

Preferred Project Report

MP10_0101

Mixed Use Development

21 – 35 Treacy Street, Hurstville

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1.0 INTRODUCTION

This report is submitted on behalf of Earljest Pty Ltd in response to the Department of Planning's letter dated 14 March 2010 (refer Appendix A) regarding submissions received in response to the exhibition of the Environmental Assessment for mixed use development at 21-23 Treacy Street, Hurstville (Department Reference: MP10_0101).

Submissions have been received from;

- General Public
- Local Government
- State Government Agencies
- Department of Planning.

This report identifies how the issues raised in the submissions (including those raised by the Department) have been addressed to minimise the environmental impact of the proposal.

A revised Statement of Commitments is also provided incorporating amendments as a result of the response to the submissions.

2.0 SUMMARY OF SUBMISSIONS

General Public

A total of thirty-two (32) submissions were received from the general public of which twenty-five (25) submissions were in support of the development and seven (7) raised concerns with development. It is noted that of the 7 submissions that registered concerns, four (4) were a proforma letter from the one unit block.

Councils

Submissions were received from both Hurstville Council and Kogarah Council. It is noted that only Hurstville Council have any objection to the development as proposed. Kogarah Council has provided comments on issues that need to be addressed if the proposal were to proceed.

Government Agencies

Submissions received from government agencies include Railcorp, RTA, Sydney Water and Transport NSW. Agencies have generally provided comments on issues that need to be addressed if the proposal were to proceed. Railcorp's submission requests the Department of Planning to include a number of conditions of consent and does not require any further comment.

Department of Planning

The Department's key issues with the proposal relate to building separation and overshadowing as detailed in Schedule 1 of letter dated 14/03/11 (refer Appendix A). Additional information is also required as detailed in Schedule 2.

Summary of Submissions

The key issues raised in the submissions can be summarised as follows:

1. Building height and Floor Space Ratio;
2. Traffic congestion
3. Parking;
4. Drainage and Utilities;
5. Heritage; and,
6. Contamination.

3.0 REVISIONS TO THE CONCEPT PLAN

In response to the key issues and additional information identified by the Department of Planning, amendments have been made to the Concept Plan. Appendix B provides a revised set of architectural plans and perspectives which includes the following modifications:

- Increase in the distance between the buildings tower elements on the site from 9 metres to 11 metres;
- Decrease in the maximum Gross Floor Area from 29,022sm to 28,474 sm (due to increase in separation between buildings tower elements and increased open space).
- Details and location of deep soil, communal and public open space and confirmation of the height of the building in metres and AHD.
- Detailed shadow diagrams assessing the overshadowing impact on properties along the southern side of Railway Parade in Kogarah LGA.

When viewed from Forest Road along Alfred Street, the gap between the eastern and western building tower elements of the proposed building has been widened to align with the existing buildings on Alfred Street.

In addition to increasing the building separation, windows in the building gap along the splay of the eastern tower element have been removed and units redesigned to achieve cross ventilation. According to the Residential Flat Design Code, for buildings over 25 metres in height, 12 metre separation is required between buildings where there are non-habitable rooms adjacent. As there are no longer any windows in the eastern tower element, there are no longer non-habitable rooms adjacent eliminating any visual or acoustic privacy issues between buildings. The Residential Flat Design Code does not have a requirement for separation between buildings where there is a habitable or non-habitable room adjacent to a blank wall.

The proposed Gross Floor Area has been reduced by 548sm, from 29,022sm (7.05:1) to 28,474sm (6.92:1) due to the increased separation between tower elements of the proposed building and the provision of a deep soil zone (refer Appendix C - Amended Schedule of Areas).

The accommodation will continue to consist of 257 dwellings with a dwelling mix of 74 x 1 bedrooms (29%), 171 x 2 bedrooms (66%) and 12 x 3 bedrooms (5%), all in single or double level plans; and 26 (10%) adaptable dwellings have been provided.

Courtyard and garden descriptions have been provided at Section 9 –Design Description of the Architectural Design Report and include public and communal spaces.

Public space has been proposed at Treacy Street – Ground Level in the form of a large retail terrace accessible from Treacy Street. In principle, this retail terrace is similar to the Westpac Building at Kent Street, Sydney that provides common seating for retail food outlets.

