



Planning

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Mr Tony Polvere
Economia pds
Suite 811
185 Elizabeth Street
SYDNEY NSW 2000

Our ref: MP 10_0101

Dear Mr Polvere,

Major Project 10_0101 – Mixed Retail and Residential Use Concept Plan at 21 – 35 Treacy Street, Hurstville

I refer to your Environmental Assessment (EA) for the Project at the above site. As you are aware, the Department publicly exhibited the Concept Plan Project from 15 December 2010 until 11 February 2011.

Pursuant to Section 75(H)5 of the *Environmental Planning and Assessment Act, 1979*, a copy of the submissions received to date have been made available to you. These submissions include a response from relevant Government agencies and Hurstville City Council.

The Department has reviewed the submissions received and considered the proposal as detailed in the EA. The Department's key issues with the proposal relate to building separation and overshadowing. Building separation should be consistent with *State Environmental Planning Policy 65* to ensure both an appropriate built form outcome and high residential amenity is achieved.

Further detailed overshadowing diagrams should also be submitted to enable the Department to carefully assess the level of impact on the properties to the south. These issues are outlined in **Schedule 1**.

The Department will also require additional information to complete its assessment as outlined in **Schedule 2**.

The Director-General, pursuant to Section 75H(6) of the Act, requires that you provide a response to the issues raised in the submissions. A Preferred Project Report (PPR) or response to submissions should be prepared identifying how you have addressed these issues (including those raised by the Department), to minimise the environmental impacts of the proposal.

A revised Statement of Commitments is also to be provided incorporating any amendments following your response to the submissions.

Should you wish to discuss the issues raised in this letter, please contact Debrah Silver, Planning Officer, on (02) 9228 6415 or debrah.silver@planning.nsw.gov.au

Yours sincerely



14/3/2011

Michael Woodland
Director, Metropolitan and Regional Projects South

SCHEDULE 1 – DEPARTMENT OF PLANNING KEY ISSUES

1. Building Separation

- Concern is raised regarding the proposed building separation between the eastern and western tower elements. Further consideration of the building separation distance is required to ensure an appropriate urban form and adequate amenity for building occupants is achieved, consistent with SEPP 65 and the *NSW Residential Flat Design Code* requirements.

2. Building Height and Overshadowing

- The shadow diagrams relating to 12pm, 1pm and 2pm of the winter solstice are inaccurate and should be revised.
- Detailed overshadowing diagrams (drawn at an appropriate scale) should be submitted to assess the overshadowing impact on properties along the southern side of Railway Parade in Kogarah LGA. In particular, the shadow diagrams should assess impacts on principal open space and ensure that living areas receive reasonable solar access. This may require elevational shadow diagrams to determine the extent of overshadowing on existing living areas.
- Concern is raised regarding any unreasonable overshadowing impacts on residential properties to the south above and beyond standards outlined in the relevant state and local planning controls.

SCHEDULE 2 – ADDITIONAL INFORMATION REQUIRED

In addition to matters raised in **Schedule 1**, the following additional information is required:

- Details and plans showing the amount and location of deep soil planting, communal open space and public open space to be provided for the Concept Plan. Also, confirmation as to whether the areas labelled 'skygarden' on the drawings are accessible to the public/residents.
- View analysis to indicate the impact of the proposed building on the existing heritage items at 16 and 18 Treacy Street.
- Confirmation of the proposed height of the building in metres and AHD is required.
- Update and finalise the Drainage and Utilities Report, prepared by APP, located at Appendix 10 of the EA, especially in light of comments received from Sydney Water and Hurstville Council.
- Confirmation of the proposed GFA (as the EA quotes different figures) and residential unit breakdown.
- The ESD Statement, located at Appendix F of the Architectural Design Report, refers to the incorrect address.
- Clarification of the staging methodology for the proposal.