

Section 75 W Modification

Application to Department of Planning and
Infrastructure

Mixed Use Development

21 – 35 Treacy Street, Hurstville

Submitted on behalf of:
Earljest Pty Ltd

June 2013
(Version 6.0)

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EXECUTIVE SUMMARY

This report has been prepared to support an application made pursuant to Section 75W of the Environmental Planning and Assessment Act 1979 (the "Act") to modify Concept Plan Approval MP 10_0101 for a mixed-use residential and retail development at 21 – 35 Treacy Street, Hurstville granted by the Planning Assessment Commission as delegate for the Minister for Planning on 1 July 2011. Notably, Section 75W was repealed with the repeal of Part 3A of the Act, but has continuing effect for any concept plan approved before the repeal date.

The application is made by Earljest Pty Limited, the proponent nominated in the approval. The specific modifications sought to the Concept Plan Approval are:

1. Increase in Indicative building envelope by the addition of three (3) levels to the top of the Stage 1 portion of the building;
2. Increase in gross residential floor area primarily due to the addition of three levels to the top of the building and minor increase to residential floor area on the ground level;
3. Changes to basement and ground floor levels including a 0.5m downward adjustment to basement car park levels and addition of upper ground level;
4. Decrease in the gross retail floor space on the ground level to be replaced with a child care centre;
5. Addition of a child care centre on the ground level and upper ground level;
6. Changes to the car parking provision and layout resulting in an increase in the total car parking provision that meets the requirements of Hurstville City Council DCP No. 2; and
7. Amend the 'Green Travel Plan' that forms part of the Statement of Commitments to include:
 - Investigation of the use of a community bus;
 - Promotion of a car share scheme; and
 - Details of the provision of bicycle facilities.

The proposed modifications have resulted primarily from:

1. Efficiency of car park design yields a significant increase in the number of car parks available;
2. Additional 3 levels has minimal increased environmental impact on amenity of the locality, particularly in relation to overshadowing;
3. Additional 3 levels will continue to be well below the Obstacle Limitation Surfaces (OLS) provided by the Civil Aviation Safety Authority (CASA);
4. The release of the draft Metropolitan Strategy for Sydney identifies a significant expansion in housing supply on the estimates from previous strategies and has set a target of at least 545,000 new dwellings across Sydney by 2031; and
5. Recent approval from Joint Regional Planning Panel to increase the height of Building E in East Quarter, 95 Forest Road, Hurstville to 19 storeys (65.15 m).

This Environmental Assessment report has demonstrated how the proposed modifications to the approved Concept Plan will not impact on the use of the site and will not have any unacceptable environmental impacts on the amenity of the locality.

The proposed modifications will provide for an additional forty-five (45) dwelling units that:

- Are strategically located in the Hurstville CBD;
- Will benefit from improved access to retail, commercial, health, education, leisure, entertainment and cultural activities, and community and personal services;
- Will make better use of existing infrastructure;
- Will promote sustainable transport and healthier communities by giving people a viable option of taking public transport, cycling or walking; and,
- Promote housing affordability.

Given that there is also an absence of any significant environmental impacts resulting from the modifications, it is considered that the application for modifications to the concept approval for MP 10_0101 should, receive favorable consideration and be recommended for approval.

1.0 INTRODUCTION

This application is submitted to the Department of Planning and Infrastructure in support of proposed modifications to Concept Approval MP 10_0101 pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979*. Concept Approval MP 10_0101 permits a mixed-use residential and retail development at 21 – 35 Treacy Street, Hurstville.

Crosby Textor Pty Ltd has prepared this draft application to modify Concept Approval MP 10_0101 on behalf of Earljest Pty Ltd. The application provides:

- background information on the concept approval;
- preliminary details of the proposed modifications; and
- a preliminary environmental assessment of the proposed modifications.

The environmental assessment in this application is based on the amended architectural drawings prepared by Stanisic Associates and accompanying technical information that supports the proposed modifications.

The project team for the proposed modifications is as follows:

Urban Planning	Crosby Textor Pty Ltd
Architecture & Urban Design	Stanisic Associates Architects
Traffic and Parking	Lyle Marshall & Associates Pty Ltd
Geotechnical	Asset Geotechnical
Heritage	Cracknell & Lonergan Architects

2.0 BACKGROUND & APPROVED CONCEPT PLAN

On the 1 July 2011 the Planning Assessment Commission (PAC) determined to approve a Concept Plan application to develop 21 – 35 Treacy Street Hurstville for retail and residential development. A copy of the approval notice from the PAC can be found at Appendix 1.

The PAC determined to approve the Concept Plan subject to:

- terms and modifications;
- the Statement of Commitments;
- further environmental assessment requirements; and
- future stages of the Concept Plan approval to be subject to Part 4 of the EP&A Act.

By letter dated 28 March 2012 the Department of Planning and Infrastructure advised the appointment of Frank Stanisic of Stanisic Associates Architect as design architect for future development applications relating to the approved Concept Plan. The Planning Assessment Commission also advised that *"the appointment of Frank Stanisic of Stanisic Associates Architect as design architect for future development applications relating to the approved Concept Plan, would provide confidence that the high design quality illustrated in the Concept Plan would not be diminished"*.

On the 4 September 2012 approval was granted to modify the Concept Plan approval. A copy of the modified approval notice can be found at Appendix 2.