Extensive communal open spaces have been proposed at the Communal Courtyard – Level 1, Skygardens – Levels 4, 7 + 10 as well as the Roof Top Garden – Level 13. All of these spaces, including the skygardens are accessible only by residents of the building. According to the Residential Flat Design Code, as a rule of thumb, the area of

communal open space provided should be 25% of the site area. The amount of communal open space proposed is as follows;

Level 1 – 1168 sqm

Level 4 – 270 sqm + 112 sqm (382 sqm)

Level 7 – 225 sqm

Level 10 – 135 sqm

Level 13 – 469 sqm

Total communal open space = 2379 sqm (57.7% of site area).

A deep soil zone of 260 sqm has been introduced to the south west of the site, with a soil depth of 3 metres, representing approximately 6.3% of the site area. According to the Residential Flat Design Code, as a rule of thumb, the area of the deep soil should be a minimum of 25% of the open space area. This deep soil zone is in excess of the minimum deep soil zone required.

Appendix D of the Architectural Design Report incorrectly illustrated shadow diagrams for proposed building at the winter solstice at 12pm, 1pm and 2pm, although the comparison shadow diagram below did identify the extent of the proposed shadow from the proposed building at these times. These shadow diagrams have been amended (refer Appendix B).

Detailed overshadowing diagrams have been prepared assessing the overshadowing impact on the properties along the southern side of Railway Parade in Kogarah LGA. A detailed analysis is undertaken for each property (refer Appendix D) which shows the principal open space for each property will continue to receive reasonable solar access having regard to the solar access that currently exists.

The ESD Statement, located at Appendix F of the Architectural Design Report, acknowledges and gives credit to a property at 301-303 Botany Bay as an example only of Green Star Strategies that have been used as the methodology to develop the strategies for this site and does not need amending.

The staging of the development into three sections as detailed in the Concept Plan is required to enable the use of three separate Level Luffing Cranes which will be located at each end of the site and also centrally within the building separation zone.

The Level Luffing Crane (which is a crane that extends vertically rather than horizontally) is required rather than a tower crane in order to avoid any horizontal jib or machinery arm extending over the Railcorp land adjacent to the site. However because it has a shorter reach than a tower crane, three Level Luffing Cranes will be required across the site.

4.0 RESPONSE TO KEY ISSUES

The following provides a response, in summary, to the key issues raised in submissions from both the public and public authorities.

4.1 Building Height and Floor Space Ratio

A rationale for the proposed height, bulk and scale and Floor Space Ratio is provided in the Environmental Assessment by considering the existing and draft environmental planning instruments applying to the site and undertaking detailed height, building envelope and contextual studies analysis in relation to the site's location within the Hurstville Town Centre (refer Architectural Design Report).

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.

It is significant that in describing the character precincts in the Hurstville CBD, the Hurstville City Centre Concept Masterplan 2004 (page 16) recognises the “very underutilised development along the railway line in Treacy Street”.

In a letter responding to Hurstville Council's request to provide input into the development of the draft Hurstville City Centre LEP and Draft City Centre DCP, Housing NSW noted “it is considered essential that the optimum residential redevelopment potential within the Hurstville City Centre including Treacy Street is enhanced by the Draft LEP and DCP given its advantageous location, layout and existing surrounding high density development”. This letter from Housing NSW does not form part of the submission from Hurstville Council.

The Concept Plan is seen to be appropriate for the site and has the capacity to achieve a high density mixed-use residential building that provides a sustainable, affordable and diverse living environment in the Hurstville Town Centre and an exemplar for higher density housing along Sydney's rail corridors.

4.2 Traffic

Colston Budd Hunt and Kafes Pty Ltd have been commissioned by Earljest Pty Ltd to prepare traffic and transport information in response to matters raised in submissions (refer Appendix E).

Following consideration of the matters raised in submissions and discussions with the RTA, the Concept Plan has been amended to address service vehicles and bicycle parking.

4.3 Parking

Issues raised by Transport NSW regarding the Green Travel Plan are reflected in the revised Statement of Commitments. It is noted that Transport NSW supports the proposed minimal rate of parking provision.

