REPORT TO GEORGES RIVER COUNCIL
LPP MEETING OF THURSDAY, 06 MAY 2021

LPP Report No	**LPP012-21**	**Development Application No**	**PP2017/0005**
Site Address & Ward Locality	53A - 59A Gloucester Road, Hurstville Hurstville Ward		
Proposed Development	Planning Proposal to amend the Hurstville Local Environmental Plan (LEP) 2012 (or Georges River LEP 2020, if gazetted) to permit a residential care facility with a maximum floor space ratio (FSR) of 1.6:1 and a maximum height of buildings (HOB) ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville.		
Owners	Regis Aged Care Pty Ltd		
Applicant	Regis Aged Care Pty Ltd		
Planner/Architect	Mecone		
Date Of Lodgement	17/11/2017		
Submissions	N/A		
Cost of Works	N/A		
Local Planning Panel Criteria	Direction from the Minister for Planning and Open Spaces under Section 9.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Charter of the Georges River Council Local Planning Panel (LPP) 2018 which both specify that the Planning Proposal is to be referred to the LPP before it is forwarded for Gateway Determination (approval).		
List of all relevant s.4.15 matters (formerly s79C(1)(a))	N/A to Planning Proposals		
List all documents submitted with this report for the Panel's consideration	Attachment 1 – Planning Proposal, prepared by Mecone; Attachment 2 - Indicative Architectural Concept, prepared by O'Neill Architecture; Attachment 3 – Site Survey, prepared by RPS Group; Attachment 4 –Transport Impact Assessment, prepared by JMT Consulting; Attachment 5 – Urban Design Principles, prepared by Mecone and O'Neill Architecture; and Attachment 6 – Landscape Statement, prepared by Arcadia (NOTE: REFER TO THE PLANNING PROPOSALS PAGE ON COUNCIL'S WEBSITE FOR ALL THE ATTACHMENTS)		
Report prepared by	Strategic Planner/Information Management		

Recommendation	1. That the Georges River Local Planning Panel recommends that Council endorse the forwarding of Planning Proposal PP2017/0005 to the NSW Department of Planning, Industry and Environment (DPIE) to request a Gateway Determination under Section 3.33 of the EP&A Act 1979 for an amendment to the Hurstville Local Environmental Plan (LEP) 2012 (or Georges River LEP 2020, if gazetted), to permit a residential care facility with a maximum floor space ratio (FSR) of 1.6:1 and a maximum height of building (HOB) ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville.

	2. That the Georges River LPP further recommends to Council that Council request as a condition of the Gateway Determination that the increase in FSR and maximum building height on the subject site is linked to a residential care facility land use only. 3. That the Georges River LPP recommends to Council that a site-specific amendment to the current Development Control Plan be prepared to provide certainty that the built form outcome reflects the requirements of the Indicative Architectural Concept and the Urban Design Principles.

Site Plan

(Source: Nearmap, 2020)

Executive Summary

1. RPS Group submitted a Planning Proposal request (PP2017/0005) on 17 November 2017 that seeks to amend the Hurstville LEP 2012 in relation to 53A – 59A Gloucester Road, Hurstville (Lot 10 in Deposited Plan 1077198 and Lot Y in Deposited Plan 411930).

2. Since lodgement the proposal has been modified on multiple occasions. The current version submitted by Mecone (who has replaced RPS Group as consultant planner) in April 2021 is the subject of this report. The amended Planning Proposal now seeks to

permit a residential care facility with a floor space ratio (FSR) of 1.6:1 and a maximum building height ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville.

3. The amended Planning Proposal (refer to **Attachment 1**) will result in the upgrade and expansion of the residential aged care facility that currently occupies the site at 53A – 59A Gloucester Road, Hurstville. The aged care facility known as 'Regis Hurstville' currently supports a total of 110 residential care beds and offers ageing in place, palliative care and respite care services.

4. The amended Planning Proposal is accompanied by an Indicative Architectural Concept Design (Revision 10, dated 22 September 2020) (refer to **Attachment 2**) prepared by O'Neill Architecture. The Indicative Architectural Concept has been prepared following extensive consultation with Council and design testing and demonstrates how the site may be developed within the parameters of the proposed LEP amendments. The Proponent has indicated a Development Application will be submitted following the finalisation of this Planning Proposal should it be supported.

5. The concept scheme in its original form was considered by the Georges River Design Review Panel ("DRP") on 3 May 2018. The Panel found the proposal could not be supported in the form it was submitted, due to its inconsistency with provisions within SEPP 65.

6. The amended concept scheme in its amended form was subsequently peer reviewed by Architectus (on behalf of Council) in December 2019 and April 2020. The most recent iteration of the Architectural Concept Scheme was considered appropriate for the site. The Planning Proposal and Concept Scheme are accompanied by – Site Survey (**Attachment 3**) prepared by RPS Group; Transport Impact Assessment, prepared by JMT Consulting (**Attachment 4**); Urban Design Principles prepared by Mecone and O'Neill Architecture (**Attachment 5**); and Landscape Statement prepared by Arcadia (**Attachment 6**).

7. The Indicative Development Concept, guided by the Indicative Architectural Concept (**Attachment 2**) as presently proposed, provides for the following:

   a) Demolition of existing structures and excavation to facilitate the delivery of a basement;
   b) Construction of a part 3 and part 4 storey residential aged care facility with a Gross Floor Area (GFA) of 8,203sqm (FSR 1.6:1) comprising:
      i. 94 residential care beds;
      ii. 16 dementia beds;
      iii. Communal facilities;
      iv. Staff amenities;
      v. Ancillary uses including a café, hairdresser, day spa and function rooms;
   c) A basement with 41 vehicular spaces, comprising:
      i. 20 staff spaces;
      ii. 11 residential spaces;
      iii. 10 additional spaces above the minimum requirement; and
      iv. Provision of outdoor communal areas and landscaping.

8. The Planning Proposal states that "*in accordance with Section 7.4 of the EP&A Act, Regis Aged Care Pty Ltd is committed to entering into a Voluntary Planning Agreement (VPA) with Council. The VPA will make provision for public benefits in accordance with Council's relevant contributions plan and Planning Agreements Policy (2016)*. Mecone's letter to Council on 19 January 2021 provides a draft letter of offer with the public benefits to be identified. Council staff and consultants are currently reviewing the VPA offer and potential

public benefits. The VPA offer will be reported to Council's Environment and Planning Committee in conjunction with the Planning Proposal.

9. This report recommends that the LPP support the Planning Proposal to amend the Hurstville LEP 2012 (or Georges River LEP 2020, if gazetted), so as to permit a residential care facility with a maximum FSR of 1.6:1 and a maximum building height ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville and that the Planning Proposal be forwarded to the Minister for Planning and Public Places for a Gateway Determination under Section 3.34 of the EP&A Act. This report further recommends that the Gateway Determination include a condition that the increase in FSR and height on the subject site is linked to a residential care facility landuse only.

10. A residential care facility is defined by the Standard Instrument as follows:

residential care facility means accommodation for seniors or people with a disability that includes—
(a) meals and cleaning services, and
(b) personal care or nursing care, or both, and
(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,
but does not include a dwelling, hostel, hospital or psychiatric facility.
Note—
Residential care facilities are a type of seniors housing—see the definition of that term in this Dictionary.

11. The report has the following Attachments:
    a) Appendix 1 – Planning Proposal, prepared by Mecone
    b) Appendix 2 - Indicative Architectural Concept, prepared by O'Neill Architecture
    c) Appendix 3 – Site Survey, prepared by RPS
    d) Appendix 4 – Transport Impact Assessment, prepared by JMT Consulting
    e) Appendix 5 – Urban Design Principles, prepared by Mecone and O'Neill Architecture
    f) Appendix 6 – Landscape Statement, prepared by Arcadia

Report in Full
INTRODUCTION

12. RPS Group submitted a Planning Proposal request (PP2017/0005) on 17 November 2017 that seeks to amend Hurstville LEP 2012 in relation to 53A – 59A Gloucester Road, Hurstville (Lot 10 in Deposited Plan 1077198 and Lot Y in Deposited Plan 411930).

13. The proposal has been modified on multiple occasions. The current version submitted by Mecone in April 2021 is the subject of this report.

14. **Table 2**, of this report, provides a chronology of the events leading up to this report on the revised Planning Proposal.

15. In summary, the Planning Proposal seeks to amend the Hurstville LEP 2012 (or Georges River LEP 2020, if gazetted), so as to permit a residential care facility with a maximum FSR of 1.6:1 and maximum building heights ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville. A residential care facility is defined by the Standard Instrument as follows:

residential care facility means accommodation for seniors or people with a disability that includes—

(a) meals and cleaning services, and
(b) personal care or nursing care, or both, and
(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,
but does not include a dwelling, hostel, hospital or psychiatric facility.
Note—
Residential care facilities are a type of seniors housing—see the definition of that term in this Dictionary.