The modified approved Concept Plan is described as follows:

- a) Use of the sites for retail and residential purposes and associated car parking;
- b) Indicative building envelope to a maximum height of 55 metres (to a maximum of 114.6 metres AHD);
- c) Maximum GFA of 28,474sm (26,775sm residential, 1,499sm retail & 200sm community);
- d) Public domain improvements to Treacy Street;
- e) Landscaping areas throughout the site; and
- f) Staging of the development

The staging of development is described as follows:

Stage 1 (Central)

Stage 2 (West)

Stage 3 (East)

Earljest Pty Ltd, the original proponents of the concept plan, has transferred ownership of their part of the site to Henlia No 24 Pty Ltd as trustee for the Hurstville Unit Trust. Earljest Pty Ltd continues to act in a project management capacity for the consolidated site.

3.0 PROPOSED MODIFICATIONS

3.1 Summary of Modifications

The following provides a summary of the proposed modifications to the Concept Approval for MP 10_0101:

1. Increase in Indicative building envelope by the addition of three (3) levels to the top of the Stage 1 portion of the building;
2. Increase in gross residential floor area primarily due to the addition of three levels to the top of the building and minor increase to residential floor area on the ground level;
3. Changes to basement and ground floor levels including a 0.5m adjustment to basement car park levels and addition of mezzanine level;
4. Decrease in the gross retail floor space on the ground level to be replaced with a child care centre;
5. Addition of a child care centre on the ground level and upper ground level;
6. Changes to the car parking provision and layout resulting in an increase in the total car parking provision that meets the requirements of Hurstville City Council DCP No. 2; and
7. Amend the 'Green Travel Plan' that forms part of the Statement of Commitments to include:
 - Investigation of the use of a community bus;
 - Promotion of a car share scheme; and
 - Details of the provision of bicycle facilities.

The proposed modifications are detailed in the amended architectural drawings prepared by Mr Frank Stanisic of Stanisic Associates Architects (refer **Appendix 3**) and summarised in Table 1 and Table 2.

The amended architectural plans include:

- Floor plans;
- Elevations and sections;
- Unit types; and
- Staging plans.

3.2 Proposed Changes to Conditions of Consent

The proposed modifications will require the following changes to the conditions of approval attached to the Concept Plan:

1. Amend Condition of Approval A1 (b) to include a maximum building height for Stage 1 of 126.00 metres AHD.
2. Amend Condition of Approval A1 (c) to reference a maximum GFA of 32,497sm (30,459sm residential, 687 retail, 200sm community and 1,151 child care centre);
3. Replace Concept Plan drawings referenced in Condition of Approval A2 with the respective architectural drawings in Appendix 3; and,

4. Amend Condition of Approval A5 to reflect a maximum GFA for the development that does not exceed 32,497sm.
5. Amend Condition of Approval A6 to reflect a maximum height for the development not exceeding RL 126.00.
6. Amend Condition of Approval A8 to reflect a parking provision that complies with Hurstville City Council Development Control Plan No. 2 and does not make any specific requirement for spaces to be provided for retail and community uses.

Table 1: Comparison of Land Use and Floor Area

Level	Approved			Proposed Modification		
	Land Use	GFA (sm)	Spaces	Land Use	GFA (sm)	Spaces
Basement (Levels 2-4)	Car Parking	-	302	Car Parking	-	329
Basement (Level 1)	Residential	591	-	Residential	-	
	Car Parking	-	75	Car Parking		123
Ground	Retail	1,307	-	Retail	495	
	Residential	212	-	Residential	449	
	Community	200	-	Community	200	
	-	-	-	Child Care	1,018	
Upper Ground	-	-	-	Child Care	133	
	-	-	-	Car Parking		20
Level 1	Retail	192	-	Retail	192	
	Residential	1,640	-	Residential	1,640	
Levels 2-15	Residential	24,332	-	Residential	24,332	
Levels 16-18	-	-	-	Residential	4,038	
TOTAL		28,474	377		32,497	472

Table 2: Summary of Floor Areas, Car Spaces & Dwelling Mix

LEVEL	GFA		GFA		CAR SPACES		TOTAL	
	RENDERING	NET	RENDERING	NET	RENDERING	NET	RENDERING	NET
FLOOR SPACE	4,150							
USE AREA	4,150							
TOTAL GFA	32,487							
FLOOR SPACE RATIO	7.82/1							
LEVEL	RENDERING	NET	RENDERING	NET	RENDERING	NET	RENDERING	NET
BASEMENT					111	111		
BASEMENT					157	157		
BASEMENT					74	74		
BASEMENT					26	26		
ENC								
GROUND	2,162							
UPPER GROUND								
1	1,818	1,713	1,818	1,713				
2	1,852	1,332	1,852	1,332				
3	2,165	1,610	2,165	1,610				
4	2,187	1,887	2,187	1,887				
5	2,174	1,548	2,174	1,548				
6	2,174	1,548	2,174	1,548				
7	2,227	1,548	2,227	1,548				
8	1,891	1,471	1,891	1,471				
9	1,891	1,471	1,891	1,471				
10	1,770	1,484	1,770	1,484				
11	1,730	1,581	1,730	1,581				
12	1,730	1,581	1,730	1,581				
13	1,488	1,231	1,488	1,231				
14	1,490	1,230	1,490	1,230				
15	1,450	1,233	1,450	1,233				
16	1,346	1,120	1,346	1,120				
17	1,346	1,120	1,346	1,120				
18	1,346	1,120	1,346	1,120				
TOTAL	32,487	25,784	27,823	20,858	61	472	187%	228
							17%	187%

NOTE: GFA is the gross floor area as defined in the relevant LMR regimes.

