FSR controls for the site.

2.4 Community consultation (including agencies to be consulted)

The proponent undertook community consultation in February and August 2015 to develop concepts and options for the subject site.

Should the proposal proceed to Gateway, consultation with the following public agencies is recommended: Ryde City Council, Roads and Maritime Services, Transport for NSW, Energy Australia, Sydney Water, Department of Education and Communities and NSW Ministry of Health.

A public exhibition period of 28 days is recommended should the proposal proceed to Gateway.

3. VIEWS OF COUNCIL AND AGENCIES

3.1 Comments from Hunters Hill Council

On 29 March 2016, Council resolved not to support the planning proposal for the following reasons:

- the proposal does not adequately address the intent of Chapter 4.4 Gladesville Village Centre of the Hunter Hill Consolidated Development Control Plan (DCP) 2013, including the provision of a publically accessible primary open space;
- the draft Voluntary Planning Agreement (VPA) is considered to be inadequate as it is missing critical information about community benefits;

- On 28 April 2016, the Department notified Council about the pre-Gateway review request (Tab F).

4. PROPOSAL ASSESSMENT

4.1.1 A Plan For Growing Sydney

The planning proposal is consistent with the Plan as it would:

- #### 4.1.2 State Environmental Planning Policies

4.1.3 Section 117 Directions

Direction 2.3 Heritage Conservation

Pre-Gateway Review Assessment - Gladesville Village Shopping Centre Planning Proposal

Cowell Street and Massey Street and some connections to Victoria Road, separates the western boundary of the site from this conservation area.

In October 2015, a heritage impact assessment (Tab H) was prepared by Heritage21 on behalf of the proponent. This assessment predates the final planning proposal and the inclusion of the cottage at 10 Cowell Street under Schedule 5 of Hunters Hill LEP 2012.

However, the heritage assessment notes that, on 22 June 2015, Hunters Hill Council resolved to list 10 Cowell Street as a local heritage item under Hunters Hill LEP 2012 and recognises that it has historical and aesthetic significance. The assessment concludes that the house should either be relocated or significant heritage features of the cottage (pressed metal ceilings and walls) should be incorporated into the new development. The current proposal does not indicate a preferred approach regarding the future of 10 Cowell Street, meaning the future of I514 is unknown.



Figure 6: Heritage Map Extract from Planning Viewer 2016

The heritage assessment also suggests that the proposed development, most importantly the height of the scheme, will have a neutral impact on heritage conservation areas and local heritage items in the vicinity of the proposal.

To address inconsistencies with Direction 2.3 Heritage Conservation, it is recommended that if the proposal proceeds to Gateway, an updated heritage impact assessment be required to address the heritage impacts of the proposal (as submitted to Council on 15 January 2016) and also confirm the intended future of the local heritage item at 10 Cowell Street and the impact of this decision on the preferred development scheme. As indicated in section 2.2, the provisions of the planning proposal will also need to be updated to reflect the outcomes of this assessment.

4.1.4 Local Strategy

Hunters Hill Consolidated Development Control Plan 2013 – Chapter 4.4 Gladesville Village Centre

On 9 November 2015, Council adopted a new set of development controls for the Gladesville Village Centre within Chapter 4.4 Gladesville Village Centre of the Hunter Hill Consolidated Development Control Plan (DCP) 2013. The site is located in the Gladesville Precinct, within the Commercial Core Precinct and is identified as a key site (Figure 7: Page 7).

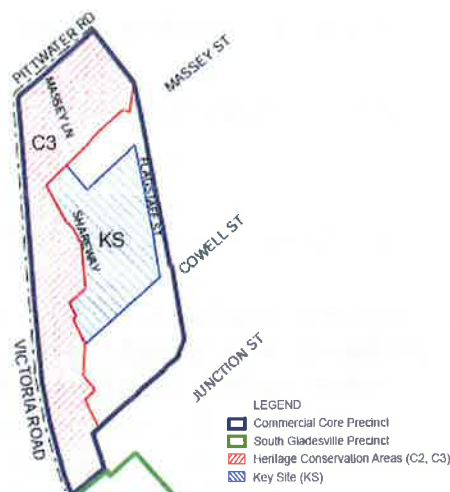


Figure 7: Extract from Chapter 4.4 Gladesville Village Centre DCP 2013

The DCP highlights that the site should become the commercial and community heart of the Gladesville Village Centre. It also details that any redevelopment of the site should minimise impacts, particularly overshadowing, traffic and parking, loss of street character, loss of privacy, and poor interfaces across streets, and at the site boundaries. It is considered that the proposal is generally consistent with the objectives for the key site in the DCP.