16. The increase in FSR and Height on the site will be linked to a "residential care facility" only. The LPP is advised that the Planning Proposal has also been discussed with officers of the Department of Planning, Industry and Environment, who have advised that the planning proposal should clearly address the intent of the amendment and the mechanism for its implementation - whether it requires a local provision or a Schedule 1 land use - will be the ambit of Parliamentary Counsel.

SITE DESCRIPTION

Overview of the Site

17. The site is located at 53A – 59A Gloucester Road, Hurstville, NSW, 2220 and is occupied by an existing Regis Aged Care facility known as 'Regis Hurstville'. The aged care facility supports 96 beds and offers ageing in place, palliative care and respite care services. The site is owned and operated by Regis Aged Care.

18. **Figure 1** indicates the location of the site. The subject site consists of two lots, legally described as Lot 10 in Deposited Plan 1077198 and Lot Y in Deposited Plan 411930.

19. The site is bounded by Gloucester Road to the east, low density residential to the north and south, Millett Street to the west and has an area of approximately 5,267sqm. The site has a frontage of 88m to Gloucester Road and 20m to Millett Street.

20. The site is well serviced by public transport. It is located 950m from Hurstville Railway Station and 1.3km from Penshurst Station as the crow flies.

21. The site is located in close proximity to Hurstville Private Hospital which is recognized for its maternity, men's health and cancer surgery services. The Hospital also provides numerous other services including spinal surgery and interventional cardiology.

22. Additionally, the site is in close proximity to open spaces including Hurstville Oval and Penshurst Park which are located approximately 500m and 1.1km away respectively.

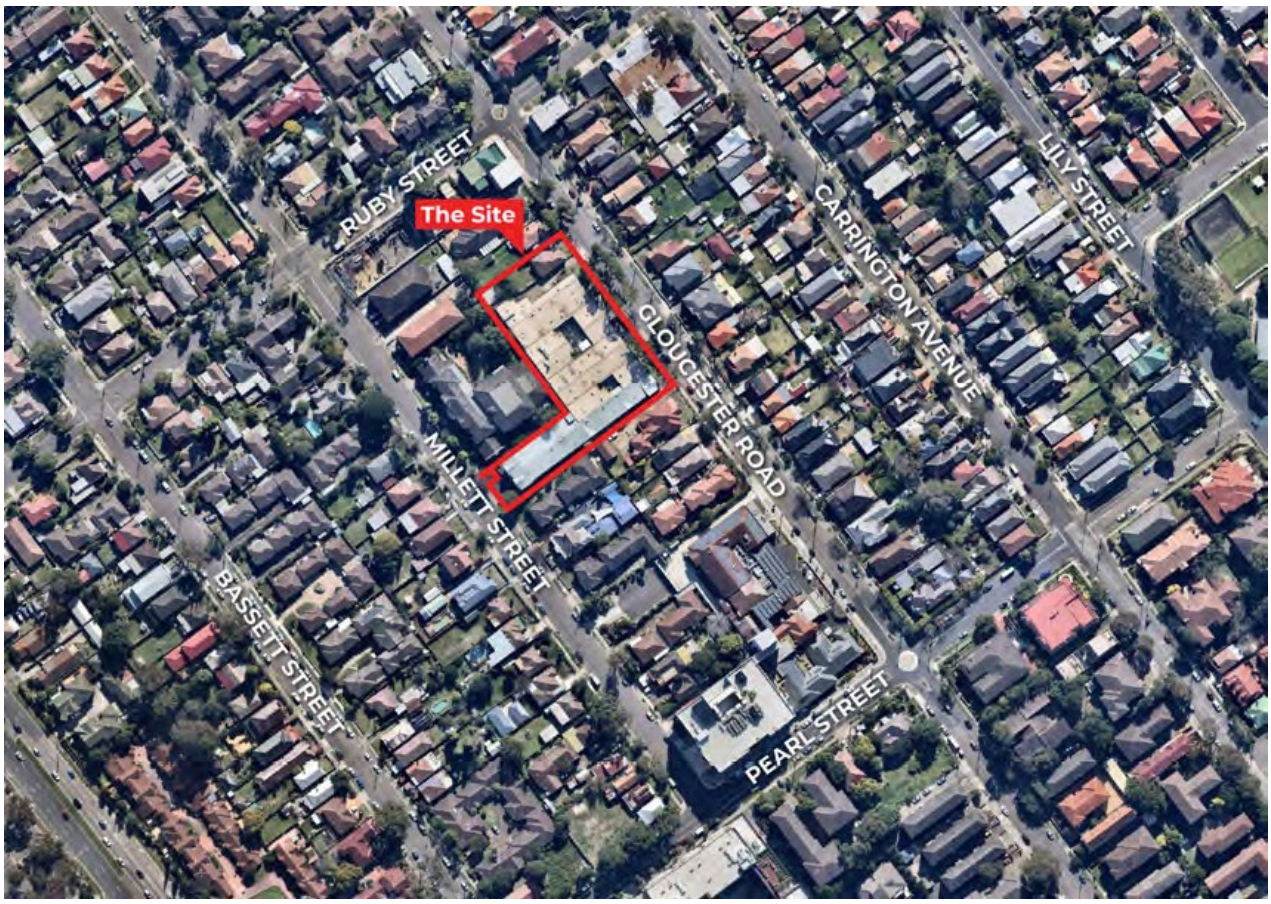


Figure 1: Location of Site (Source: Mecone/Mosaic)

23. Views of the site, including interior images of the site, are shown in **Figures 2 to 7** below.

Figure 2: View south from Gloucester Road (Source: Mecone)

Figure 3: Photograph of existing interior of facility (Source: Mecone)

Figure 4: View north to Gloucester Road entrance of Regis Aged Care (Source: Google Maps)

Figure 5: View east to neighbourhood centre at the northern end of Gloucester Road (Source: Google Maps)

Figure 6: View east to vacant site zoned R3 located at corner of Millett Street & Ruby Street. (Source: Google Maps)

Figure 7: View north to loading dock of existing facility. (Source: Google Maps)

Surrounding Land

24. The existing aged care facility, known as Regis Hurstville, comprises of a single storey brick clad building on the Gloucester Road frontage, and increases to two storeys towards Millett Street.

25. The surrounding neighbourhood is characterized by a mix of land uses, including low to high density residential development. The nearby Hurstville City Centre is currently undergoing significant change with the existing built form being redeveloped into commercial and mixed-use tower clusters.

Table 1 – Surrounding Development

Aspect	Surrounding Development
North	Land comprises low density detached housing of 1-2 storeys in height.
East	Land comprises low density detached housing of 1-2 storeys in height. Further east is Hurstville Private Hospital comprising buildings and structures from one (1) – five (5) storeys. Beyond this, the Hurstville City Centre is comprised of high density residential flat buildings and commercial towers.
South	Land comprises low density detached housing of single storey dwellings.
West	Land comprises low to medium density housing ranging from three (3) to four (4) storeys in height.

PLANNING STRATEGIES, POLICIES AND CONTROLS
Existing Planning Controls under the Hurstville LEP 2012

26. The subject site is currently zoned R2 Low Density Residential under the Hurstville LEP 2012. Refer to the extract of the land zoning map in **Figure 8**.

27. The R2 Low Density Residential permits certain residential uses such as attached dwellings, boarding houses, dwelling houses, group homes, respite day care centres, secondary dwellings and semi-detached dwellings.

28. Seniors housing is not listed as a permissible use with consent in the R2 Low Density Residential Zone. However, Clause 15 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP) states:

    This Chapter allows the following development despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy—

    a) ***development on land zoned primarily for urban purposes for the purpose of any form of seniors housing,*** *and*

    b) development on land that adjoins land zoned primarily for urban purposes for the purpose of any form of seniors housing consisting of a hostel, a residential care facility or serviced self-care housing.

29. Despite Clause 15 of the Seniors SEPP the proponent cannot rely on the permissibility afforded by the Seniors SEPP alone as the proposal seeks a greater maximum building height (the proposed heights range from 12m, 14m and 16.9m) than what is permitted on the site under Hurstville LEP 2012 (being 9m) and under the Seniors SEPP (being 8m under Clause 40 of the Seniors SEPP).

30. Clause 40 of the SEPP states:

    Development standards—minimum sizes and building height

    (1) General A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.

    (2) Site size: The size of the site must be at least 1,000 square metres.

    (3) Site frontage: The site frontage must be at least 20 metres wide measured at the building line.

    (4) Height in zones where residential flat buildings are not permitted If the development is proposed in a residential zone where residential flat buildings are not permitted—

    (a) ***the height of all buildings in the proposed development must be 8 metres or less, and***

    (b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height,

    (c) a building located in the rear 25% area of the site must not exceed 1 storey in height.

31. Land adjacent to the north is zoned R2 Low Density Residential, R3 Medium Density Residential and B1 Local Neighbourhood Centre. Land to the south is zoned R2 Low Density Residential and SP2 Infrastructure under the Hurstville LEP 2012.