The applicant strongly supports the proposed parking scheme for the development. The proposal is specifically targeted to provide an affordable level of housing to a segment of the market. The ability of the applicant to target this segment of the market is enhanced by the proposed car parking ratios. Any requirement to provide a greater increase in parking would result in the increase in construction costs that will flow on to the cost of the end product to the consumer. The ability to enable the market to purchase a dwelling without a parking space will result in a significant decrease in the price of a dwelling compared to a dwelling with provision of parking. With the close proximity of regular transport service choice the result in a product appeal to a greater market segment will result in a diversity of product choice creating the ability of the scheme to provide an affordable product choice for a larger percentage of the scheme.

4.4 Drainage and Utilities

Hurstville Council has raised concerns regarding drainage, particularly in relation to possible flooding. Environmental consultants APP have undertaken a preliminary assessment of the drainage and flooding issues associated with the development of the site as proposed in the concept plan. This included a flood assessment undertaken by Civil Certification. An updated copy of the APP report is provided in Appendix F.

In relation to flooding, the APP report concluded the proposed development as detailed in the concept plan:

- Will appropriately manage flood risk for its own uses and does not adversely impact the flood behaviour in adjacent areas;
- Has habitable floor levels that meet Council's freeboard requirements;
- Has driveway crest levels for basements that meet Council's freeboard requirements;
- Has retail ground floor areas which either conform to Council's flood freeboard requirements or are appropriately flood proofed to minimise flood damages and risk to personal safety;
- Incorporates WSUD features such as rainwater harvesting and rain gardens;
- Does not require onsite detention to control impacts on the Council drainage system but has space allowances for two detention tanks, if required;
- Will contribute to the long-term improvement in runoff water quality discharged to Council's drainage system.

It is considered that no further action is presently required in relation to the potential impact of flooding on the proposed development.

In relation to the provision of water to the site, Sydney Water has indicated that the existing 150mm water main fronting the site in Treacy Street does not have the capacity to service the site and will need to be up-sized to a 200mm main and will need to be laid from the existing main at the corner of Treacy Street and Forrest Road to the building connection point.

Sydney Water's recommendations are reflected in the revised Statement of Commitments.

Sydney Water has also confirmed that “the existing wastewater system has capacity to service the proposed development”.

The preliminary assessment regarding utilities, undertaken in the Environmental Assessment (EA), concluded that the proposed development as detailed in the concept plan can be serviced with sewer, water, drainage, power and telecom and there will be no need to stage the provision of services to the development.

4.5 Heritage

Hurstville Council has raised concerns regarding the adequacy of the Heritage Impact Assessment (HIA) prepared by Cracknell Lonergan Heritage Architects, particularly in relation to heritage listed items at 16 and 18 Treacy Street, Hurstville.

The HIA identified the subject area is in the vicinity of heritage items located at 16 and 18 Treacy Street and that these items are of local significance listed in Schedule 2 of the Hurstville LEP 1994 and on the NSW Heritage Database. An assessment of the two heritage items against the NSW Heritage Assessment Criteria and Grading of Significance has revealed that both items have little significance.

An additional view analysis has been undertaken (refer Appendix G) which demonstrates the minimal impact of the proposed building on the heritage items at 16 and 18 Treacy Street, Hurstville.

4.6 Contamination

Hurstville Council's submission requests Department of Planning attach conditions of consent relating to more detailed contamination investigations, Hazardous Materials Assessment and Remediation Action Plans to any approval for the Concept Plan.

As part of the Statement of Commitments, the proponents have committed to, as part of any project application, conducting a field based investigation comprising of a Stage 2 Environmental Site Assessment. Commitment has also been made to carrying out a Hazardous Materials Assessment prior to any site demolition.

The Statement of Commitments has been amended to include a commitment to the preparation of Remediation Action Plans where required.

5.0 REVISED STATEMENT OF COMMITMENTS

In response to the submissions received, the following revised Statement of Commitments are made by Earljest Pty Ltd in respect of environmental management, mitigation and monitoring measures that are to be implemented to manage and minimise any potential impacts of the project (revisions are shown in **bold italics**).

5.1 Environmental and Residential Amenity

5.1.1 Acoustic Privacy

The details of the mechanical plant for the concept plan will be finalised at the Project Application stage. Therefore the proponent will commit to prepare an Acoustic Report to assess the impact and make necessary recommendation to manage these potential impacts as part of the Project Application stage.