3.3 Reasons for Modifications

The key reasons for the proposed modifications are:

1. In the preparation of finer grain detail drawings for a development application it was found that efficiency of car park design yields a significant increase in the number of car parks available;
2. Preliminary assessment indicated that additional 3 levels of residential floor space in Stage 1 of the development has minimal increased environmental impact on amenity of the locality, particularly in relation to overshadowing, traffic and parking impacts; and
3. The additional 3 levels will continue to be well below the Obstacle Limitation Surfaces (OLS) provided by the Civil Aviation Safety Authority (CASA);
4. The release of the draft Metropolitan Strategy for Sydney identifies a significant expansion in housing supply on the estimates from previous strategies and has set a target of at least 545,000 new dwellings across Sydney by 2031; and
5. Recent approval from Joint Regional Planning Panel to increase the height of Building E in East Quarter, 95 Forest Road, Hurstville to 19 storeys (65.15 m).

4.0 STATUTORY CONTEXT

4.1 Hurstville Local Environmental Plan 1994

The subject site is currently zoned 3(b) City Centre Business Zone pursuant to Hurstville Local Environmental Plan 1994. The zone seeks to promote mixed-use development, including commercial, retail, and residential uses and encourage and enhance a viable town centre.

As identified in the Director-General's Environmental Assessment Report dated March 2011 the proposed mixed-use development is permissible within the zone. The modified development does not impact on the permissibility of the proposed development.

4.2 Draft Hurstville Local Environmental Plan (Hurstville City Centre) 2012

Hurstville Council has prepared a draft LEP for the city centre that revisits the controls and development requirements as identified in the Council's Master Plan. The subject site is proposed to be zoned B4 – Mixed Use and the proposed modified development is permissible within the zone.

The Floor Space Ratio (FSR) for the site varies from 3.0:1 and 4.0:1 across the site. The height is restricted to between 15m and 23m across the site respectively.

Council has recently adopted building height, floor space ratio controls from the draft City Centre LEP 2012 into the current DCP 2 (effective from 9 August 2012). Council's web site indicates that this is an interim measure until the draft City Centre LEP is made.

4.3 Hurstville Development Control Plan No.2

The current height and density controls for the subject site are contained within Hurstville Council's DCP No. 2. Table 3 provides a summary of the changes in height and Floor Space Ratio in comparison to the standards contained in the relevant planning instruments.

Table 3: Comparison of Height and FSR

Control	DCP No.2 Requirements	Draft LEP	Concept Approval	Approved Modification 1	Proposed Modification 2
Height	15m-23m	15m-23m	55m (16 storeys)	55m (16 storeys)	64.95m (19 storeys)
FSR	3.0-4.0:1	3.0-4.0:1	5.89:1 (residential) 0.89:1 (retail) 6.78:1 (total)	6.38:1 (residential) 0.36:1 (retail) 0.04:1 (community use) 6.78:1 (total)	7.25:1 (residential) 0.16:1 (retail) 0.04:1 (community use) 0.27:1 (child care) 7.74:1 (total)

5.0 STRATEGIC CONTEXT

5.1. NSW State Plan

The Director-General's Environmental Assessment Report dated March 2011 provided the following comments in relation to the strategic context of the Concept Plan and the NSW State Plan:

"The proposal is consistent with the NSW State Plan 2010, including:

Increase the number of jobs closer to home: *the proposal will facilitate an estimated 35 (FTE) operational jobs plus an estimated 250 (FTE) construction jobs that are within walking distance to the Hurstville train station. Additionally, the development will provide 257 dwellings within the Hurstville City Centre, close to employment opportunities.*

Increased business investment and support jobs: *the proposal provides additional investment of \$134 million for the Hurstville City Centre."*

The modified proposal will continue to facilitate an estimated 35 (FTE) operational jobs plus an estimated 250 (FTE) construction jobs that are within walking distance to the Hurstville train station. Additionally, the modified development will provide a further 45 dwellings more than recently approved within the Hurstville City Centre close to employment opportunities.

The proposal will continue to provide significant increased business investment for the Hurstville City Centre.

In accordance with the aims of the State Plan, the modified proposal will achieve an improved urban environment and deliver attractive and sustainable development through reductions in greenhouse gas emissions and development in close proximity to existing centres, services and transport.

5.2 Sydney Metropolitan Plan 2036

In 2010 the *Metropolitan Plan for Sydney 2036* was launched to shape the future growth of Sydney.

Most importantly, this Plan for Sydney recognised that:

"Sydney's population is growing faster than previously expected. Revised NSW forecasts show Sydney's population is expected to grow by 1.7 million people between 2006 and 2036 to 6 million – an average annual rise of 56,650".

The Plan establishes housing and employment targets for the Sydney region at 770,000 additional dwellings and 760,000 new jobs by 2036.

The Plan also identifies targets for the south sub-region of 58,000 new dwellings and 52,000 new jobs by 2036. Most of the new dwellings are identified to be located within existing urban areas, focused around centres serviced by public transport. The Plan identifies Hurstville as a regional centre.

The Director-General's Environmental Assessment Report concluded that the original concept plan is consistent with the aims of the Sydney Metropolitan Plan and *"will contribute towards meeting the targets for new dwellings and jobs through its delivery"*.

The modified concept proposal will continue to make a significant and valuable contribution towards meeting the targets for new dwellings and jobs through its delivery.