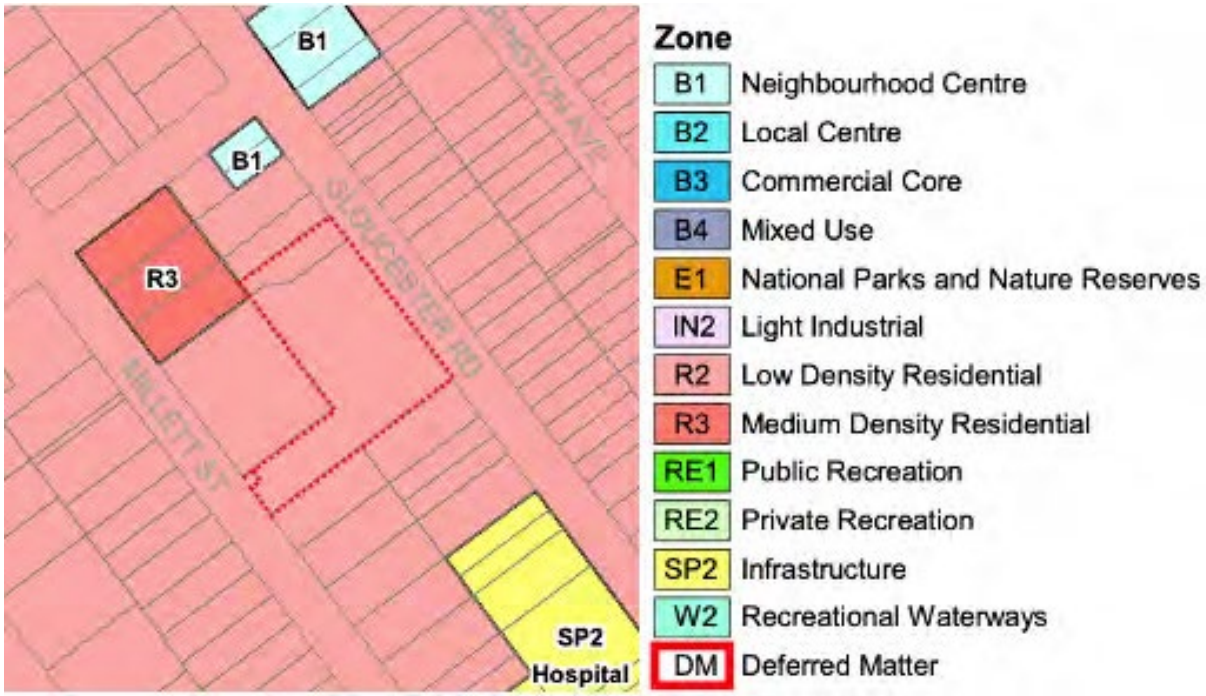


Figure 8: Existing Land Zoning Map Extract – HLEP 2012.

32. The maximum building height for the subject site is 9m. Refer to **Figure 9**.

33. The maximum building height of land surrounding the site is also 9m, with land further north (zoned R3 Medium Density Residential) having a maximum building height of 12m.

Figure 9: Existing Maximum Height of Buildings Map Extract – HLEP 2012.

34. The subject site has a maximum FSR of 0.6:1. Refer to **Figure 10**.

35. All land surrounding the site is subject to an FSR of 0.6:1, with land further to the north having FSRs of 1:1 and 1.5:1.

Figure 10: Existing Floor Space Ratio Map Extract – HLEP 2012.

36. The site is not listed as a heritage item or in a heritage conservation area (HCA) under Hurstville LEP 2012. Both item I37 and I38 comprise detached dwelling houses. More over, I38 is located across the road on Millett Street and thus will not be impacted by the proposed development on the subject site. I37 is located in the vicinity of the subject site, however, it is setback from the building line to minimise its impact to the adjoining property which also acts as a buffer to I37.

37. However, the site is located in proximity to two (2) local heritage items, including:

    a) 18 Millett Street – known as 'Erina' (item I37); and
    b) 29 Millett Street – known as 'Alinda' (item I38).

    Refer to **Figure 11.**

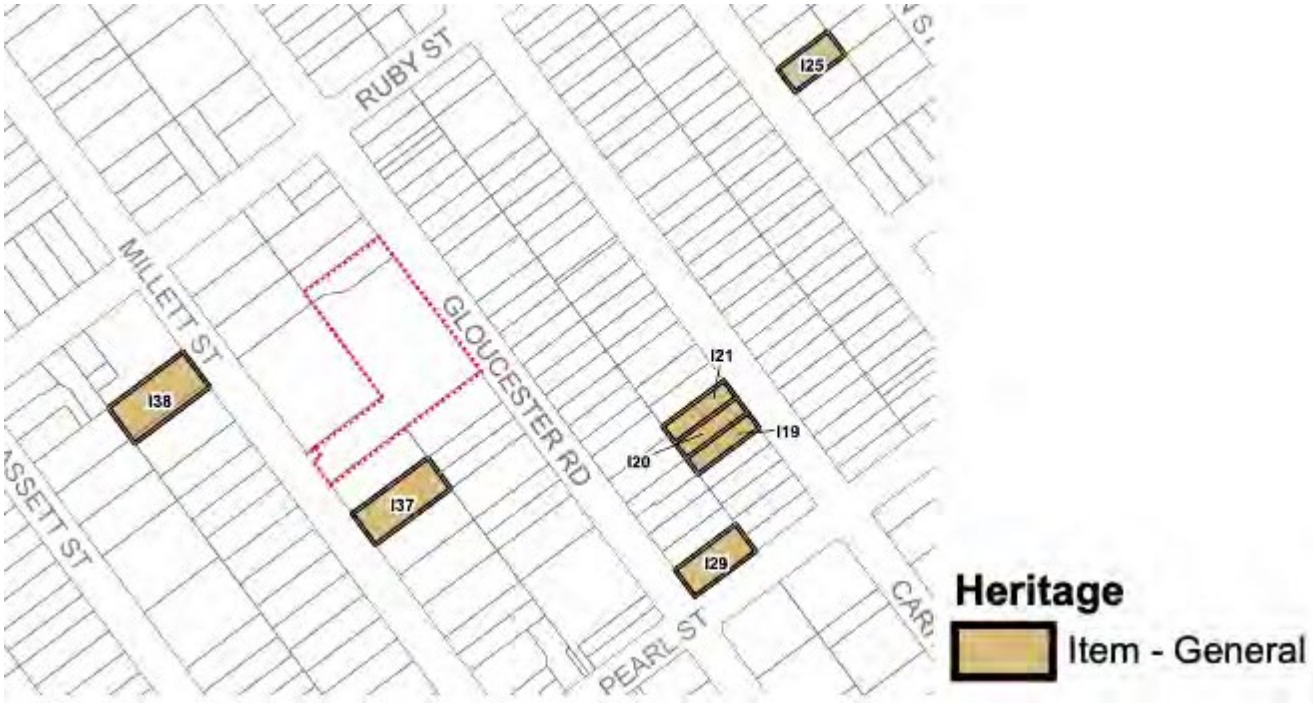


Figure 11: Existing Heritage Map Extract – HLEP 2012.

Zoning, Height and FSR under draft Georges River Local Environmental Plan

38. The site is zoned R2 Low Density Residential under the draft Georges River LEP (GRLEP) 2020.

39. Land adjacent to the north is proposed to be zoned R2 Low Density Residential, R4 High Density Residential and B1 Local Neighbourhood Centre. Land to the south is zoned R2 Low Density Residential and SP2 Infrastructure under the draft GRLEP. As part of the draft GRLEP, the previously zoned R3 Medium Density Residential area to the north of the site has been proposed to be rezoned to R4 High Density Residential and the previously zoned R2 Low Density Residential area to the south of the site has been proposed to be rezoned to SP2 Infrastructure. The latter rezoning is due to the extension of Hurstville Private Hospital. Refer to **Figure 12** for an extract from the Zoning Map of the Draft GRLEP.

Figure 12 – Proposed land zoning map under Draft Georges River LEP 2020 Extract

40. Along with the subject site, all land surrounding the site has a proposed FSR of 0.55:1. Land further to the north of the site retains the existing FSRs of 1:1 and 1.5:1. One site further south of the subject site has a proposed removal of FSR from 0.6:1 to 0:1. This FSR removal relates to the rezoning of R2 zoned land to SP2 Hospital, which is absent of development standard controls. Refer to **Figure 13.**

Figure 13 – Proposed FSR map under Draft Georges River LEP 2020 Extract

41. The proposed maximum building height for the subject site is 9m under the draft GRLEP; with land further north having a maximum building height of 12m. Refer to **Figure 14**.