5.1.2 Wind Impact

The proponents will undertake a detailed and accurate analysis of the effects of wind on the proposed building and the environment as part of the project application.

5.2 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. **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.
- Provision of a small commuter vehicle to transport elderly and infirm residents to Hurstville railway station and for local shopping trips etc. to the CBD.
- **Co-ordinated car share scheme.**

5.3 Obstacle Limitation Height

Prior to lodging a project application, a request will be made to Sydney Airports Corporation regarding any further assessments of the proposal.

5.4 Geotechnical and Ground Water

The building will be designed and constructed in accordance with the recommendations prepared by Asset Geotechnical and summarised in **Table 5** of the Environmental Assessment.

The Concept Plan will be assessed for derailment protection requirements as per *Rail Infrastructure Corporation (RIC) Standard C4004 Design Requirements for Pier or Column Protection* and then designed to the standard as appropriate. An engineering report will be provided at the Project Application stage for review by the RIC.

5.5 Public Domain

The footpath adjacent to the building will be treated with bluestone banding with asphalt infill.

Street trees will be planted on the footpath at 8 metre centres.

5.6 Safety

A detailed Crime Prevention through Environmental Design assessment will be undertaken at the Project Application stage. The assessment will address the commitments expressed in the EA under the four key principles of surveillance, access control, territorial reinforcement and space management.

5.7 Ecologically Sustainable Development (ESD)

The proponents are committed to achieving a 5-Star rating (min. 4-Star rating) as detailed in the Architectural Design Report subject to confirmation from the design and development team at the project application stage.

5.8 Drainage

The proponents are committed to incorporating Water Sensitive Urban Design features such as rainwater harvesting and rain gardens that will be further detailed in the project application.

5.9 Contamination

A field based investigation comprising of a Stage 2 Environmental Site Assessment will be conducted prior to the commencement of any future site redevelopment and will form part of any project application.

A Hazardous Materials Assessment will be carried out prior to any site demolition.

Remediation Action Plans will be prepared where required.

5.10 Noise and Vibration

The proponents will incorporate the recommendations of the Acoustic Assessment prepared by Koikas Acoustics Pty Ltd and which relate to:

- Selection of building materials in relation to external walls and windows/sliding doors;
- Mechanical ventilation in nominated spaces; and
- Building Code of Australia requirements in relation to walls, entry doors, soil and waste pipes and concrete sub-floor systems.

5.11 Utilities

The proponents commit to up-sizing the existing 150mm water main fronting the site in Treacy Street to a 200mm main that will be laid from the existing main at the corner of Treacy Street and Forrest Road to the building connection point. The extension will be sized and configured according to the Water Supply Code of Australia (Sydney Water Edition WSA 03-2002) and evidence of Code compliance will be attached with the extension design.

6.0 SUMMARY

This Preferred Project Report provides a response to the issues raised in the submissions received following the public exhibition of the Environmental Assessment for proposed mixed use development at 21-35 Treacy Street, Hurstville (Department Reference: MP10_0101). This report also addresses the key issues identified by the Department of Planning.

In response to the key issues identified by the Department of Planning, the Concept Plan has been amended as follows:

- Increase in the distance between the buildings tower elements on the site from 9 metres to 11 metres;
- Decrease in the maximum Gross Floor Area from 29,022sm to 28,474 sm (due to increase in separation between buildings tower elements and increased open space).
- Details and location of deep soil, communal and public open space and confirmation of the height of the building in metres and AHD.
- Detailed shadow diagrams assessing the overshadowing impact on properties along the southern side of Railway Parade in Kogarah LGA.

Accommodation will continue to provide 257 dwellings comprising 74 x 1 bedrooms (29%), 171 x 2 bedrooms (67%) and 12 x 3 bedrooms (5%).

The key issues raised in the submissions received from the general public, local councils and government agencies have been resolved by way of changes to the Concept Plan and mitigation measures reflected in the revised Statement of Commitments by the proponent.

In summary, there is no issue identified in the submissions that prevents the site from being developed to achieve a high-density mixed-use residential building.

Given the changes to the Concept Plan, a revised Statement of Commitments and the absence of any significant environmental impacts, it is requested that the Minister approve the Concept Plan.