4.2 Site-Specific merit assessment

4.2.1 Existing use of land

The site currently contains a two-storey shopping centre (known as the Gladesville Shopping Village), single-storey electrical repairs shop, single-storey timber cottage used as an office premise, street level car park, two-storey apartment building and a single-storey dwelling. Existing vehicular access to the site is via Massey Street (north), Cowell Street (south) and Flagstaff Street (east).

The site is surrounded by a mixture of two-storey shops and commercial premises along Victoria Road, low density residential dwellings to the east of the site and up to four-storey shop top housing to the south of the site.

4.2.2 Proposed use of land

The planning proposal will enable mixed use development with 5 residential towers, containing the following:

- 250 apartments (100 x one-bedroom, 138 x two-bedroom and 12 x three-bedroom) with a total residential floor area of 25,550 square metres;
- 1,900 square metres of commercial floor space;
- 9,300 square metres of retail floor space including a supermarket;
- 5,000 square metres of open space including a village green/plaza, through site links and a shareway from Massey Street to Cowell Street; and
- 892 parking spaces across four basement levels.

The planning proposal seeks to amend the development controls for the site to the following:

Control	Current	Proposed
Zoning	B4 Mixed Use	B4 Mixed Use (no change)
Building height	26m and 34m	A range of heights using RLs as follows: 75RL (26m), 101RL (58m), 89RL (36m), 72RL (20m) and 65 RL (29m) (see Figure 3).
Floor space ratio	1.3:1, 2.3:1, 2.5:1 and 2.7:1	3.4:1

The B4 Mixed Use Zone permits shop top housing, residential flat buildings and commercial/retail development.

4.2.3 Urban Design and Built Form Outcomes

In January 2016, an Urban Design Report (Tab J) was prepared by Robertson + Marks to support the planning proposal. This report summarises the proposal to include a 2 - 3 storey podium with four separate building forms above it (Figure 8).

From north to south, the buildings are labelled A, A1, B and C. A fourth lower, longer building D is located closest to Flagstaff Street. The tallest towers, Building B and building A1, are 16 storeys and 15 storeys above podium height respectively. Building A is 7 storeys and Building D is 4 storeys above podium height. Building C has two main components, a tower of 10 storeys and a lower component of 6 storeys above podium height. Based on height in metres as show in Figure 8, three of the tower forms (A1,B,C) exceed the maximum building height of 34 m currently permitted under Hunters Hill LEP 2012 by 18m, 24m and 2m respectively.

Each of the towers include retail or commercial space at podium level and residential apartments above. The proposal also includes four levels of basement parking and public domain works including a communal open space. The majority of the bulk and scale of the development is to the west of the site and is set back approximately 100 m from Victoria Road.