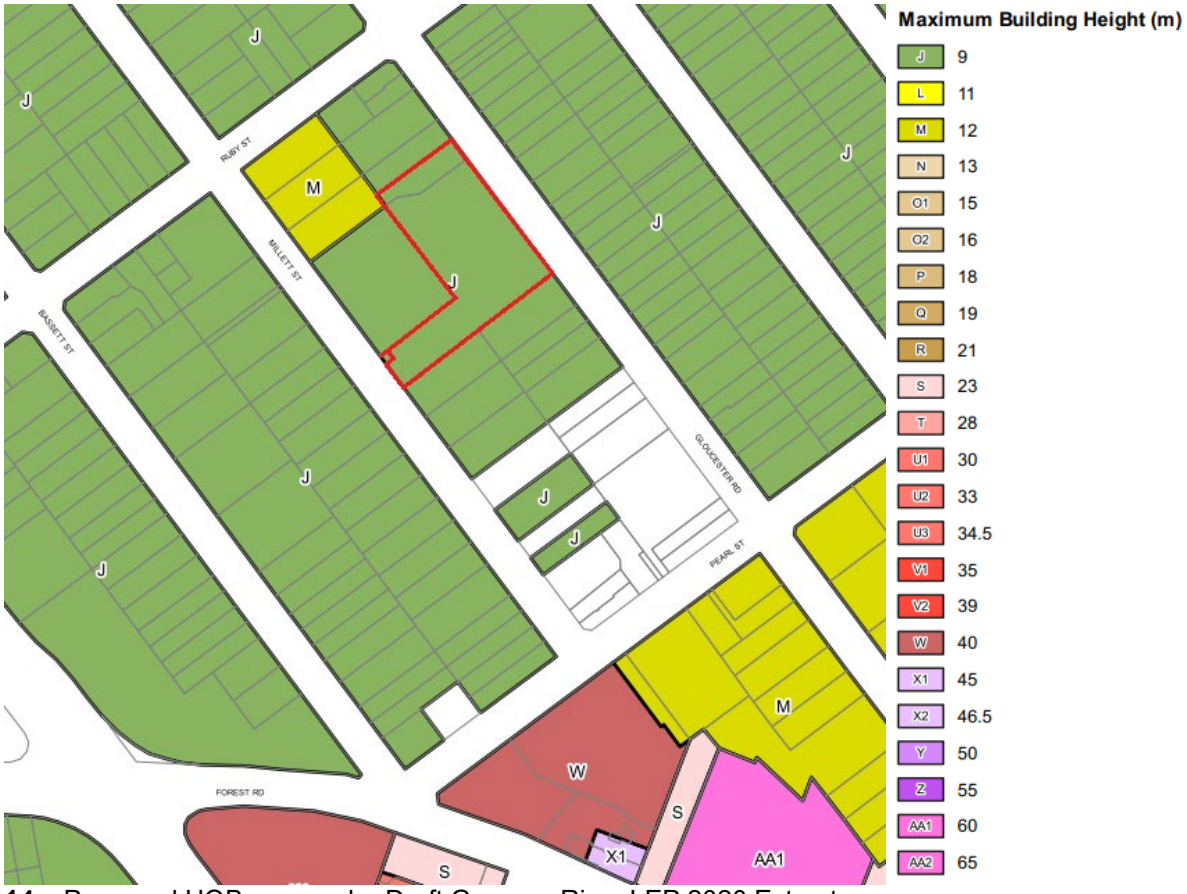


Figure 14 – Proposed HOB map under Draft Georges River LEP 2020 Extract

42. There is no change in the heritage listing surrounding the site.

Mechanism for the proposed planning amendments

43. The site is currently zoned R2 Low Density Residential which permits certain residential uses such as *attached dwellings, boarding houses, dwelling houses, group homes, respite day care centres, secondary dwellings and semi-detached dwellings.*

44. Seniors housing is not listed as a permissible use with consent in the R2 Low Density Residential Zone. However, Clause 15 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP) states:

    This Chapter allows the following development despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy—
    (a) development on land zoned primarily for urban purposes for the purpose of any form of seniors housing, and
    (b) development on land that adjoins land zoned primarily for urban purposes for the purpose of any form of seniors housing consisting of a hostel, a residential care facility or serviced self-care housing.

45. As stated previously in this report the proponent is unable to rely on Clause 15 of the Seniors SEPP as the proposal seeks a greater maximum building height (the proposed heights range from 12m, 14m and 16.9m) than what is permitted on the site under the Hurstville LEP 2012 (being 9m) and under the Seniors SEPP (being 8m under Clause 40 of the Seniors SEPP).

46. The intent of this Planning Proposal is to amend the Hurstville LEP 2012 (or Georges River LEP 2020, if gazetted), so as to permit a residential care facility with a maximum FSR of 1.6:1 and a HOB ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville.

47. The following planning pathway options were provided to the proponent at the time of lodgement of the planning proposal:

    a) *Option 1: Include seniors housing as a permissible use in the R2 Low Density Zone*. This option would allow seniors housing as a permissible use with consent to all land zoned R2 Low Density Residential under the Hurstville LEP 2012.
    This approach was not supported as a complete review and understanding of potential impacts of adding this use as a permitted use in all R2 Zones has not been undertaken.

    b) *Option 2: The inclusion of an additional local provision or the use of Schedule 1 Additional Permitted Use to the Hurstville LEP 2012, restricting the use specifically to the site. Proposed increases to FSR and maximum building heights on the subject site will be linked to a 'residential care facility' land use only*.

    c) *Option 3: Rezoning the site to R3 Medium Density Residential which currently permits both seniors housing and residential flat buildings*.
    This option was not supported as it would result in a much broader change to permissible uses and development controls including FSR and HOB that have not been tested for.

48. Option 2 is recommended as the most suitable approach as it would limit development for the purposes of residential care facility to the subject site only. This would also allow the limitation of the increased height and FSR to a residential care facility landuse only.

49. The Panel is advised that the Planning Proposal has also been discussed with officers of the Department of Planning, Industry and Environment, who have advised that the planning proposal should clearly address the intent of the amendment and the mechanism for its implementation - whether it requires a local provision or a Schedule 1 land use - will be the ambit of Parliamentary Counsel.

50. The proponent and Council officers have worked together to achieve a concept design for the site that addresses the retention of trees, the interface with the adjoining development and traffic impact. It also allows the existing land use to be retained with such retention being in the public interest.

PROPONENT'S PLANNING PROPOSAL REQUEST

Background

51. A Planning Proposal request (PP2017/0005) for 53A-59A Gloucester Road, Hurstville was lodged by RPS Group on behalf of Regis Aged Care Pty Ltd in November 2017. The proposal has been amended following the original lodgement of the Planning Proposal. The Panel is to note that Mecone replaced RPS Group as the proponent's planning consultants in August 2019.

52. **Table 2** below provides a summary of the key events and amendments received leading up to the revised Planning Proposal which is the subject of this report.

Table 2 – Summary of Key Events and Amendments

Date	Details
17 November 2017	**Planning Proposal lodged (PP2017/0005)**. The concept scheme featured: • Proposed FSR: 1.76:1; • Proposed HOB: 13.6m; • Number of one-bedroom rooms: 160 including 20 dementia beds; • Staff: Ranging between 15-55 staff depending on shift time; and • Off-street parking: 51 spaces including 10 accessible spaces and one ambulance space.
8 January 2018	Preliminary Assessment was undertaken by Council – Proponent requested to amend proposal or withdraw, with the principal concern being the bulk of the proposal.
9 April 2018	Councillor Briefing undertaken. Principal concern raised by the councillors related to the bulk of the proposal. No concern was highlighted with the land use.
3 May 2018	The application was reviewed by the Georges River Design Review Panel (DRP). The DRP found that the design could not be supported in its present form due to the bulk and both the FSR and HOB should be amended to allow for a lower density on the site.
25 June to 13 November 2018	The proposed scheme is revised three times in response to the DRP. The final revision dated 13 November 2018 proposed an FSR of 1.75:1. The scheme was further improved through the

Date	Details
	addition of building setbacks on all frontages of the building.
February 2019	Architectus, on behalf of Georges River Council, undertake an Independent Planning and Urban Design Assessment. Architectus raise concerns regarding site compatibility, height, setbacks, deep soil landscaping and solar access.
6 August 2019	A revised concept design is submitted to George River Council. Amendments included changes to building layout to reduce the height and density of the proposed design at the Gloucester Road frontage.
17 December 2019	Architectus prepare a second Independent Planning and Urban Design Assessment. Through this assessment, Council supports the 'W' footprint proposed; however, cannot support the proposal in its current form due to the lack of justification supporting the height, bulk and scale, potential overshadowing impacts and loss of deep soil area.
2 April 2020	Mecone, on behalf of the Proponent submit an updated concept plan and response letter amending the proposal in response to the December Architectus review.
5 May 2020	Architectus undertake a third Independent Planning and Urban Design Assessment. Overall, Architectus confirms they are generally satisfied with the Proponent's updated response and modified concept design; subject to the resolution of setbacks, articulation and solar access.
13 August 2020	Mecone submit additional information regarding the proposal; providing draft clauses, urban design principles and additional traffic impact assessments.
September 2020	An amended Planning Proposal is submitted by the Proponent. This amendment proposed to: • Amend the maximum Height of Buildings (HOB) development standard and map applicable to the site from 9m to a range of heights up to 16.9m; • Amend the maximum Floor Space Ratio (FSR) development standard and map applicable to the site from 0.6:1 to 1.6:1; and • Pursuant to Clause 2.5 of the Hurstville LEP 2012, introduce 'residential care facility' to Schedule 1 as an additional permitted use for the subject site.
19 March 2021	The Planning Proposal report was amended to update figures referencing the site outline to include 59A Gloucester Road, Hurstville.
15 April 2021	The Planning Proposal report was amended to remove the FSR and HOB map amendments and to clarify the intent - i.e. to permit a residential care facility with a maximum floor space ratio (FSR) of 1.6:1 and a maximum height of building (HOB) ranging from

Date	Details
	12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville. This amendment is the subject of this report.

