

ANNEXURE "E"
**Peer Review of Proposed Density Levels within the Draft
Hurstville City Centre LEP for Sites between 1,000 m² –
5,000m²**

PEER REVIEW REPORT

OF

**PROPOSED DENSITY LEVELS WITHIN THE
DRAFT HURSTVILLE CITY CENTRE LEP
FOR SITES BETWEEN 1,000-5,000M²**

submitted to

HURSTVILLE CITY COUNCIL

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1.0 INTRODUCTION

This report comprises a desk-top study to assist the Council to determine whether the maximum density levels identified on the floor space ratio map accompanying the current draft Hurstville City Centre LEP (as submitted to the Department of Planning for a s.64 certification to allow for its exhibition) are sufficient to enable the proposed maximum height of buildings to be achieved on sites with a site area of between 1000-5000m².

The scope of the report is limited by the restricted timetable provided for the review.

Consideration is also given to the strategic planning implications of there being an increase in density across the entire area of the City Centre.

2.0 PLANNING APPROACH

In preparing this report, the following relevant documents have been reviewed:

- draft zoning map
- draft floor space ratio map
- draft maximum building height map
- plan identifying the location of sites in the City Centre of a size 1000-5000m²;
- related officer report and related appendices to Council on 18 August 2010
- Hurstville City Centre Urban Design Options, prepared by Hassell, 18 November 2009 ('the Hassell Report')
- Draft City Centre DCP (non-exhibited version)

To assist with the exercise, a review of the relevant planning controls of a number of metropolitan commercial centre locations has also been undertaken where they allow for a direct comparison with the draft controls incorporated into the draft Plan. The commercial centres locations, and the related instruments reviewed, are:

- Chatswood (Draft Willoughby LEP 2009)
- Bondi Junction (Waverley LEP (Bondi Junction Centre) 2010)
- Parramatta (Parramatta City Centre LEP 2007)
- Liverpool (Liverpool LEP 2008)
- Penrith (Penrith City Centre LEP 2008)
- Sydney City (Sydney LEP 2005)

It is understood that the maximum building height controls on the draft map summarise the desired urban form for the City Centre. The proposed density provisions seek to facilitate realisation of those heights in the form envisaged by the Hassell Report.

The tasks undertaken are three-fold:

1. a review of the methodology of the Hassell Report to determine if the approach adopted therein is appropriate for determining the maximum density level for future development;
2. a review of planning controls for similarly zoned areas in the metropolitan area of Sydney, having regard to Commercial Core (Zone B3) and Mixed Use (Zone B4) or equivalent locations, to enable a comparative analysis with the draft controls proposed for those lands between 1000-5000m² site area in the equivalent zones of the Hurstville City Centre; and
3. consideration of measures to either address any identified inadequacies and/ or identification of concerns arising from the review with the draft LEP in relation to currently proposed density levels.

3.0 ASSESSMENT

3.1 Review of the methodology of the Hassell Report

Six sites are considered in the Hassell Report. They do not represent the footprint of the City Centre to which the draft LEP relates, nor all of the sites with an area of 1000-5000m² in the City Centre.

This section of the review relates only to a consideration of those sites between 1000-5000m² in areas examined in the Hassell Report.

The Hassell Report includes the methodology of its approach in Section 2.0 (pg.7). The approach adopted leads to the identification of three options for each of the six sites. The approach comprises a character analysis; identification of opportunities and constraints; and the identification of urban design principles. The report also identifies Key Master Plan Principles that were derived from a consideration of (a) the City Centre Concept Masterplan (2004); Urban Form Study (2007) and outcomes from a councillor workshop. These documents have also informed the maximum building height controls on the draft map that reflect the desired urban form for the City Centre.

The Hassell Report identifies the assessment criteria against which the development potential of each site is assessed. Within those criteria it is not clear whether the provision of car parking and/ or loading/ unloading facilities and the like is catered for above ground or below ground. It appears that the estimated floor space projections for each option assumes below ground parking.

If such facilities were above ground, there is some risk that the desired urban form of development, and the desired urban design outcomes for the lower levels of buildings, would not be achieved. If that were the case, then either a greater urban form would be result from pursuing the nominated density levels; or the projected density levels would not be achievable.

Given that the urban form determined by the draft height map represents that sought by the council for the City Centre, it is necessary to ensure that each of the sites can accommodate the level of parking required below ground to support the floor space permitted.