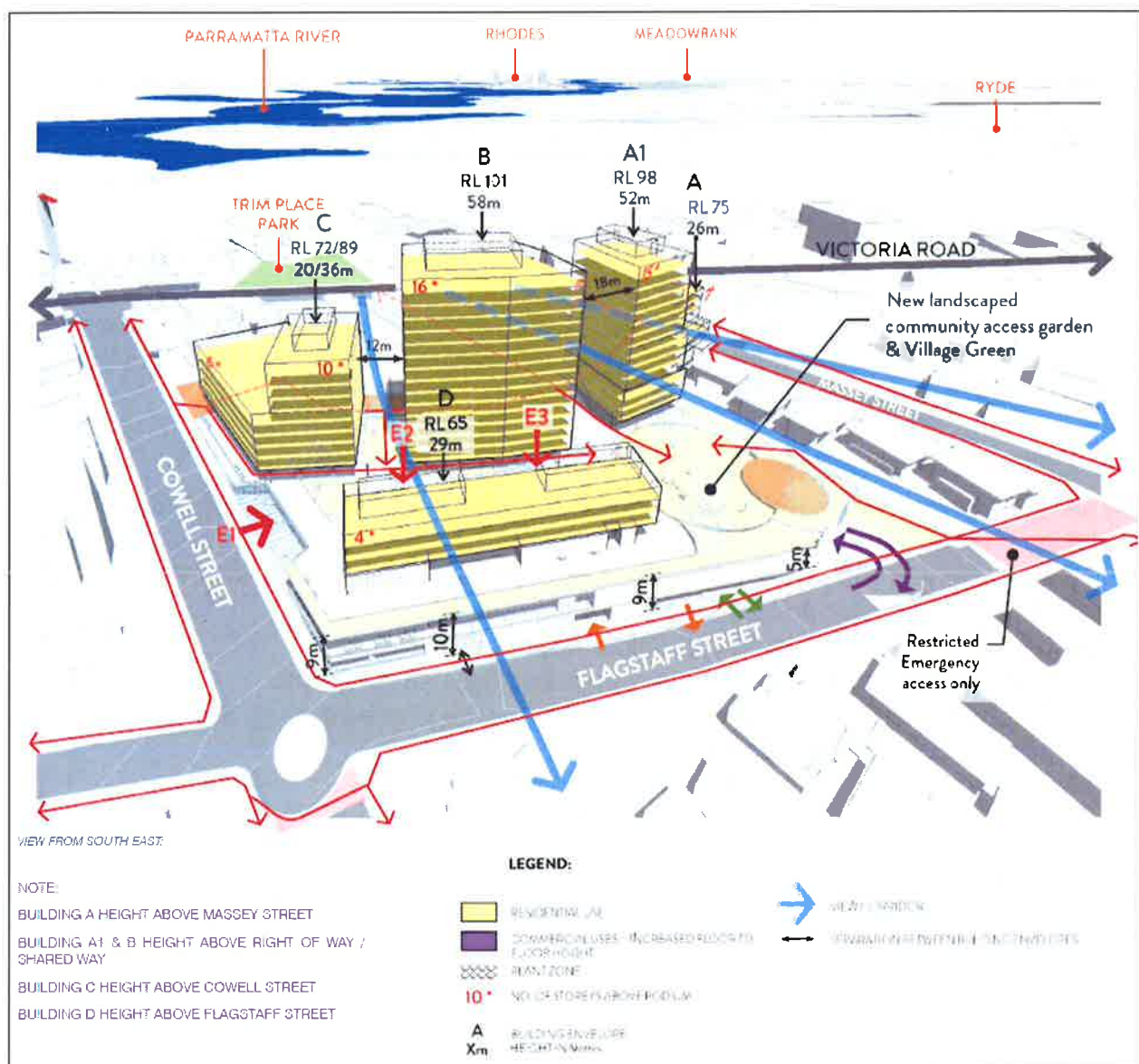


Figure 8: Preferred Design Scheme. Source Robertson + Marks 2016

The Urban Design Report proposes a complying design scheme to help justify the merits of the preferred scheme (Figure 9).

The Urban Design Report suggests the proposed scheme has the following key advantages over the complying scheme:

- locating most of the bulk and scale of development to the west of the site, adjacent to commercial premises along Victoria Road and centred between Cowell Street and Massey Street, allows transition in scale to street edges and adjoining lower scale areas;
- smaller building footprints reduce site coverage of the development and provide larger open spaces for access and community use;
- large setbacks above podium level reduce the bulk and scale of the development as perceived from street level;
- building separation improves view corridors and mitigates the impact of the proposal on heritage conservation areas in the vicinity of the proposal; and
- building location and orientation provides greater solar access to both the residential apartments (compliant with SEPP 65 and Apartment Design Guide) and the public domain.