Summary of Amended Planning Proposal Request

53. The Planning Proposal has been amended since its lodgement based on the advice of Council and its consultant Architectus. A revised Planning Proposal request was submitted by Mecone in September 2020 with further amendments made in April 2021. The following amended documents now form the basis of the Planning Proposal request being considered in this report:

    a) Planning Proposal, prepared by Mecone (**Attachment 1**)
    b) Indicative Architectural Concept, prepared by O'Neill Architecture (**Attachment 2**)
    c) Site Survey prepared by RPS Group (**Attachment 3**)
    d) Transport Impact Assessment, prepared by JMT Consulting (**Attachment 4**)
    e) Urban Design Principles, prepared by Mecone and O'Neill Architecture (**Attachment 5**)
    f) Landscape Statement, prepared by Arcadia Landscape Architects (**Attachment 6**)

54. The amended Planning Proposal lodged September 2020 and updated in April 2021 now seeks to amend the Hurstville LEP 2012 (or Georges River LEP 2020, if gazetted), so as to permit a residential care facility with a maximum FSR of 1.6:1 and a maximum building height ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville.

55. The intent of the Planning Proposal is not to alter the Zoning, FSR, and HOB Maps but permit with consent at the site a residential aged care facility with a FSR of 1.6:1, and a range of building heights being 12m, 14m and 16.9m. The range of heights is displayed in **Figure 15** below. The mechanism for the implementation of the range of heights - whether it requires a local provision or a Schedule 1 land use - will be the ambit of Parliamentary Counsel.

Figure 15 – Proposed Range of Heights at the Site
(NOTE: there are no proposed amendments to Hurstville LEP 2012 or Georges River LEP 2020 (if gazetted) HOB map. The image above is for reference purposes only.)

56. A Site-Specific Development Control Plan (Site-Specific DCP) will be prepared to provide certainty that the built form outcome reflects the requirements of the appended Indicative Architectural Concept Design (**Attachment 2**) and Urban Design Principles (**Attachment 5**).

Summary of Architectural Concept Scheme

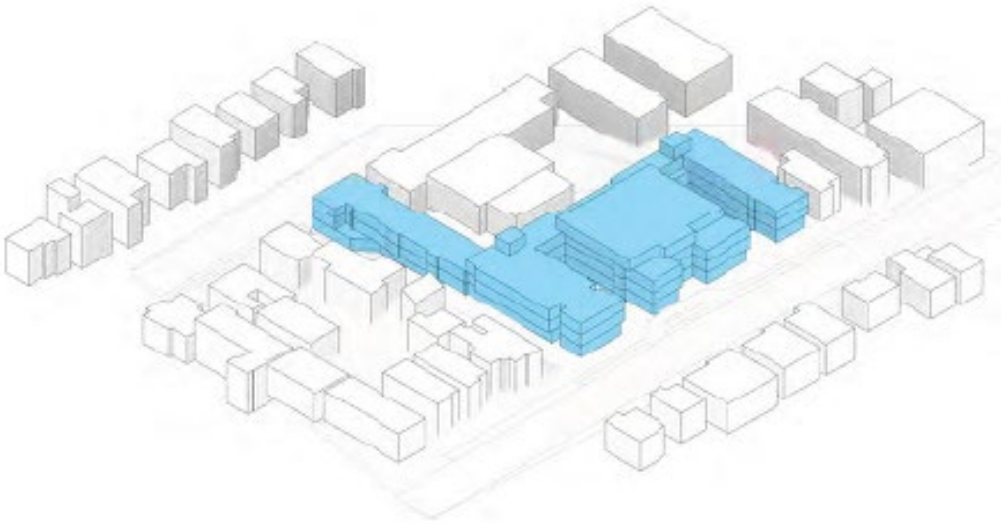
57. This Planning Proposal is accompanied by an architectural concept scheme (Rev 10 dated 22 September 2020, refer to **Attachment 2**) prepared by O'Neill Architecture, demonstrating the following:

    a) Demolition of existing structures and excavation to facilitate the delivery of a basement;
    b) Construction of a part 3 and 4 part storey residential aged care facility with a GFA of 8,203sqm (FSR 1.6:1) comprising:
        i. 94 residential care beds;
        ii. 16 dementia beds;
        iii. Communal facilities;
        iv. Staff amenities;
        v. Ancillary uses including a café, hairdresser, day spa and function rooms;
    c) A basement with 41 vehicular spaces, comprising:
        i. 20 staff spaces;
        ii. 11 residential spaces;
        iii. 10 additional spaces above the minimum requirement; and
    d) Provision of outdoor communal areas and landscaping.

58. The concept scheme in its original form was considered by the Georges River Design Review Panel (DRP) on 3 May 2018. The DRP found the proposal could not be supported in its present form.

59. The proposal in its amended form was subsequently peer reviewed by Architectus in December 2019 and April 2020. The most recent iteration of the Architectural Concept Scheme was considered appropriate for the site.

60. The Indicative Architectural Concept, prepared by O'Neill Architecture (**Attachment 2**) provides the amended concept resulting from the changes sought in increasing the FSR to 1.6:1 and HOB to a range of heights to 16.9m. **Figures 16 and 17** below illustrates the height and massing of the proposed development and its immediate context. **Figure 16** indicates the massing and bulk and **Figure 17 to Figure 19** show the proposed heights and surrounding heights in storeys and in reduced level heights.



PROPOSED MASSING WITH SURROUNDING MAXIMUM BUILDING HEIGHT

Figure 16 – Extract from the Indicative Architectural Concept

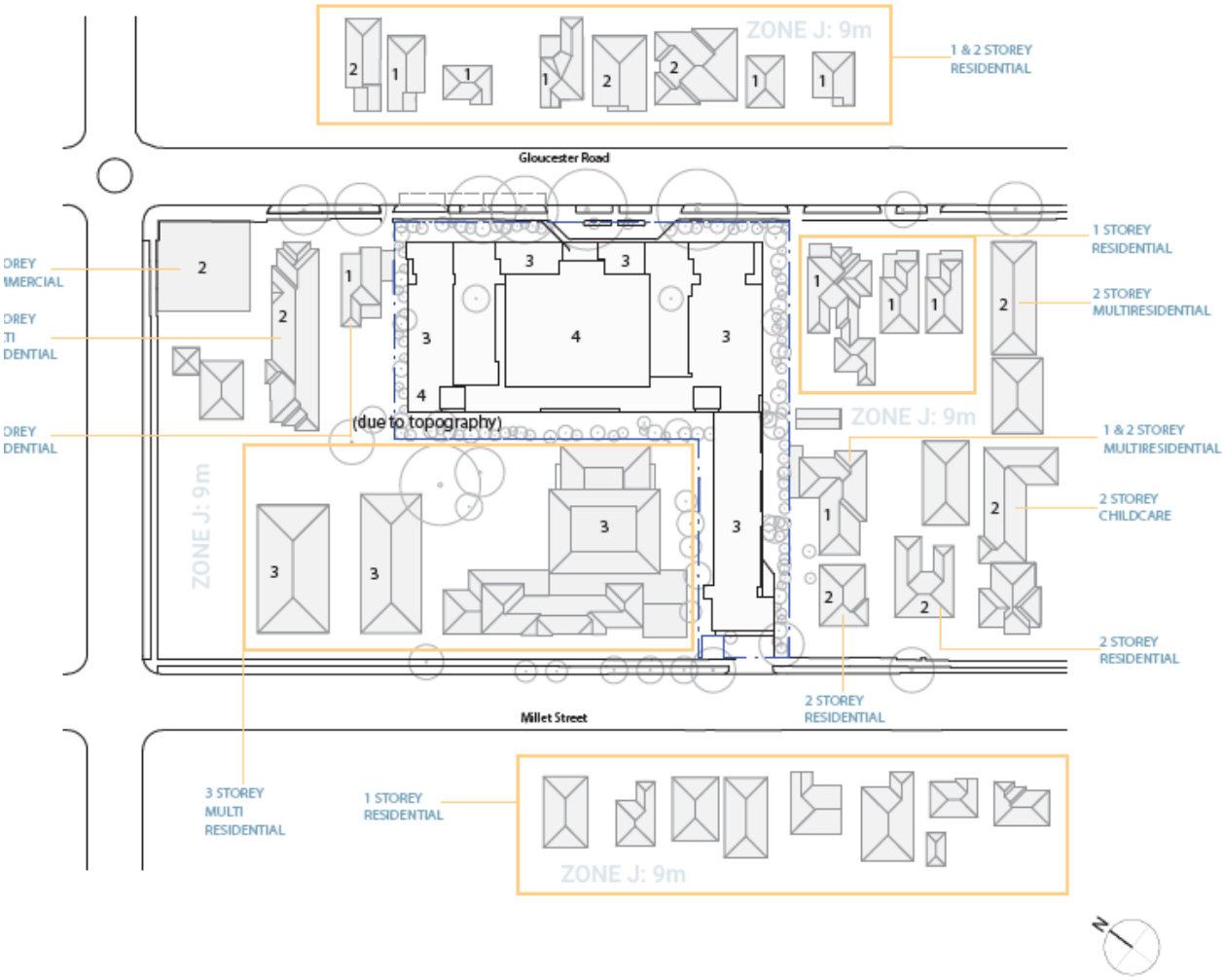


Figure 17 – Extract from the Indicative Architectural Concept – showing the maximum building heights in storeys