5.3 Draft Metropolitan Strategy for Sydney 2031

The draft Metropolitan Strategy for Sydney to 2031 has been recently released and is currently on public exhibition. The strategy sets out the NSW Government's vision for the city with a key focus being delivery to achieve growth.

To provide direction for subregional planning, including metropolitan priorities, the Metropolitan Strategy for Sydney contains detailed advice for all of Sydney's six sub-regions.

In relation to the provision of housing the strategy identifies that by 2031 Sydney's population will grow by an expected 1.3 million more people, taking Sydney's total population from 4.3 million to 5.6 million people.

In a significant expansion on the estimates from previous strategies this Strategy has set a target of at least 545,000 new dwellings across Sydney by 2031. The Strategy has recognised that a significant increase in total dwelling stock is needed

- to address the record low levels of housing production over the last 10 years; and
- to meet the needs of a growing population.

The Plan targets the South sub-region for an increase of 42,000 new dwellings and 43,000 jobs by 2031. As with previous strategies most of the new dwellings are identified to be located within existing urban areas, focused around centres such as Hurstville that are well serviced by public transport.

Through its delivery, the modified concept proposal will continue to make a significant and valuable contribution towards meeting the increased targets for new dwellings and jobs in metropolitan Sydney.

5.4 Draft South Subregional Strategy

The Director-General's Environmental Assessment Report provided the following comments in relation to the strategic context of the Concept Plan and the Draft South Subregional Strategy:

"The site falls within the area defined as the Draft South Subregional Strategy. The Subregional Strategy currently targets the provision of an additional 29,000 jobs and 35,000 dwellings for the region by 2031. Hurstville LGA has a total employment capacity target of 3,000 jobs and 4,100 additional dwellings.

Hurstville is recognised as a major centre within the Strategy, and is identified as being a centre likely to experience both significant growth in employment and housing, facilitated by improvements to local transport infrastructure. The proposal will assist in contributing to the identified dwelling capacity targets for the Hurstville LGA through its provision of residential accommodation close to the Hurstville train station."

The modified proposal will contribute an additional 45 new dwellings in a recognised major centre close to the Hurstville train station.

5.5 Hurstville City Centre Master Plan 2004

Council developed the Hurstville City Centre Concept Master Plan 2004 with the assistance of the NSW Government Architect Chris Johnson. The Government Architect's message in the foreword of the master plan states:

“The Master Plan is about the creation of new public spaces, a new transport interchange for buses that is set at the same level as the concourse over the railway station. The plan then looks at how to improve access across the railway lines, how to develop appropriate built forms over the railway and how to generally manage future development at the centre of Hurstville.”

The Plan divides the Hurstville CBD into “six distinct areas that have all been found to have their special characters”. The subject site is located within the City Centre East precinct that is characterised in the master plan “by the extension of the retail strip along Forest Road and very much underutilised development along the railway line in Treacy Street”. Treacy Street provides the rear vehicular and service access to properties in Forest Road. The subject site is also identified in the master plan as being in a “business incubator area”.

The area has been identified by council for review of building controls. Existing building heights in the Hurstville CBD range from predominantly 1-3 storeys up to 20 storeys. A number of existing high density residential developments, including East Quarter on the former AMCOR site, are also located at the eastern end of the precinct.

6.0 ENVIRONMENTAL ASSESSMENT

6.1 Increase in Height

This modified concept proposal provides for an indicative building envelope with a maximum 124.25 metres AHD to the parapet and maximum 126.00 metres AHD for lift overruns, service equipment etc. This change in parapet height is an increase of 9.65m (or 3-storeys) from the approved modified Concept Plan. This height increase is proposed only for Stage 1 portion of the proposed development that covers just less than 2/3 of the building frontage. Stage 2 (west) and Stage 3 (east) remain as approved in relation to scale and built form.

A Building Heights Context Plan has been prepared showing the heights of existing and recently approved buildings in the general locality of the subject site. A copy of the plan can be found at Appendix 4.

The plan shows that there are a number of buildings ranging in heights within the locality of the subject site. Of particular relevance is Building E, East Quarter, 95 Forest Road Hurstville. This building is located in close proximity to the subject site and is also adjacent to the railway line. The building recently received approval from the Joint Regional Planning Panel to increase the height to 19 storeys (RL 124.95 to top of parapet).

The Director-General's Environmental Assessment Report provided the following comments in relation to the height context of the building:

"The Department has analysed the east-west height study and considers that the tall towers to the east at the East Quarter development and at Hurstville train station to the west provide a height backdrop similar to the proposed development which will ensure that the height of the proposed new towers does not contrast against the established City Centre skyline, particularly when viewed from the residential area to the south."

The proposed modified height for Stage 1 of the concept plan for 21-35 Treacy Street, Hurstville does not exceed the approved height of the tallest building in the East Quarter development.

Built Form & Urban Design:

Pursuant to the Director-General's Design Excellence Guidelines Mr Frank Stanasic has been nominated and approved as the design architect for the proposed development. Mr Stanasic will ensure the design quality of the concept approval continues through to the physical completion of the development. Mr Stanasic is also responsible for the design of the proposed modifications. As such, the built form and urban design of the proposed modification is in keeping with the high quality design of the approved building.

Mr Stanasic makes the following comments in relation to the impacts of the proposed modifications in relation to the other stages of the development:

The design excellence of the concept plan relies heavily on maintaining the integrity of the built form, visual expression and fine architectural detail of the exterior.