The examination within the Hassell Report of each of the options (for each the six sites) is considered to be balanced and thorough in its analysis. The outcomes for each option are clearly represented and their impacts are fully demonstrated and evaluated.

The recommended floor space for the nominated sites has been appropriately evaluated for achieving the desired urban form expressed under the relevant options.

The preferred density levels identified in the Hassell Report are for each of the six sites as a whole, and not for individual allotments as might currently exist within each site. For the densities to be achieved, and for the desired urban form to be reached, it appears to require the consolidation of lots within each site. This would avoid the 'loading' of floor space to particular allotments within the relevant site; and ensure that there are adequate support facilities provided to the higher built forms; i.e., the footprint for parking; open space and the like.

Without consolidation, there is a risk of (a) sites being excluded, or (b) a different urban outcome being achieved with each individual allotment pursuing its own development outcome.

The density levels nominated in the options do not reflect the maximum density levels on the draft LEP density map. For instance, with Sites 2, 3 and 4, an average density of 4.7:1 FSR is nominated in the Hassell Report. By comparison, the draft LEP map nominates a maximum density control of 5.0:1 FSR and 6.0:1 FSR for some of these sites. Equally some portions of Site 1 are nominated on the map with a maximum density of 7.0:1 FSR where a density of 6.1:1 FSR has been nominated in the Hassell Report.

For the draft LEP controls to be determined as robust, close adherence to the findings and recommendations regarding floor space within the Hassell Report is recommended in this instance, to achieve the desired urban form and to avoid impacts identified under some of the rejected options emerging.

The Hassell Report does not consider the issue of staging development, though the report recommends the concentration of development proximate to public transport nodes.

It has been advised that the floor space potential of the City Centre derived from an evaluation of the draft density controls is significantly in excess of existing demand for commercial floor space. As a consequence, there is a risk that early development proposed in the City Centre could absorb all existing demand to the detriment of the desired urban form for the centre.

It is assumed that the Council would wish for the City Centre to grow incrementally in a planned manner, to minimise demands upon infrastructure; to allow for the use of surplus infrastructure capacity; and to bring the greatest economic benefit to the city. From that perspective, staging the increase of maximum floor space levels within Zone B3 would be a desirable option.

On a similar basis, the staged increase in density controls applicable to the Zone B4 to encourage new residential development in the most accessible locations; i.e., that are the most well-served in terms of vehicular access; open space; walking distance to shops; and public transport, would also seem desirable. It would ensure that State Government targets can be achieved in appropriate locations (i.e, generally close to public transport and services).

In both instances, the staging in the increase of density for future development (above maximum levels of the current LEP) would also ensure that developers investing in future development concentrate their attention upon the Council's preferred areas. It would also reduce the potential risk of there being competing development on land in the same zone beyond the preferred areas that might otherwise discourage developers.

Lastly, it is not clear from the LEP provisions alone how the desired urban form contained in the Hassell Report would be ensured.

Bearing in mind the above matters, it remains that the design planning methodology adopted in the Hassell Report as it relates to the identification of proposed density levels for the nominated sites is, on the whole, sound and reflects a contemporary planning approach to the determination of floor space controls for the draft LEP.

However, consolidation of lands within each of the 'blocks' is recommended, to ensure that the desired urban form is achieved. The potential increase in density control above that of the current LEP should be geared around ensuring that the desired outcome will be achieved.

The draft DCP provisions would need to be crafted to enable the achievement of those outcomes. The Hassell preferred models, at least for the 6 identified sites (if they are in the preferred locations) should be adopted. Models for other 'blocks' in the preferred areas are recommended, for incorporation in the DCP.

Where consolidation is not provided for by a developer, there should be an LEP and/ or DCP provision that limits the density opportunity of the allotment to be not greater than the lowest density maximum in the 'block' in which the allotment is located (even if its own maximum is higher). It represents one mechanism by which to deter developers pursuing isolated lot development. Such a density limit mechanism should encourage lot consolidation, and so ensure the greatest likelihood of appropriate levels of open space; parking below ground; access and the like being achieved.

It is also a mechanism likely to provide some level of equity between landowners, i.e., landowners in 'blocks' where lower densities are proposed not being compromised by the Council's adoption of the Hassell modelling in favour of those landowners where higher densities to achieve higher urban forms in particular locations are proposed.