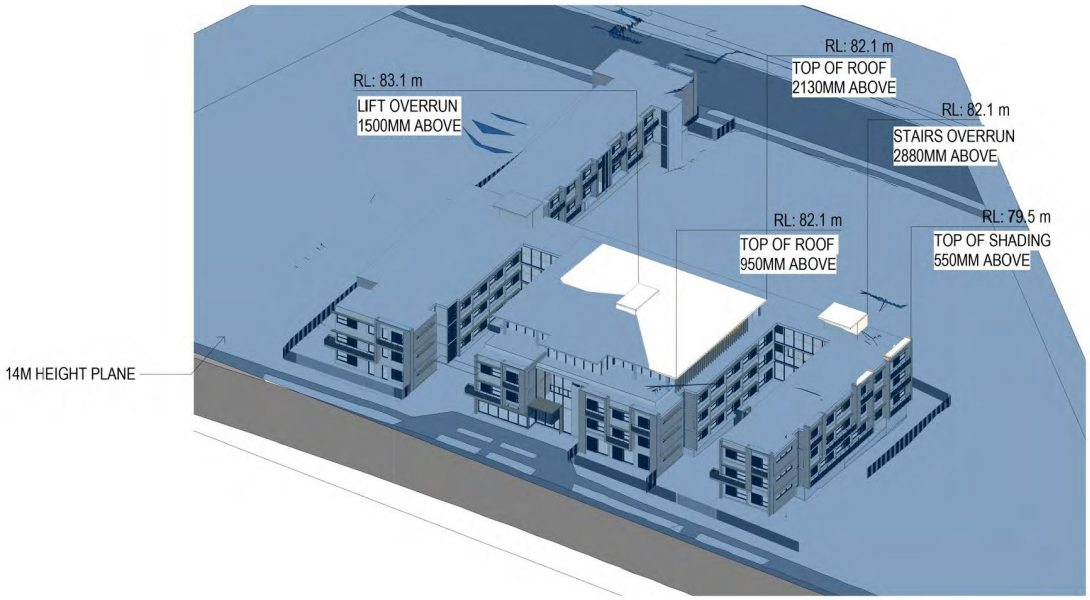


Figure 18 - Extract from the Indicative Architectural Concept – 14m Height Plane Diagram view from Gloucester Road

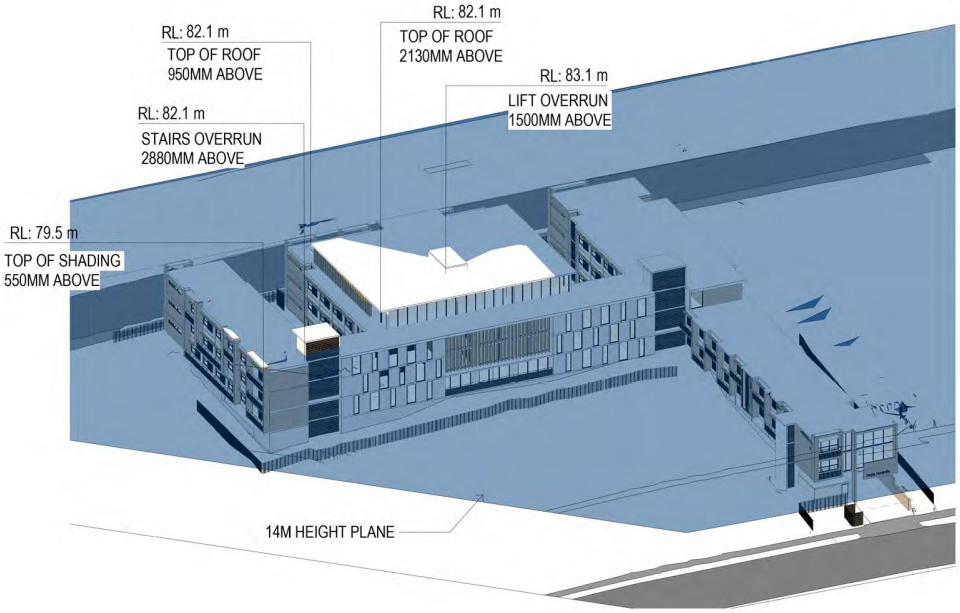


Figure 19 - Extract from the Indicative Architectural Concept – 14m Height Plane Diagram view from Millet Street

61. The Urban Design Principles Report accompanying the Architectural Concept, prepared by Mecone and O'Neill Architecture (refer to **Attachment 5**), will form the basis of an amendment to the current DCP covering the site. In summary the Principles require:

a) The maximum building height in storeys (including plantrooms and lift overruns) shall be consistent with that shown in the **Figure 17** above to minimise visual impacts, building scale and overshadowing issues.
b) As a senior's residential care facility, the development is to have a minimum floor height of 3.4m.
c) A minimum front setback of 4.5m provided along Gloucester Road to maintain the streetscape character and site context. All existing street trees at the front of the site shall be maintained on and near the site.
d) A minimum 3m setback provided to the north-west boundary on Millett Street to ensure sufficient separation is provided between habitable rooms. Where this cannot be achieved, alternative design treatments such as screening or vegetation must be provided to maximise privacy.
e) A minimum 3m setback provided to the north-west boundary on Gloucester Road to ensure sufficient separation is provided between habitable rooms. Where this cannot be achieved, alternative design treatments such as screening or vegetation must be provided to maximise privacy.
f) A minimum 6m setback provided to the eastern boundary and southern boundaries to provide sufficient building separation to the adjoining developments.

62. The Planning Proposal is accompanied by a Transport Impact Assessment (TIA), prepared by JMT Consulting (refer to **Attachment 4**). The key findings of the assessment are as follows:
    a) The site has good access to a range of public transport services as well as efficient access to the broader road network.
    b) No changes to the existing vehicular access are proposed as part of the Planning Proposal which retains drop off / pick up activity via Gloucester Road and car park access via Millett Street.
    c) The site proposes to provide a generous amount of parking, above the SEPP minimum requirements which will have the benefit of accommodating the parking needs of staff and visitors on-site without impacting the adjacent street network.
    d) A basement car park is to be provided on the site to accommodate future car parking needs, which is to be designed in accordance with relevant Australian Standards for car parking.
    e) The Planning Proposal may result in an increase of 3 vehicle trips during the peak hour of the day and 28 vehicle trips over the course of a typical day. This level of traffic generation is negligible in the context of the surrounding road network and would have no impact on the current road network performance.

63. The TIA concludes that the transport impacts arising from the proposal are minimal and can be managed by existing facilities within the site as well as the external transport network.

ASSESSMENT OF THE PLANNING PROPOSAL

Strategic Planning Context

64. Consideration of the Planning Proposal request in relation to the Greater Sydney Region Plan (A Metropolis of Three Cities) and the South District Plan are provided below.

<u>Greater Sydney Region Plan (A Metropolis of Three Cities)</u>

65. The Greater Sydney Region Plan was finalised and released by the Greater Sydney Commission in March 2018 and establishes the aspirations for the region over the next 40 years. The Region Plan is framed around 10 directions relating to infrastructure and collaboration, liveability, productivity and sustainability.

66. The Proponent has provided their assessment of the Planning Proposal against the 10 Directions in **Table 3** below and is acceptable to Council:

Table 3 – Proponent's Assessment of A Metropolis of Three Cities Directions

A Metropolis of Three Cities Directions	Proponent's Assessment
A City Supported by Infrastructure	By providing additional aged care accommodation and jobs, the proposal will provide extra patronage to the existing public transport network
A Collaborative City	The proposal represents a proponent initiated Planning Proposal that responds to the feedback received by Council following an extensive consultation process
A City for People	The proposal will provide a state of the art residential aged health care facility that will support the growing ageing population and therefore responds to the community's changing needs
Housing the City	The proposal will provide aged care housing and therefore will responds to people's housing needs
A City of Great Places	The proposal includes a range of communal areas that will foster interaction. The development will facilitate and exhibit design excellence and has been designed to respond to the locality's identity
A Well Connected City	The proposal will increase a supply of jobs and provide needed services in proximity to public transport and will support the 30 minute city
Jobs and Skills for the City	The proposal will increase the provision of jobs close to the Hurstville Strategic Centre. It will also increase investment in health services and social infrastructure
A City in Landscape	The proposal seeks to retain the significant trees along the Gloucester Road frontage; by providing a 3m setback to the site's northern boundary. A statement by Arcadia Landscape Architecture supports the capacity for planting to succeed in this environment, both in regard to setbacks and available soil depth. The setbacks will permit significant planting, inclusive of screening and plant types to provide privacy between the proposed facility and existing residence
An Efficient City	The proposal is of high quality design as shown through the Indicative Architectural Design and Urban Design principles subject to a Development Application
A Resilient City	The planning proposal is accompanied by a set of design principles which address: environmental sustainability, particularly with regard to energy and water use; key elements such as a rainwater system, water saving

	devices, solar power collector and thermal insulation to minimise energy use and ensure the building performs well environmentally; sustainability targets, such as water and energy efficiency

South District Plan

67. The South District Plan was finalised and released by the Greater Sydney Commission in March 2018. The District Plan is a guide for implementing A Metropolis of Three Cities at the district level and proposes a 20 year vision by setting out aspirations and proposals for the South District.