The built form concept is a hybrid form, a unique fusion of three built form types: the urban street wall, slab and towers. This hybrid form is cut with a slot into two, roughly equal, parts and perforated with recesses to

break down its visual bulk and mass. Connecting bridges between the two towers are seen in the slot and allow views out along the main visual axis between Hurstville and Kogarah. The recesses in both the north and east facades of the building mediate between the scale of the slab form and the adjoining context while retaining the urban scale of the building in the Hurstville City Centre.

The proposed modification increases the building height in the centre stage by three floors from 16 to 19 storeys. The east and west stages remain unchanged. The visualisations (2A, 2B and 2C) from Treacy Street which show the additional building height on the centre stage, and in relation to the east and west stage forms, indicate that there is little increase in the visual bulk of the building due to the stepped building form, slender floor plate and articulation of its mass with the view corridor and recessed sun courts. The restriction of the additional height to the centre stage ensures that the overall appearance and image of the building is maintained.

The building appearance primarily emphasizes its dual orientation: to the sunny north over the Hurstville City Centre and the cooler south over Kogarah. The fine grain architectural expression is extended from the lower onto the new upper floors. The street elevation to Treacy Street to the north is fitted with a metal 'jacket' with fixed balustrade panels, that is placed over the balconies and windows. The 'jacket' is a second skin, an environmental filter that screens the living areas and bedrooms from the hot sun in summer and reduces heat loss in winter. The south elevation to the Illawarra Railway corridor is a glass wall with winter gardens that are enclosed by multi-folding glass panels that reduce noise from the trains and heat loss in winter. This architectural expression and detail are retained in the modified elevation.

This view is supported by a view analysis and visualisations of the proposed modified building prepared by Stanasic Associates Architects. A copy of the view analysis and visualisations can be found at Appendix 5.

The view analysis shows how the proposed height modifications will be viewed from a number of key vantage points in the locality, both from within the Hurstville LGA and adjoining Kogarah LGA.

The following visualisations show what the proposed amended building will look like from a number of view corridors along Treacy Street and at various stages of development. For comparison reasons, visualisations of the approved development are also provided.



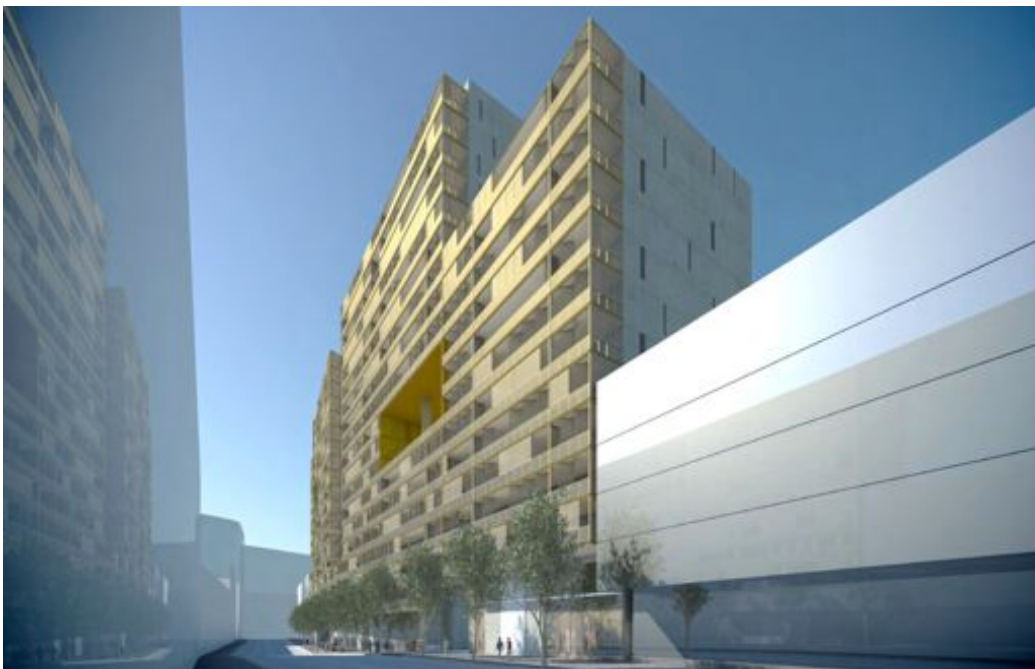
View of approved development looking west along Treacy Street.



View of proposed modified development looking west along Treacy Street.



View of approved development looking east along Treacy Street.



View of proposed modified development looking east along Treacy Street.

Solar Access:

Solar access drawings (shadow diagrams) have been prepared by Stanisic Associates Architects and can be found at Appendix 6.

The proposed modified building casts shadows over the adjoining railway line and onto existing development in the neighbouring Kogarah LGA.

A review of the shadow impacts from the proposed modified building indicates that during the hours from 9am to 4pm in mid winter (June 21) all previously affected neighbouring properties will either continue to receive 3 hours of solar access where this currently exists, or will not lose any solar access where there is currently less than 3 hours of solar access.

Mr Frank Stanisic, from Stanisic Associates Architects provides the following detailed analysis of the potential overshadowing impacts:

A more detailed analysis has been provided of the modified overshadowing impacts of the proposal on sites south of the railway line. The shadow diagrams indicate the extent of overshadowing resulting from the proposal during the winter solstice, 21 June, for each hour between 9am and 4pm. They also provide additional drawings for 2pm and 3pm at the Equinox, on 21 March/September, 2pm at the Equinox on 21 April/August, and 2pm and 3pm on 10 May and 21 May. The times are similar to those presented for the approved application.