3.2 Comparative assessment with commercial centre location in the metropolitan area.

The following comprises a comparative examination of the proposed height and floor space controls within Zone B3 and Zone B4 with other regional and sub-regional commercial centres (with equivalent land use zones) of the metropolitan area.

Only the Sydney City provisions (Sydney LEP 2005) were prepared prior to the commencement of the requirement to adopt the Standard Template Provisions. There is, in the main, only a single common maximum floor space control for both the City Centre zone and the mixed-use zone, at 8:1 FSR, despite a varied height limit of between 50m-235m.

The other centres are subject to controls similar to those as being proposed for Hurstville, comprising a Zone B3 (Commercial Core) and Zone B4 (Mixed Use).

The other centres are identified in the Metropolitan Strategy as meeting either regional or sub-regional requirements. Like Bondi Junction and Chatswood, Hurstville is identified as a major centre, it being of a lower order than Parramatta, Penrith and Liverpool (defined in the Strategy as regional cities).

3.2.1 Development in Zone B3 Commercial Core (or equivalent)

The comparable Zone B3 zones for each centre either excludes residential development from the commercial core of the City Centre, or provides a separate floor space control for commercial development (compared to residential development).

Of each of the core centres, their density and height provisions in Zone B3, or its equivalent, are summarised in Table A below.

<i>Location</i>	<i>Max. height</i>	<i>Density (FSR)</i>
<i>Regional cities</i>		
Parramatta	12m	2.0:1
	60m – 72m	6.0:1
	120m	10.0:1
Liverpool	18m	3.0:1
	28m	3.0:1
	35m	4.0:1
	100m	5.0:1
Penrith	12m	3.0:1 – 4.0:1
	20m	1.5:1 – 3.5:1
	24m	3.0:1 – 4.0:1
	32m	3.5:1 – 4.0:1
	56m - 80m	4.0:1

Major centres

Chatswood	14m – 27m	2.5:1
	60m	5.0:1
	80m	5.0:1 – 8.0:1
	90m	5.0:1
	200m+	8.0:1
Bondi Junction	10m – 24m	3.75:1
	28-38m	5.0:1
	32m – 40m	4.0:1 – 6.0:1
	60m	6.0:1 – 8.0:1

Table A: Composite of comparable heights and densities within planning instruments applicable to Zone B3 Commercial Core or equivalent within specific metropolitan urban commercial centres

From Table A, the proposed density provisions identified on the draft zoning map for certain heights of building on sites in the Hurstville City Centre with an area of 1,000-5,000m² for both Zones B3 are compared with the above centres within Table B below.

Commercial Core B3

Max. Height (m)	Density range (FSR)	
	Centres from Table A	Draft Hurstville provisions
Up to 14.9m	2.0:1 – 4.0:1	Nil sites with this max. height
15m – 23.9m	2.5:1 – 4:1	5:1
24m - 30.9m	2.5:1 – 5:1	4.5:1
31m – 40.9m	3.5:1 – 6:1	Nil sites with this max. height
41m – 50.9m	Nil sites with this max. height	Nil sites with this max. height
51m – 59.9m	4:1	5:1 – 6:1
60m – 79.9m	5:1 – 6:1	Nil sites with this max. height
80m – 100m	4:1 – 8:1	Nil sites with this max. height
100m – 150m	5:1 – 10:1	Nil sites with this max. height
150m – 200m	8:1	Nil sites with this max. height

Table B: Comparison table of densities in Zone B3 Commercial Core or equivalent for specific metropolitan urban commercial centres against those proposed under draft Hurstville City Centre LEP.

From Tables A and B a relative ratio between the density of buildings and their maximum permissible height has been identified. This ratio is compared with the maximum heights proposed for those identified in the draft Hurstville City Centre LEP for sites between 1000-5000m² and presented in Table C below:

density	maximum height	
	other centres	Hurstville
up to 3:1 FSR	15 - 30.9m	19- 40m
up to 4:1 FSR	15 - 60m	19 - 45m
up to 5:1 FSR	28 - 100m	30 - 55m
up to 6:1 FSR	32 - 80m	
up to 7:1 FSR	80m	
up to 8:1 FSR	60m - 80m	
up to 10:1 FSR	120m	

Table C: Comparison table of maximum building heights in Zone B3 Commercial Core or equivalent for specific metropolitan urban commercial centres against those proposed in draft Hurstville City Centre LEP.