68. The Planning Proposal is considered to be consistent with the following Planning Priorities of the South District Plan:

Table 4 - Planning Priorities of the South District Plan

Direction	Planning Priorities relevant to the Planning Proposal
A city for people	**Planning Priority S3:** Providing services and social infrastructure to meet people's changing needs **Planning Priority S4:** Fostering healthy, creative, culturally rich and socially connected communities
Housing the city	**Planning Priority S5:** Providing housing supply, choice and affordability with access to jobs, services and public transport
A city of great places	**Planning Priority S6:** Creating and renewing great places and local centres, and respecting the District's heritage
Jobs and skills for the city	**Planning Priority S9:** Growing investment, business opportunities and jobs in strategic centres
A well-connected city	**Planning Priority S12:** Delivering integrated land use and transport planning and a 30-minute city
An efficient city	**Planning Priority S17:** Reducing carbon emissions and managing energy, water and waste efficiency

NSW Ageing Strategy 2016 – 2020

The NSW Ageing Strategy 2016 – 2020, responds to the opportunities and challenges of the ageing population. It sets out five priority areas, including: Health and wellbeing, Working and Retiring, Housing Choices, Getting Around and Inclusive Communities.

69. The Planning Proposal makes particular reference to Priority 3, Housing Choices, highlighting the significance of the objective that o*lder people in NSW live in affordable, accessible, adaptable and stable housing*. This seeks to allow the ageing population of the area to age in place, if they choose to do so, through the NSW Government's commitment to improve access to diverse housing options through collaboration with local businesses and non-for profit sector.

Council's Local Strategic Plans

70. Considerations of the Planning Proposal in relation to Council's local strategic plans are provided below.

Georges River Local Strategic Planning Statement 2040

71. The George's River Local Strategic Planning Statement (LSPS) was endorsed by the Greater Sydney Commission in March 2020. It informs all land use planning in the LGA for the next 20 years, drawing upon priorities listed under the *Greater Sydney Region Plan - A Metropolis of Three Cities* and the *South District Plan*.

72. The proposed development includes a number of services and facilities within the residential care facility that will cater to the needs of the ageing population present - including a hairdresser, café, day spa and function facilities.

73. An aged care facility is currently not permitted in the R2 Low Density Residential zone and is operating due to existing use rights. Permitting residential care facilities on this site will allow for the delivery of upgraded facilities and renovations.

74. The Planning Proposal will allow for additional employment opportunities close to the Hurstville Strategic Centre due to the existing aged care facility's expansion.

Georges River Community Strategic Plan 2018 – 2028

75. The Georges River Community Strategic Plan 2018 – 2028 (CSP) is a strategy that informs the activities and decision making of the future of the LGA. The CSP outlines six themes that relate to environment, accessible places and spaces, development, the economy and the community's needs.

76. The Planning Proposal responds to the objectives of the CSP, with the provision of aged care responding to the 92% of residents surveyed for community consultation for the CSP, identifying aged care facilities are a critical issue for Council.

77. The Planning Proposal will support the Council's employment target and provide critical social infrastructure for the growing ageing population.

State and Regional Statutory Framework

78. The Planning Proposal is consistent with the following relevant State Environmental Planning Policies (SEPPs) as assessed below:

State Environment Planning Policy (Building Sustainability Index: BASIX) 2004

79. This SEPP will be addressed at the Development Application phase.

State Environment Planning Policy (Infrastructure) 2007

80. The Planning Proposal does not alter the application of the SEPP to the development.

State Environment Planning Policy (Exempt and Complying Development Codes) 2008

81. This SEPP will be addressed at the Development Application phase.

State Environment Planning Policy (Housing for Seniors or People with a Disability) 2004

82. The subject site is currently zoned R2 Low Density Residential under the Hurstville LEP 2012. The R2 Low Density Residential permits certain residential uses such as attached dwellings, boarding houses, dwelling houses, group homes, respite day care centres, secondary dwellings and semi-detached dwellings.

83. Seniors housing is not listed as permissible use with consent in the R2 Low Density Residential Zone. However, Clause 15 of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP) states:

    This Chapter allows the following development despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy—

    a) development on land zoned primarily for urban purposes for the purpose of any form of seniors housing, and

b) development on land that adjoins land zoned primarily for urban purposes for the purpose of any form of seniors housing consisting of a hostel, a residential care facility or serviced self-care housing.

84. Despite Clause 15 of the Seniors SEPP the proponent cannot rely on the permissibility afforded by the Seniors SEPP alone as the proposal seeks a greater maximum building height (the proposed heights range from 12m, 14m and 16.9m) than what is permitted on the site under Hurstville LEP 2012 (being 9m) and under the Seniors SEPP (being 8m under Clause 40 of the Seniors SEPP). Hence the lodgement of this Planning Proposal.

85. Clause 40 of the SEPP states:

Development standards—minimum sizes and building height

(1) General A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.

(2) Site size: The size of the site must be at least 1,000 square metres.

(3) Site frontage: The site frontage must be at least 20 metres wide measured at the building line.

(4) Height in zones where residential flat buildings are not permitted If the development is proposed in a residential zone where residential flat buildings are not permitted—

*(a) **the height of all buildings in the proposed development must be 8 metres or less, and***

(b) a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height,

(c) a building located in the rear 25% area of the site must not exceed 1 storey in height.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2007

86. This Planning Proposal is consistent with the objectives of the SEPP for future development.

State Environmental Planning Policy No. 19 (Bushland in Urban Areas)

87. This Planning Proposal is consistent with the objectives of the SEPP for future development.

Ministerial Directions

88. Ministerial Directions under Section 9.1 of the EP&A Act set out a range of matters to be considered when preparing an amendment to a Local Environmental Plan.

89. The Planning Proposal is consistent with all relevant Ministerial Directions in **Table 5** below:

Table 5 – Consistency with S9.1 Ministerial Directions

S9.1 Direction	Assessment
1.1 Business and Industrial Zones	The proposal will increase the supply of employment generating floor space and facilitate job creation. The proposal will assist in meeting the jobs targets for the LGA.
2.3 Heritage Conservation	The site is not a heritage item nor is it a located in a heritage conservation area. The proposal will be designed and constructed to have no impact on the surrounding

S9.1 Direction	Assessment
	environment.
3.1 Residential Zones	The proposal will provide critical social infrastructure to the LGA.
3.4 Integrating Land Use and Transport	The proposal is well serviced by public transport and will provide more employment and housing in a strategic location. The traffic generation associated with the proposal will not impact the surrounding development.
5.10 Implementation of Regional Plans	The proposal is consistent with the Greater Sydney Region Plan – A Metropolis of Three Cities and the South District Plan.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. In contrast, the proposed provisions seek to provide a specific incentive only for 'residential care facility', not other permissible uses.

Urban Design Analysis

90. The Planning Proposal is accompanied by Urban Design Principles, prepared by Mecone and O'Neill Architecture (refer to **Attachment 5**) which will form the basis of site specific DCP covering the site and an Indicative Architectural Concept, prepared by O'Neill Architecture (**Attachment 2**) which provides the amended concept resulting from the changes sought in FSR and HOB.

91. The site is located to the north west of the Hurstville Strategic Centre in a traditional low to medium density area.

92. The existing building envelope adopts an irregular 'L' shape allotment configuration and has a primary frontage to Gloucester Road of approximately 88m. The building extends to southern rear boundary where it has a frontage to Millett Street of 20m.

93. The predominant existing built form of the site varies between 2 to 3 storeys. The Hurstville Private Hospital is to the east of the site and accommodates buildings of varying scales ranging from one (1) to five (5) storeys.

94. The proposal provides a high level of solar access compliance by achieving maximum solar access within the development, and to its surroundings. The solar access requirements have been sourced from the Apartment Design Guide (ADG) as an appropriate benchmark for which this development is advised to comply with at a minimum.

95. The building height proposed at 3 storeys with a partial fourth storey is supported given the demonstrated impacts associated with the additional height.

96. The 6m setback proposed along the rear south west boundary, and along the side south east boundary is considered appropriate from a privacy, deep soil, and amenity point of view, and the documentation provided also demonstrates adequate solar access is maintained to neighbouring properties.