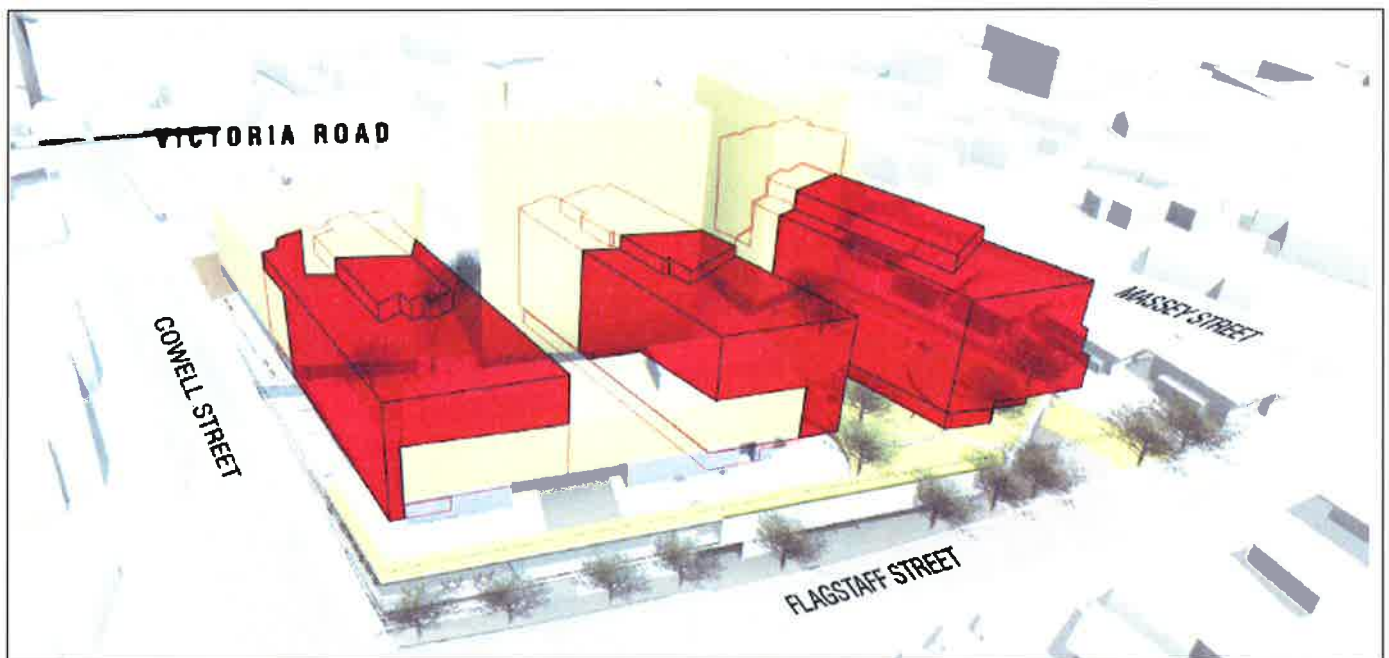


Figure 9: Complying Design Scheme. Source Robertson + Marks 2016

As previously mentioned, Council engaged Architectus Group Pty Ltd to review the planning proposal (Tab I). Architectus raised a number of issues including that the 'complying scheme' has failed to demonstrate that it complies with all relevant planning controls applying to the site. Without this evidence it is difficult to assess that the proposed scheme will deliver a preferred outcome for the site.

Visual Impact

In October 2015, A Visual Assessment Report (Tab K) was prepared by Richard Lamb & Associates on behalf of the proponent. Figure 10 compares the view impacts of the proposed and complying schemes from Victoria Road and Figure 11 illustrates the view impacts of the proposed scheme from the western end of Cowell Street. These images show that while the existing skyline of the Gladesville Village Centre, as seen from Victoria Road, would be significantly altered by both the proposed and the complying schemes, the additional height of towers in the proposed scheme will have a significant visual impact on surrounding local streets with lower density development.



Figure 10: View from Victoria Road. Source: Richard Lamb & Associates 2015



Figure 11: View from western end of Cowell St. Source: Richard Lamb & Associates 2015

Overshadowing

The shadow analysis within the urban design report shows that the proposed development will create greater overshadowing impacts on surrounding areas compared to a complying development scheme. In particular, the proposed scheme will cause greater overshadowing to the west of the site in the morning (over commercial properties along Victoria Road) (Figure 12) and to the south of the site in the afternoon (over low and medium density areas) (Figure 13), during the winter solstice.

[1 of 13] [June 21, 2015 - 09:00]

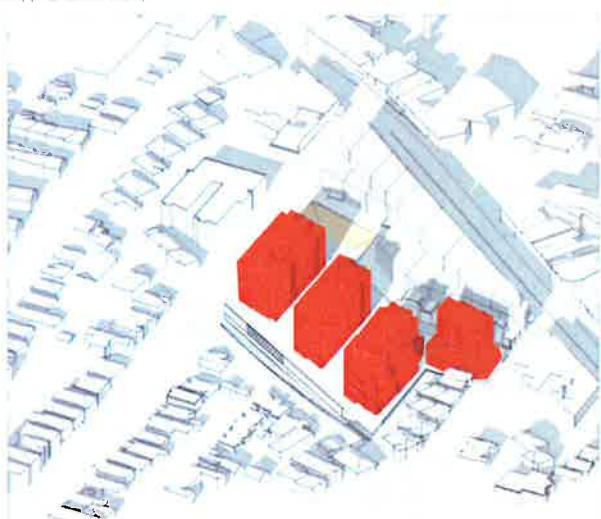


Figure 12: Winter Solstice 9am: Complying Scheme

[1 of 13] [June 21, 2015 - 09:00]