Summary of findings for Zone B3 Commercial Core

There are a number of findings from the above tables pertinent to sites in the proposed Zone B3 of the Hurstville commercial centre:

1. For sites with a maximum building height below 24m, the maximum 5:1 FSR density permitted on some sites in the Hurstville Zone B3 Commercial Core exceeds that adopted for other centres by between 25-100%. The maximum permitted in other centres on such sites is 4:1 FSR.
2. For sites with a maximum building height between 24m – 31m, the 4.5:1 FSR density proposed for the Hurstville Zone B3 Commercial Core is within the range adopted for other centres;
3. For sites with a maximum building height between 50m-60m, the 5:1 – 6:1 FSR density proposed for the Hurstville Zone B3 Commercial Core is within the range adopted for other centres.
4. The maximum density for a site with a maximum building height of 60m (17 commercial storey equivalent) in other centres is 8:1 FSR.
5. The maximum density for a site with a maximum building height of 50m (14 commercial storey equivalent) in other centres is 6:1 FSR.
6. In other centres, only sites with a maximum building height of 120m have achieved a density greater than 8.1 FSR.

3.2.2 Development in Zone B4 Mixed Use (or equivalent)

The comparable Zone B4 zones for each centre permits, along with commercial uses, residential development in the form of shop-top type housing within the mixed use area of the City Centre.

Of each of the mixed use areas of these centres, the density and height provisions for the Zone B4 or equivalent are summarised in Table D below.

<i>Location</i>	<i>Max. height</i>	<i>Density (FSR)</i>
<u>Regional cities</u>		
Parramatta	10m	0.6:1
	12m -18m	2.0:1
	24m - 28m	3.0:1 – 4.0:1
	36m – 40m	4.0:1
	54m – 80m	6.0:1
Liverpool	24m	2.0:1
	35m – 80m	2.5:1
Penrith	12m	1.6:1 – 3.0:1
	20m	3.0:1
	24m	2.0:1 – 3.5:1
	32m	3.5:1 – 4.0:1
<u>Major centres</u>		
Chatswood	9m - 14m	0.7:1 – 1.1:1
	20m	1.7 – 1.1:1
	34m	2.7:1
	60m	5.0:1 – 6.0:1
Bondi Junction	9.5m – 12.5m	0.9 :1 – 1.5:1
	15m	1.5:1 - 2.0:1
	32m	4.0:1 – 6.0:1
	38m	5.0:1
	60m	6.0:1 – 7.0:1

Table D: Composite of comparable heights and densities within planning instruments applicable to Zone B4 Mixed Use or equivalent within specific metropolitan urban commercial centres

From Table D, the proposed density provisions identified on the draft zoning map for certain heights of building on sites in the Hurstville City Centre with an area of 1,000-5,000m² for Zones B4 are compared with the above centres in Table E below.

Mixed Use B4

Max. Height (m)	Density range (FSR)	
	Centres from Table D	Draft Hurstville provisions
Up to 14.9m	0.6:1 – 3.0:1	Nil sites with this max. height
15m – 23.9m	1.5:1 – 3:1	1.4:1 – 4:1
24m - 30.9m	2.5:1 – 4:1	2.5:1 – 5.1
31m – 40.9m	2.5:1 – 6:1	3.1 – 4:1
41m – 50.9m	2.5:1 – 6.1	4.1
51m – 59.9m	5:1 – 6:1	4.5:1 – 5:1
60m – 80m	2.5:1 – 7:1	Nil sites with this max. height

Table E: Comparison table of densities in Zone B4 Mixed Use or equivalent for specific metropolitan urban commercial centres against those proposed under draft Hurstville City Centre LEP.

From Tables D and E, a typical ratio has been identified between the density of buildings and their maximum permissible height in other centres. This ratio can be compared with the proposed heights for sites between 1000-5000m² identified in the draft Hurstville City Centre LEP and are presented in Table F below:

density	maximum height	
	other centres	Hurstville
up to 2:1 FSR	<20m	19m
up to 3:1 FSR	20m - 24m	19m - 40m
up to 4:1 FSR	24m - 40m	19m – 45m
up to 5:1 FSR	38m – 60m	30m – 55m
up to 6:1 FSR	32m - 80m	nil
up to 7:1 FSR	60m	nil

Table F: Comparison table of maximum building heights in Zone B3 Commercial Core or equivalent for specific metropolitan urban commercial centres against those proposed in draft Hurstville City Centre LEP.