These drawings illustrate that on the winter solstice, the site at 2-6 Bellevue Parade will be overshadowed between 2pm and 3pm by the 3 additional levels (refer to CD78). The site comprises a 4 storey residential flat building with 6 units. The proposed built form will overshadow one unit on level 1 only during the afternoon period and will reduce the ability of this property to receive sunlight on the winter solstice. The balconies and living rooms for 2-6 Bellevue Parade are located along the south-western façade of the building, away from Railway Parade and the railway line which lie to the north. Currently, these areas receive sunlight on the winter solstice, for approximately 1 hour, between 2pm and 3pm. The additional overshadowing of the unit on level 1 is however considered to be acceptable given:

- *current solar access to the unit is compromised by the south-west orientation of the building which only currently receives 1 hour of sunlight; and*
- *at other times of the year overshadowing impacts improve. At 21 March/September (Equinox), 21 April/August and at 10 and 21 May the additional 3 levels do not overshadow the unit on level one.*

As noted for the previously approved proposal the overshadowing of sites between 522 and 546 Railway Parade between 2pm and 3pm on the winter solstice was considered to be acceptable (refer to CD 76 and 77). The additional 3 levels do not contribute additional shadowing of these properties between 2pm and 3pm.

Obstacle Limitation Surfaces

Preliminary advice from CASA is that the height of the building is well within the requirements of Obstacle Limitation Surfaces for nearby Sydney Airport. Prior to lodging a project application, a request will be made to Sydney Airports Corporation regarding any further assessments of the proposal.

6.2 Increase in Gross Residential Floor Area

The proposed increase in Gross Residential Floor Area (GRFA) is primarily a consequence of increasing the height of Stage 1 (Central) of the building by 3 levels. The GRFA is increased from 26,775sm to 30,459sm (+3,684sm) that translates into 45 additional dwelling units (15 per level over 3 levels).

Table 4 provides details of the proposed dwelling types and mix in comparison to the approved development. The proposed modified development will continue to provide the same dwelling types at relatively the same mix as previously approved.

Table 4: Comparison of Dwelling Unit Numbers and Mix

Dwelling Type	Approved		Proposed	
	Number	%	Number	%
1 Bedroom	47	17	53	16
2 Bedroom	217	76	253	77
3 Bedroom	19	7	22	7
TOTAL	283	100	328	100

Importantly, it is considered that the proposed increase in residential floor space does not detrimentally impact on the merits of the proposed development and remains consistent with the key conditions of consent contained in the Concept Approval for MP 10_0101 because:

- The use of the site continues to be primarily for retail and residential purposes;
- Impacts on the provision of parking spaces and traffic movements in and around the site are adequately addressed in the following Section 4.4; and,
- The environmental assessment shows there are no additional environmental impacts that directly result from the proposed increase in gross residential floor area.

Concentrating higher density residential development within recognised strategic centres such as Hurstville CBD has been a key feature of NSW Government planning policy for many years. The Metropolitan Strategy, NSW State Plan and the Metropolitan Transport Plan all have policies relating to concentrating higher density residential development within areas that are underpinned by services and efficient public transport links including both rail and buses. The benefits include;

- Improved access to retail, commercial, health, education, leisure, entertainment and cultural activities, and community and personal services;
- Making better use of existing infrastructure;

- Promoting sustainable transport and healthier communities by giving people a viable option of taking public transport, cycling or walking; and,
- Promoting housing affordability.

Strategic centres such as Hurstville are described in the Metropolitan Strategy as accommodating “taller office and residential buildings”. In general, the closer to the commercial centre and to public transport the greater the residential density to enhance sustainability and vibrancy of the centre.

This is further supported through the Draft South Sub-Regional Strategy which identifies the sustainability of Hurstville will be enhanced by “*providing for some higher density, low cost housing*” and that the continued growth in this region “*relies on the interconnection of services and greater densities of commercial activities surrounded by high density residential to provide for vibrant centres allowing residents improved access to transport, services and employment*”.

Housing NSW have made very strong representations that it considers it essential that optimum residential redevelopment potential within the Hurstville City Centre, including Treacy Street, is enhanced.

In a significant expansion on the estimates from previous strategies the current publicly exhibited draft Metropolitan Strategy for Sydney identifies that by 2031:

- Sydney’s population will grow by an expected 1.3 million more people, taking Sydney’s total population from 4.3 million to 5.6 million people.
- Sydney’s population will change, with 900,000 people over the age of 65, which are nearly twice as many people over that age today. There will also be more than one million people under 15 years of age.
- Greater Western Sydney will be home to more than half of Sydneysiders.

This draft Strategy has set a target of at least 545,000 new dwellings across Sydney by 2031 and recognised that a significant increase in total dwelling stock is needed to:

- address the record low levels of housing production over the last 10 years; and
- meet the needs of a growing population.
- The proposed modification will further optimize the residential redevelopment potential of a site that is within the Hurstville City Centre with excellent access to public transport, shops and community and personal services.

6.3 Changes to Commercial Space

The proposed modifications to the approved commercial space include:

- a reduction in the retail floor space on the ground level from 1,307sm to 495sm (- 812sm); and
- generally replacing this area with a child-care centre of 1,151sm (made up of 1,018sm on the ground floor and 133sm on the upper ground level).

The proposed child-care centre is located primarily on the ground level in the first (centre) stage of development. A small portion of the centre is located on

the upper ground level. The centre will have frontage and direct access at street level from Treacy Street.