Winter Solistice 9am: Proposed Scheme

[13 of 13] [June 21, 2015 - 15:00]

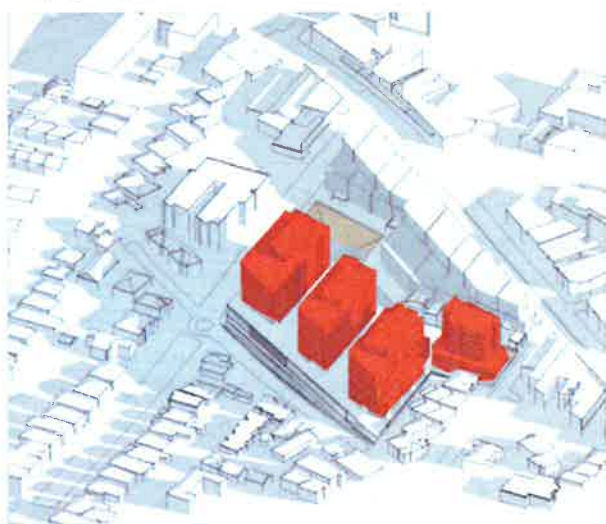
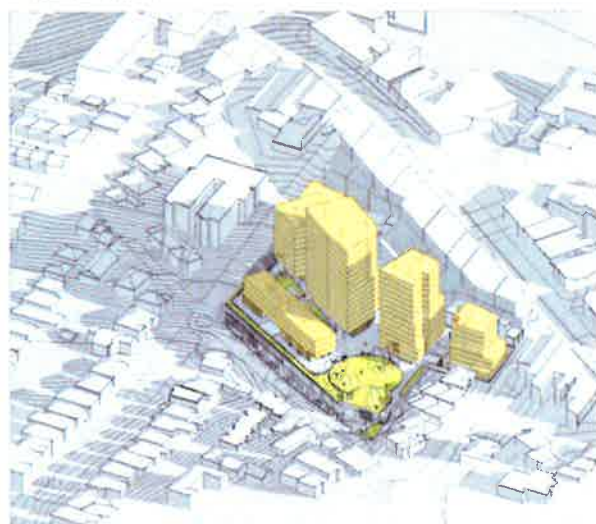


Figure 13: Winter Solstice 3pm: Complying Scheme

[13 of 13] [June 21, 2015 - 15:00]



Winter Solistice 3pm: Proposed Scheme

It is recommended that if the proposal proceeds to Gateway, it should be updated to show that the 'complying scheme' is consistent with all relevant planning controls for the site. Without this evidence, it is difficult to assess that the proposed scheme will deliver a preferred outcome for the site.

The visual impact of the proposed scheme on surrounding local streets should also be re-visited with a view to reducing both the scale of its highest towers and the overshadowing impacts of the proposal relative to the complying development scheme.

4.3 Services and infrastructure

4.3.1 Public transport - buses

The site is within approximately 400m walking distance of regular bus services along Victoria Road providing connections to various locations across the Sydney metropolitan region (such as the Sydney CBD, Macquarie Park, Parramatta, Chatswood, Ryde, Eastwood, Drummoyne, Rozelle, Pyrmont).

4.3.2 Traffic and car parking

The proposal includes four levels of basement parking with 892 spaces available for residential and retail purposes. Proposed vehicular access is from Flagstaff Street with entrances to the residential carpark and the retail carpark, and dedicated loading docks for both the retail and the supermarket at the northern end (see Figure 14: page 12).

In October 2015, a Traffic Impact Assessment Report (Tab L) was prepared by Road Delay Solutions (RDS) Pty Ltd for the planning proposal. A number of local traffic solutions were developed by RDS, based on projected traffic generation rates, to remove traffic generated by the proposed development from the local road network (see Figure 12). Key strategies include:

- Close Cowell Street at Flagstaff Street;
- Install a single lane roundabout at the intersection of Cowell and Flagstaff Streets;
- Partially close Flagstaff Street at the northern end but allow local and emergency vehicle access only (from Massey Street); and
- Convert Massey Street into a two-way street between Victoria Road and Flagstaff Street to provide access to Victoria from Massey Street.

The objective of these strategies is to ensure that access to the site occurs via the signalised intersections on Victoria Road and that all traffic travels along the streets that adjoin the site to minimise traffic impacts on surrounding local streets.