Summary of findings for Zone B4 Mixed Use

There are a number of findings from the above tables pertinent to sites in the proposed Zone B4 of the Hurstville City Centre:

1. For sites with a maximum building height of <24m, the maximum 4:1 FSR density proposed on some sites in the Hurstville Zone B4 Mixed Use exceeds the equivalent adopted for other centres. The maximum density height permitted within other centres for buildings of equivalent maximum height is 2:1-3:1 FSR.

2. For all other sites where the maximum building height is in excess of 24m, the density proposed for the Hurstville Zone B4 Mixed Use is within the range adopted for other centres;
3. The maximum density provision in other centres does not exceed 7:1 FSR.
4. Buildings between 32m-80m have a maximum density of 6:1 FSR.
5. The maximum density for a site with a maximum building height of 54m (17 storey - ground floor retail/ residential above equivalent) in other centres is 6:1 FSR.

4.0 DISCUSSION

From the comparative analysis in Section 3.0, there are two primary findings:

1. in both zones the proposed density for development to achieve a maximum building height of up to 24m is in excess of that which has been identified for similar building types and forms in other centres;
2. in both zones, the maximum density proposed for buildings up to 55m generally reflects the prevailing planning approach in the distribution of floor space in other centres.

In Zone B3, sites with a maximum building height of say of 50m (14 storeys equivalent) in other centres have a maximum density of 6:1 FSR. This accords with the maximum density for such sites proposed in the B3 zone under the Draft Hurstville City Centre LEP.

For both zones, the tables demonstrate the expectation that as the density of development increases, the additional height required to cater for extra floor space disproportionately increases. This reflects a well-established planning principle evident in the design guidelines for all centres regarding the modelling of tower buildings. The expectation is that the bulkiest portion of any tower is the podium, generally between 3-4 storeys. Levels of a building above the podium have a smaller building footprint. There is also a need to provide varied articulation in the building form.

For example, in zone B3 in other centres, a density of up to 5:1 FSR can be achieved in a building as low as 30m, whereas a further 10m – 30m of height is required for an additional 1:1 FSR to be achieved; and a further 20m to achieve an increase of 2:1 FSR.

However, the pattern in Zone B4 is different. The tables indicate that a density of up to 6:1 FSR can be achieved in zone B4 in a building as low as 32m height. However, for an additional 1:1 FSR, to 7:1 FSR, to be achieved, there is a requirement for an 20-40m of height.

From the comparative tables for Zone B3, where densities of 7:1 FSR and above are provided, buildings generally have a maximum height of about 80m.

Adopting this pattern for the Zone B3, for a maximum density above 6:1 FSR to be achieved in Hurstville, the maximum building height control for those sites would need to be increased to accommodate the additional floor space, to 80m. The maximum height limit for such land under the draft plan is 55m.

From the comparative tables for other centres in Zone B4, sites with a maximum building height of say 50m (16 storeys – ground floor retail and residential above-equivalent) in other centres have a maximum density of 6:1 FSR.

The density control of 6:1 FSR for Zone B4 is similar to the Zone B3 control despite the potential for achieving additional storeys within the same height envelope in Zone B4. Its comparative application can be generally attributed to the need to provide greater setbacks to upper storeys, for amenity purposes, in the residential storeys of a tower compared to a non-residential commercial tower.

For an increase in a density, to say 7:1 FSR in zone B4, the height control indicators from other centres are that the maximum building height control would need to be 60m or more.

It is considered that a review of the densities proposed for sites subject to the lowest height controls is appropriate. The density of those sites should be reduced by a minimum of 25%.

For sites in both zones, where a height of more than 24m is permitted, the density controls are likely to facilitate the desired urban outcome (subject to DCP controls that facilitate the detailed design and configuration of the tower elements above).

Generally, it is not recommended that the density controls for sites with a maximum building height of greater than 24m be increased. The analysis in the Hassell report indicates why, in some cases, the typical maximum evident from the comparative assessment, cannot be achieved on certain lands. In light of this, any substantial increase (of 1:1 FSR or more) is likely to require an increase in the maximum building height controls pertinent to those sites.

