

Our Ref: DA2018/0366, D20/221226

11 September 2020

Key Sites, Industry and Regional Assessments
Department of Planning, Industry and Environment
Level 17
12 Darcy Street
PARRAMATTA NSW 2150

Attention: Marcus Jennejohn

Dear Sir

21-35 Treacy Street, Hurstville - MP10_0101 MOD 3

I refer to the modification application to Concept Approval (MP10_0101) for the abovementioned site. Council acknowledges receipt of the Department's letter confirming the exhibition of this application.

This submission provides an overview on the development application process in relation to this Site and Council's current position.

On 5 September 2018, DA2018/0366 was lodged with Council for the redevelopment of 31-35 Treacy Street, Hurstville which involves the demolition of all existing structures and the construction of a thirteen (13) mixed use development comprising of forty-one (41) residential apartments, two (2) ground floor retail tenancies and five (5) levels of basement car parking for seventy-four (74) vehicles. This proposal forms the final phase (West Stage) of the Concept Approval (MP10_0101) development. The Central Stage (23-31 Treacy Street) and the East Stage (21-23 Treacy Street) buildings have been constructed, completed and are now occupied.

During the assessment of the application, the proposal was found to exceed the maximum gross floor area of 28,747sqm as stipulated in Condition No.A5 of the Concept Approval.

As a result prior to Council finalizing DA2018/0366, the Concept Approval will need to be modified to ensure numeric conditions relating to height, floor space are consistent.

Furthermore, the application (DA2018/0366) is “integrated” as it adjoins the Illawarra Rail corridor and requires State Rail concurrence pursuant to Clauses 85 and 86, State Environmental Planning Policy (Infrastructure) and the amount of excavation may trigger the requirement for an activity approval in accordance with Clauses 89 and 91 of the Water Management Act. As such the application has been referred to Water NSW. State Rail provided concurrence on 5 September 2020. Response from Water NSW is forthcoming.

Given the length of time the application has been with Council, and to provide a greater level of certainty in the decision making and determination of the application, Council prepared a detailed assessment report which was reported to the Georges River Local Planning Panel (GRLPP) on Thursday 20 August 2020. The recommendation to the Panel was to grant an “*in principle*” approval subject to the following information being provided;

- *The Modification Application (No.MP10_0101 Mod 3) lodged with the Department of Planning, Industry and Environment on 22 July 2020 is approved and plans and documents being consistent with this approval.*
- *Formal concurrence received from State Rail.*
- *Formal concurrence received from Water NSW.*
- *The draft conditions attached to this report are to be updated to reflect any changes and additional conditions and requirements stipulated by Government Agencies.*

Once the above information is provided and satisfied the Panel delegates responsibility to the Manager Development and Building to issue the formal development consent.

If the modification application (Mod 3) before the State Government is refused or approved in a modified form, the Applicant will be provided with the opportunity (21 day period) in which to amend the Development Application and an updated electronic report provided to the Panel within thirty (30) days of receipt of the revised plans.

The Georges River LPP at its meeting on 20 August 2020 endorsed Council's recommendation and resolved that;

Determination

“In Principle” Support

The Panel in principle supports the granting of development consent pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2018/0366 for the construction of thirteen (13) storey mixed use development comprising two (2) commercial/retail on ground floor and a total of 41 residential apartments above, communal open space and five (5) levels of basement car parking and associated site works at 33-35 Treacy Street, Hurstville, and delegates power to the Manager – Development and Building pursuant to Section 2.20(8) of the Environmental Planning and Assessment Act 1979, as amended, to determine the development application subsequent to the current Modification Application to the Concept Approval (MP_10 0101 Mod 3) being determined by the Department of Planning and Environment and concurrences from State Rail and Water NSW being approved.

The following links provide access to Council's Assessment Report and the Georges River LPP resolution for your information.

Assessment Report

https://infoweb.georgesriver.nsw.gov.au/grinfocouncil/Open/2020/08/LPP_20082020_AGN_AT_WEB.htm

Minutes and Resolution

https://infoweb.georgesriver.nsw.gov.au/grinfocouncil/Open/2020/08/LPP_20082020_MIN_WEB.htm

In light of the above detailed assessment and resolution by the Georges River Local Planning Panel, Council raises no objections to Modification Application (MOD 3) to the extent MP10_0101 MOD 3 amends the Concept Approval to ensure consistency with the Development Application (DA2018/0366).

For any further information regarding this matter please contact Consultant Planner, Ms Larissa Ozog on 9330-9472 during normal business hours.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ryan Cole', with a stylized flourish at the end.

Ryan Cole
Manager Development and Building