The provision of a child-care centre results from the proponents undertaking a desktop analysis on the state of child-care centres that found:

- 2011 Child Care Survey undertaken by the ABS identified additional formal care was currently required for 148,600 children. Of these, 48% mainly required long day care, and 34% before or after school care.
- Waiting lists for many child-care centres are 12 months or longer; and
- Very low vacancy rates in existing centres in and around Hurstville City Centre.

In summary, this analysis has influenced the proponents of the development to include a substantial sized child-care centre as part of the proposal.

6.4 Traffic and Parking

The proposed increase in residential units leads to an increase in the demand for car parking spaces and the potential impact of increased traffic.

As mentioned previously, in the preparation of finer grain detail drawings for a development application it was found that

- Efficiency of car park design yields a significant increase in the number of car parks available; and
- An additional upper ground level along the southern boundary with the railway line has been achieved to provide additional car parking spaces

A total of 472 car parking spaces are provided to meet the requirements for residential, commercial and community uses as detailed in Table 5. The provision of car parking complies with the minimum requirements of Hurstville City Council Development Control Plan No.2

Table 5: Provision of Car Parking

Parking Use	DCP Requirement	Proposed Allocation	Reference Document
Residential	258	316	Section 4.3 of the Traffic & Parking Report (Appendix 6)
Residential Visitor	82	82	
Accessible	11	20	
Disabled	11	13	
Retail	21	21	
Child Care Centre	12	12	
Community Centre	0	8	
Total	395	472	

Lyle Marshall & Associates Pty Ltd has undertaken an assessment of the traffic and parking issues arising from the proposed modification of the concept plan. The report can be found at Appendix 7.

The scope of the report addresses the traffic and parking issues arising from both Stage 1 and the ultimate stages of the proposed development:

The report provides a comprehensive review of the traffic effects of the proposed modification on both the proposed Stage 1 and ultimate development stage in relation to:

- Floor Areas and Uses
- Estimated Residential and Workforce Population
- Car Parking Requirements and Provision
- Bicycle Storage Facilities
- Number of Accessible Parking Spaces and Parking Required for People with a Disability.
- Internal Parking Layout Design and Circulation
- Estimated Traffic Generation
- Intersection Performance
- Delivery / Service Vehicles
- Traffic Impacts During Construction

In summary, the report confirms that the impacts of the proposed modification in relation to parking and traffic have been adequately addressed.

The revised traffic and parking report does not incorporate any of the findings of Council's recently completed Transport Management and Accessibility Plan (TMAP). Recommendations from the TMAP were reported to Council on 12 June 2013. The report identifies working through the TMAP recommendations is the important next step in implementation of the plan and in this regard Council has proposed that a TMAP Action Plan be prepared. A key aspect of this work appears to be the incorporation of TMAP recommendations into amendments for the Draft Hurstville City Centre LEP, DCP and Master Plan. Future project applications shall incorporate any relevant findings of the TMAP.

As part of the Statement of Commitments attached to the Concept approval a "Green Travel Plan" is to be developed for the Project Application stage. It is proposed to amend the plan so that it can be a more dynamic document that will develop over time as it responds to a continuing assessment of where more sustainable transport alternatives may be used.

In this regard, it is proposed to work with Hurstville Council to:

- investigate the use of a community bus (or similar scheme) to transport elderly and infirm residents to Hurstville railway station and for local shopping trips etc. to the CBD; and
- promote a co-ordinated car share scheme (or similar) with prospective commercial and residential tenants.

In relation to the provision of bicycle facilities as part of the 'Green Travel Plan' it is proposed that Stage 1 of the development will provide bicycle storage facilities for residents and the child-care centre will provide showers and changing facilities for employees. Visitor bicycle parking facilities will be

provided at ground level close to entrances, in a visible and weather protected location subject to casual surveillance.

Stages 2 and 3 of the development will also separately provide showers and changes rooms for employees associated with the individual retail spaces.

These changes to the 'Green Travel Plan' are reflected in amendments to the Statement of Commitments.

6.5 Maintenance of Residential Amenity

Given the proposed modification includes additional dwelling units a revised assessment of how the modified concept plans comply with the provisions of *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development* (SEPP 65) and the accompanying *Residential Flat Design Code 2002* has been undertaken by architect, Mr Frank Stanisic. A copy of the assessment can be found at Appendix 8.

In summary, the assessment has found that the modified concept plan is able to meet the aims of SEPP 65. Assessment of the proposal against the NSW Residential Flat Design Code details how well the design of the modified concept plan responds to the topics, objectives or rules of thumb within the design code.

6.6 Road/Rail Traffic Noise

Koikas Acoustics Pty Ltd have undertaken an acoustic assessment of the Concept Plan and the previous approved modifications to the Concept Plan.

Koikas Acoustics Pty Ltd concluded that all the recommendations provided in their previous Acoustic Report are to remain, except Appendix E, which is superseded by Annexure A that is attached to their addendum report. This recommendation is reflected in the revised Statement of Commitments.

As part of this application it is considered that subject to the proposed modification continuing to comply with the approved statement of commitments no further acoustic assessment is required.

6.7 Heritage Impact

Cracknell & Lonergan Architects prepared the Statement of Heritage Impact (SHI) and an Assessment of Aboriginal and non-indigenous archaeological resources for the original Part 3A Concept Plan application for 21-35 Treacy Street, Hurstville.