An increase in density on land will increase the total supply of available floor space. It will also have the potential to undermine the urban model prepared for the City Centre.

From a planning perspective, the excess provision of floor space within the commercial centre will make it more difficult for the desired urban model to be achieved. It has been advised that the quantum of floor space within the current draft controls is in excess of demand requirements. If sites are identified with an excess potential of floor space, it would be difficult for the Council to guide growth in the City Centre to reflect the intended model. It is likely that the first developments to emerge would absorb available demand. There is no guarantee that these would occur in the location that requires the least investment in infrastructure, or have the greatest regenerative effect.

It would not be inappropriate for sites where there is a proposed increase in density under the draft LEP for that increase to be introduced in a phased manner. Identification of those areas in the City Centre preferred for initial expansion of commercial floor space is recommended, with a hierarchy for the staging of other areas in the City Centre adopted. It is assumed initial growth would presumably be where there is current surplus infrastructure to meet existing demand. Thereafter, as demand is taken up, any subsequent increases in demand can be monitored, with a view that the second and third preference areas would be subject to density control increases.

5.0 RECOMMENDATIONS

From the comparative analysis of the proposed density controls with other centres subject to similar planning provisions, and to enable the desired urban form to be achieved (that is to still achieve the maximum heights), the following recommendations are made for Council's consideration:

1. In the proposed Zone B3 Commercial Core, the maximum density control for sites between 1000-5000m² subject to a proposed maximum building height control below 24m should be no greater than 4:1 FSR.
2. In the proposed Zone B4 Mixed Use, the maximum density control for sites between 1000-5000m² subject to a proposed maximum building height control below 24m should be no greater than 3:1 FSR.
3. Sites in the proposed Zone B3 Commercial Core with maximum building height of (a) 50m should not have a density in excess of 6:1 FSR; and (b) 60m should not have a density in excess of 8:1 FSR.
4. Sites in the proposed Zone B4 Mixed Use with a maximum building height in excess of (a) 50m should not have a density in excess of 6:1 FSR; and (b) 60m should have a density in excess of 7:1 FSR.
5. That the proposed density controls for the City Centre be phased in, to encourage initial expansion in preferred areas of the city, and to ensure the proper planning of the remainder of the City Centre based on available infrastructure, demand and other related factors.
6. There should not be any increase in density controls for any site beyond the preferred locations in the LEP. This approach does not preclude a future review of the LEP (reflecting future changes in demand/ supply; and the commencement of development arising from consents issued).
7. The maximum density in preferred areas should only be available to sites that achieve consolidation of all relevant lots within a nominated 'block'. Otherwise, there should be restriction mechanism deterring single lot development proposals, i.e. a control that indicates that the maximum density for single lots should not exceed the lowest maximum control applying to any lot within the block in which it is located. This could be an LEP or DCP provision.
8. A desired 3D model for the preferred areas of the City Centre, similar to that prepared for specific sites in the Hassell Report, should be prepared and adopted in the DCP to guide future development, and to deter ad hoc development of these areas of the City Centre that might be contrary to the long term urban objectives of the LEP.

ANNEXURE "F"

Detailed Conditions to be Considered In Respect of Civil Infrastructure

DRAINAGE AND UTILITIES

The site slopes to the rear from a sag point in the road way in front of the site.

The existing drainage system through the site needs to have a Piped component and an Overland Flow Path component.

FLOOD STUDY

A Flood Study/Overland Flow Analysis shall be prepared to determine the impact of the development on the water surface level and flow characteristics on neighbouring properties as well as the subject site.

PIPING OF STORMWATER

Presently the piped component needs to be upgraded to have 1 in 100 year capacity.

This needs to be upgraded from the Existing pit (A) in the street through to the end of the pipe in the other side of the railway line (F).

(1) Requirement for Developer – Upgrade pipe under the site and the railway (A-E-F) to convey the 1 in 100 year capacity.

As an alternative for (1) the developer could pipe from (A) to (F) via the public Road. This route would be A-M-L-N-F.

This would remove the need for the developer to upgrade under the railway. It would remove the need for the developer to have any pipe through there site, however these will still need an overland flow path, as detailed below.

Under requirement (1) & (2) the 500 mm square box culvert under the railway would need to be maintained.