In March 2016, Council engaged McLaren Traffic Engineering to review the planning proposal (Tab M). The review concluded that the proponent's Traffic Impact Assessment Report does not adequately assess the impact of the proposal on the surrounding road network, including impacts on residential amenity and the ability of the existing road network to accommodate the proposed mitigation strategies. The review also suggested that the proponent's report should be updated to provide a more robust assessment of traffic impacts during the weekday and weekend peaks.

It is recommended that if the proposal proceeds to Gateway, an updated Traffic Impact Assessment be required to review the traffic and car parking impacts of the proposal (as submitted to Council on 15 January 2016) on the surrounding road network and the feasibility of mitigation strategies proposed to minimise these impacts.



Figure 14: Vehicle Access and Servicing. Source Road Delay Solutions 2015

4.3.3 Infrastructure and services

The site has access to existing infrastructure, utilities and services. As the proposal would intensify development on the site, it is recommended that relevant State infrastructure service providers are consulted, including Sydney Water, Energy Australia, NSW Ministry for Health, NSW Department of Education and Communities, should the proposal proceed to Gateway.

4.3.4 Open space and community facilities

The proposal includes the provision of a publically accessible open space area within the site. The open space area is located on the two storey podium level in the north-east corner of the site (see Figure 14). While this would be less accessible to the public than ground level access, the preferred public domain solutions can be addressed at the DA stage.

The site is close to a number of other open space and community facilities, including Harding Memorial Playground, Tarban Creek Reserve, Peel Park, Glades Bay Park, Looking Glass Bay Park, Gladesville Hospital, Ryde Aquatic Leisure Centre, Gladesville Library, places of public worship and local schools.

5. BACKGROUND SUPPORTING INFORMATION

5.1 Adequacy of existing information

The proposal was supported by the following documentation:

- Pre-Gateway Review application form;
- Cover Letter, DFP Planning Pty Ltd, April 2016;
- Planning proposal, DFP Planning Pty Ltd, January 2016;
- Urban Design Report, Robertson & Marks, January 2016;
- Community Engagement Report, Straight Talk, September 2015;

- Traffic Impact Assessment, Road Delay Solutions Pty Ltd, October 2015;
- Economic and Market Analysis, Hill PDA, October 2015;
- Visual Assessment, Richard Lamb & Associates, October 2015;
- Statement of Heritage Impact, Heritage21, October 2015; and
- Written advice from Hunters Hill Council advising Council does not support the planning proposal.

Is the supporting information provided more than 2 years old?

Yes ☐ No ☒

If 'yes', explain/detail currency of information

Is there documented agreement between the proponent and the council regarding the scope/nature of supporting information to be provided?

Yes ☐ No ☒

Is there evidence of agency involvement in the preparation of any supporting information or background studies?

Yes ☐ No ☒

5.2 Requirement for further information

As noted in the report, some of the supporting documentation is outdated as it refers and assesses a previous planning proposal concept. These documents need to be updated to reflect the current planning proposal.

6. CONCLUSION

It is recommended that the proposal be referred to the Sydney East Joint Regional Planning Panel for independent review. The proposal demonstrates strategic merit while raising some site-specific merit issues. It is generally consistent with objectives and directions under *A Plan for Growing Sydney*, relevant State Environmental Planning Policies, section 117 Directions and local policies.

The site is situated with a highly urbanised environment with convenient access to public transport and in a location that has been earmarked for urban renewal.

Should the planning proposal proceed to Gateway, it is recommended that the planning proposal be updated to:

- confirm whether building heights in metres are from "existing ground level" or from podium level;
- make recommendation regarding the future of the local heritage item (I514) at 10 Cowell Street, Gladesville and the impact of this decision on the preferred development scheme;
- review the traffic and car parking impacts of the current proposal and the feasibility of proposed traffic mitigation measures;
- demonstrate that the 'complying scheme' is fully compliant with all relevant planning controls for the site;
- re-visit the visual impact of the proposed scheme on surrounding local streets with a view to reducing both the scale of its highest towers and the overshadowing impacts of the proposal to ensure suitable transition to the adjacent areas; and
- review outdated supporting heritage, visual impact and traffic impact studies.

7. RECOMMENDATION

It is recommended that the Deputy Secretary, Planning Services:

- **form the opinion** that sufficient information has been provided and the request is eligible for review, and
- **agree** to forward the request to the Sydney East Joint Regional Planning Panel for advice.

Endorsed by:

 23/9/16
Karen Armstrong
Director, Sydney Region East

 27/9/2016
Stephen Murray
Executive Director, Regions


Marcus Ray
Deputy Secretary
Planning Services
10/10/2016