Cracknell & Lonergan Architects have been requested to assess the impact of this modified proposal on the heritage and archaeological significance in the vicinity of the development. Cracknell & Lonergan Architects have concluded that "the modifications will have no further impact on the significance of the items in the vicinity and in this respect the proposal is acceptable". A copy of their assessment can be found at Appendix 9.

6.8 Geotechnical

Asset Geotechnical have been requested to review the proposed modified development, specifically regarding the applicability of the preliminary advice provided in their previous geotechnical report for the subject site. A copy of the review can be found at Appendix 10.

The review has found that the currently proposed development details would not change the preliminary geotechnical advice provided in any previous report and provided that the current concept plan is designed and constructed in accordance with their previous geotechnical report, including recommendations and advice regarding:

- excavations;
- temporary and permanent support;
- dewatering;
- foundations; and
- requirement for further studies.

Asset Geotechnical *“consider that the proposed development (in terms of depths of excavation, building envelope and methodology of construction) would not have an adverse impact on the adjoining rail corridor.”*

6.9 Private and Communal Open Space

Amenity impacts of the proposed modified development have been considered against State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings (SEPP 65) and the accompanying Residential Flat Design Code (RFDC).

The proposed modified development continues to only provide indicative building and apartment layouts and strict compliance with the RFDC criteria will be demonstrated in any future project application. Notwithstanding this, the proposal generally meets the requirements of SEPP 65 as discussed in Section 6.5 of this assessment.

The proposed modified development does not amend the following Concept approved communal open space areas within the development:

- Level 1 – Communal Courtyard – 1,168m²
- Level 4 – 2 x Garden Terraces – 382m²
- Level 7 – Garden Terrace – 225m²
- Level 10 – Garden Terrace – 135m²
- Level 13 – Roof Garden – 469m²

The communal open space equates to 2,379m² or 56.7% of the site. The site also contains a 260sm area of deep soil planting located to the south west of the site that has a soil depth of 3 metres to sustain mature planting. In addition, the proponent has included in the original Concept approval a Commitment to employ Water Sensitive Urban Design features such as rainwater harvesting and rain gardens that will be subject to detailed design in any future project application.

The Director-General's Environmental Assessment Report provided the following comments in relation to communal open space:

“Given the existing site constraints, namely its narrow width adjoining a railway line and the existing built up nature of Treacy Street, the Department considers that reliance on rooftop communal landscaped areas, proposed deep soil landscaping and use of environmentally sustainable techniques is acceptable in this instance. ”

6.10 Section 94 Contributions

As required by Schedule 3 of the Concept Plan approval any future application shall be required to pay developer contributions to Hurstville Council towards the provision or improvement of public amenities and services. The amount of the contribution will be determined in accordance with the requirements of the Contributions Plan current at the time of project approval.

7.0 REVISED STATEMENT OF COMMITMENTS

In response to the proposed modifications, the following amendments are proposed to the Statement of Commitments made by Earljest Pty Ltd in respect of traffic and parking measures that are to be implemented to manage and minimise any potential impacts of the project (revisions are shown in **bold italics**).

8.2 Traffic and Parking

All access, servicing and internal layout will be provided in accordance with AS 2890.1:2004 and AS 2890.2 -2002.

An assessment of the construction traffic generated by the development will be undertaken at the Project Application stage.

The traffic impacts during construction will be assessed in more detail for the Project Application when the construction staging, construction period, truck movements and truck sizes are considered. A construction traffic management plan will be undertaken at the Project Application stage.

A "Green Travel Plan" will be developed for the Project Application stage and will include initiatives such as:

- ***Bicycle storage, showers and changing facilities for employees and bicycle storage for residents. Stage 1 of the development will provide bicycle storage facilities for residents and the child-care centre will provide showers and changing facilities for employees. Stages 2 and 3 will also separately provide showers and change rooms for employees associated with the individual retail spaces. Visitor bicycle parking facilities will be provided at ground level close to entrances, in a visible and weather protected location subject to casual surveillance.***
- Provide train and bus timetables to staff and residents.
- ***Investigate with Hurstville Council the provision of a small commuter vehicle (or similar scheme) to transport elderly and infirm residents to Hurstville railway station and for local shopping trips etc. to the CBD.***
- ***Investigate with Hurstville Council the promotion of a co-ordinated car share scheme (or similar) with prospective commercial and residential tenants.***

8.0 CONCLUSION

This Section 75W application seeks:

1. Increase in gross floor area.
2. Increase in Indicative building envelope;
3. Increase in gross residential floor area;
4. Changes to basement and ground floor levels;
5. Changes to the gross retail floor space;
6. Addition of a child care centre;
7. Changes to the car parking provision and layout; and
8. Amendment the 'Green Travel Plan' that forms part of the Statement of Commitments; and

The environmental assessment has demonstrated how the proposed modifications to the approved Concept Plan will not impact on the approved use of the site and will not have any unacceptable environmental impacts on the amenity of the locality.

The proposed modifications will provide for additional dwelling units that:

- Are strategically located in the Hurstville CBD;
- Will benefit from improved access to retail, commercial, health, education, leisure, entertainment and cultural activities, and community and personal services;
- Will make better use of existing infrastructure;
- Will promote sustainable transport and healthier communities by giving people a viable option of taking public transport, cycling or walking; and,
- Promote housing affordability.

Given the stated benefits of providing additional dwelling units and the absence of any significant environmental impacts resulting from the modifications, it is considered that the application for modifications to the concept approval for MP 10_0101 should receive favorable consideration and be recommended for approval.