If any Council pipe through the site is maintained then appropriate easement would need to be created over it to allow 24 hour access to the pipe and (if Suspended inside the basement) appropriate indemnities to Council from any damages as a result of any breakage of the pipe into the future.

OR

(2) Requirement for Developer – If (1) is not pursued then the applicant would need to pipe from (A) to (F) via the public Road. This route would be A-M-L-N-F. Depending on how formalised, as detailed below in (3) became the pipe A-M-L-N-F may not need to be to the 1 in 100 year capacity.

OVERLAND FLOW

Presently the Overland flow Path through the site is A - E - I - J - K - L. This will be required whenever the pipe system is blocked or partly blocked. This will occur very regularly if the existing 500 square brick arch is left under the railway and a little less frequently if it is the brick arch is up upgraded to the 1 in 100 year pipe as suggested above.

This is not formalised and the applicant needs to formalise this physically and obtain an easement over the affected Railway land so that it is available into the future.

(3) Requirement for Developer – Formalise the Overland flow Path through the site A - E - I - J - K - L with a physically channel and obtain an easement (or other equivalent Railway Guarantee) over the affected Railway land so that it is guaranteed into the future.

FLOOR LEVELS OF SHOPS

The floor levels of all shops should be set at 500mm above the 1 in 100 year flood event level of 60.7m.

The floor levels of all shops should be set at 500mm above the 1 in 100 year flood event level of 60.7m. It is noted the presence of vehicles travelling along the high side of Treacy Street will create waves in any flood waters and therefore a free board above the 1 in 100 year event is essential.

(4) Requirement for Developer – Floor levels of all shops to be set at a min of 500mm above the 1 in 100 year flood event level of 60.7m.

OPENINGS OF DOORS WINDOWS, VENTS OR DUCT OPENINGS ON THE TREACY STREET FRONTAGE

All openings along the Treacy Street frontage should be set at 500mm above the 1 in 100 year flood event level of 60.7m.

It is noted the presence of vehicles travelling along the high side of the road will create waves in any flood waters and therefore a free board above the 1 in 1900 year event is essential.

(5) Requirement for Developer – All openings along the Treacy Street frontage to be set at a minimum of 500mm above the 1 in 100 year flood event level of 60.7m.

OPENINGS OF DOORS WINDOWS, VENTS OR DUCT OPENINGS ON THE RAILWAY FRONTAGE

All openings along the railway frontage should be set at 500mm above the level of the 1 in 100 year flood event level as determined in (3)

(6) Requirement for Developer – All openings along the railway frontage should be set at 500mm above the level of the 1 in 100 year flood event level as determined in (3).

CAR PARKING

The number of car spaces required should be that required by Council standard car parking requirements as any overflow will spill onto the streets and the on street parking is already under high pressure from existing users.

(7) Requirement for Developer – Car parking as per existing Council requirements

DRIVEWAY RAMP CREST

The crest level of the driveway ramp should be set at 500mm above the 1 in 100 year flood event level of 60.7m.

There are in excess of 250 car spaces in the basement and at anytime people may be in the basement. The flooding of this area is as important as any habitable floor therefore the crest level of the driveway should be set at 500mm above the 1 in 100 year flood event level of 60.7m. It is noted the presence of vehicles travelling along the high side of Treacy Street will create waves in any flood waters and therefore a free board above the 1 in 100 year event is essential.

(8) Requirement for Developer – The crest level of the driveway ramp must be set no lower than 500mm above the 1 in 100 year flood event level of 60.7m.

PUBLIC UTILITIES

All aerial cables are to be placed underground at least for the frontage of the development.

CIVIL WORKS

Kerb and gutter, footpath and road pavement are to be reconstructed to Council's design levels.

ATTACHMENT "2"
Mayoral Minute Extract – Council Meeting
15 December 2010



Hurstville City Council

Mayoral Minute

15 December 2010

Councillors, tonight's Mayoral Minute relates to three items.

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3. 21-35 Treacy Street, Hurstville, under Part 3A of the Environment Planning and Assessment Act 1979, the Department of Planning have now placed this on public exhibition until Friday, 11 February 2011.

I propose that Council during the public exhibition period make a comprehensive submission referencing Council's existing Development Controls and issues surrounding this development application. I encourage my fellow Councillors to view the plans and provide their feedback.

I move reception of the minute.