97. The proposal provides for an appropriate level of deep soil landscaping having achieved this through an increase in the setback of the proposal.

98. The proposal has provided the level of articulation and modulation achieved along the Gloucester Road elevation and acknowledges that the architectural language and materiality will be further developed at the DA stage.

99. The shadows cast from the proposed envelopes do not create any additional overshadowing onto surrounding residential properties which prevent living rooms and private open spaces of at least 70% of dwellings in a building receiving a minimum of 2 hours direct sunlight between 9am and 3pm at mid-winter.

100. The Planning Proposal and the accompanying architectural concept scheme demonstrate an appropriate urban design response to its urban context and also satisfies the relevant State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) Design Quality Principles. In this regard, the proposed density is considered to be suitable as the increased FSR and HOB does not compromise the amenity and design of any future development on site and the surrounding private and public spaces.

101. The proposal has made suitable amendments in response to the Independent Urban Design Reviews undertaken for the project.

102. A Site-Specific Development Control Plan is required for the proposal and will be prepared prior to the finalisation of the Planning Proposal.

Economic Analysis

103. The proposal will provide a range of positive economic benefits for the local area as follows:

    a) Provide additional employment opportunities within a strategically located area;
    b) Retain and increase the supply of employment generating floor space;
    c) Provide an intensity of land use commensurate with the growth anticipated for the Hurstville Strategic Centre;
    d) Achieve a diverse and productive economy through providing critical social infrastructure to accompany significant residential and employment growth;
    e) Support the local health services sector; and
    f) Increase employment opportunities during the construction and operational phase of the development.

Traffic and Transport

104. The Indicative Architectural Concept Design (**Attachment 2**) and Traffic Impact Assessment (**Attachment 4**) demonstrate:

    a) The main entrance is on the Gloucester Road side, having space for a Porte-cochere for drop off and pick up.
    b) A footpath is provided along Gloucester Road, to connect the site to public transport networks, including bus stops and train stations.
    c) The Millett Street entrance is to be used for staff parking and delivery/ waste services.

105. The Traffic Impact Assessment prepared by JMT Consulting (refer to **Attachment 4**) submitted by the Proponent outlines the following key conclusions:

a) The site has good access to a range of public transport services, including train and buses;
b) No changes to the existing vehicular access are proposed as part of the Planning Proposal;
c) Retain drop off and pick up location on Gloucester Road and staff and services access on Millett Street;
d) The site proposes a generous amount of parking, causing no disruption to the surrounding road network;
e) A basement car park is to be provided on the site to accommodate future car parking needs; and
f) The proposal will result in an increase of 3 vehicle trips during the peak hour of the day, and 28 vehicle trips over the course of a typical day.

106. The level of traffic generation resulting from the proposal is considered negligible in the context of the local street network. Augmentation to the capacity of the local road network is not warranted by the proposal.

107. Parking provision, car park layout and road safety issues were not reviewed in detail as these will be subject to a detailed assessment at the development application stage.

VOLUNTARY PLANNING AGREEMENT

108. The proponent is seeking to redevelop the existing aged care facility (that offers aging in place, palliative care and respite care service) and provide a new residential care facility. The new facility would be a part 3 and 4 storey residential aged care facility with a GFA of 8,203m2 comprising:
    a) 94 residential care beds
    b) 16 dementia beds
    c) Communal facilities
    d) Staff amenities
    e) Ancillary uses including a café, hairdresser, day spa, and function rooms; (Level 3 includes cinema, private dining room, etc)
    f) A basement with 41 vehicular spaces; and
    g) Provision of outdoor communal areas and landscaping

109. The Proponent has acknowledged their commitment to entering into a Voluntary Planning Agreement with Council consistent with Council's Planning Agreements Policy should the project proceed.

110. The Planning Proposal (Clause 11.3) states that *"In accordance with section 7.4 of the EP&A Act, the Proponent is committed to entering into a voluntary Planning Agreement (VPA) with Council. The VPA will make provision for public benefits in accordance with Council's relevant contributions plan and Planning Agreements Policy (2016)".*

111. Mecone's letter to Council on 19 January 2021 provides a draft letter of offer with the public benefits yet to be identified. Council staff and consultants are currently reviewing the VPA offer and potential public benefits in accordance with Council's Planning Agreements Policy and the Departments new Practice Note on Planning Agreements (February 2021).

112. Council staff have identified a number of potential public benefits that address the demand from the proposed development, including:
    a) Increased community service provision directly to the development – including home library service, Reminiscing Therapy Kits, Life Stories program, Brain Gymnasium, Mobility recharge station/facilities at the libraries
    b) Bus Stops - upgrade to the bus infrastructure in the vicinity of the development.

c) Upgrade streetscape / public domain on Gloucester Rd
d) Upgrade to local parks – senior's fitness stations and pathway connections.

113. The VPA offer will be reported to Council's Environment and Planning Committee in conjunction with the Planning Proposal once assessment of the offer is completed and formal letter of offer is provided to Council.

SUMMARY OF ASSESSMENT/CONCLUSION

114. In summary the Planning Proposal seeks to amend the Hurstville LEP 2012 (or Georges River LEP 2020, if gazetted), so as to permit a residential care facility with a maximum FSR of 1.6:1 and a maximum building height ranging from 12m, 14m and 16.9m at Nos. 53A-59A Gloucester Road, Hurstville.

115. The intent of the Planning Proposal is not to alter the Zoning, FSR, and HOB Maps in the Hurstville LEP 2012 (or Georges River LEP 2020, if gazetted) but permit with consent at the site a residential aged care facility with a FSR of 1.6:1, and a range of building heights 12m, 14m and 16.9m. The mechanism for the implementation of the range of heights - whether it requires a local provision or a Schedule 1 land use - will be the ambit of Parliamentary Counsel; but the heights and FSR proposed only relate to a residential care facility.

116. A residential care facility is defined by the Standard Instrument as follows:

residential care facility means accommodation for seniors or people with a disability that includes—

(a) meals and cleaning services, and

(b) personal care or nursing care, or both, and

(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility.

Note—

Residential care facilities are a type of seniors housing—see the definition of that term in this Dictionary.

117. The proposed amendments to Hurstville LEP 2012 will facilitate the upgrade and expansion of the existing aged care facility in a manner that integrates well with the character of the surrounding areas. The proposed amendments can be illustrated through the Architectural Indicative Architectural Concept, appended at **Attachment 2**.

118. It is recommended that the LPP support the request for the following reasons:

a) The Planning Proposal and the accompanying architectural concept scheme demonstrate an appropriate urban design response to its context;
b) The proposed maximum building envelope demonstrates an appropriate urban design outcome through the formal transition to adjacent developments;
c) The proposed FSR will not adversely impact the amenity of adjacent land holdings whilst providing for additional social infrastructure in the form of Seniors Housing;
d) The Planning Proposal is consistent with strategic planning policy at both a state and local level;

e) The Planning Proposal provides for additional seniors housing for the Georges River LGA which is an identified need for the local community; and
f) The proposal will not impact on the operation of the local traffic network with 3 additional car movements during peak hour generated as a result of the proposal.

COMMUNITY CONSULTATION

119. Should the Planning Proposal be supported, it will be forwarded to the delegate of the Minister for Planning and Public Places, requesting a Gateway Determination.

120. If a Gateway Determination (Approval) is issued, and subject to its conditions, it is anticipated that the Planning Proposal will be exhibited for a period of 28 days in accordance with the provisions of the EP&A Act, 1979 and Regulation, 2000 and any requirements of the Gateway Determination.

121. Exhibition material, including explanatory information, land to which the Planning Proposal applies, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.

122. Notification of the public exhibition will be through:

a) Newspaper advertisement in The Leader;
b) Exhibition notice on Council's website;
c) Notices in Council offices and libraries;
d) Letters to State and Commonwealth Government agencies identified in the Gateway Determination (if required); and
e) Letters to adjoining landowners (in accordance with Council's Notification Procedures).

123. The anticipated project timeline for completion of the Planning Proposal is shown below:

Task	**Anticipated Timeframe**
Report to Georges River LPP on Planning Proposal	6 May 2021 (this report)
Report to Environment and Planning Committee on Planning Proposal	15 June 2021
Report to Council on Planning Proposal	28 June 2021
Anticipated commencement date (date of Gateway Determination)	July 2021
Timeframe for government agency consultation	September/October 2021
Exhibition of the Planning Proposal	September/October 2021
Reporting to Council on community consultation and finalisation	November 2021
Submission to the Department to finalise the LEP	December 2021
Anticipated date for notification	February/March 2022

124. It is noted that the project timeline will be assessed by the DPIE and may be amended by the Gateway Determination.

NEXT STEPS

125. The Planning Proposal will be presented at a future Environment and Planning Committee meeting for consideration, including the LPP recommendations. The minutes of the Environment and Planning Committee meeting will subsequently be considered at a future Council meeting. If the Planning Proposal is endorsed by Council, it will be forwarded to

the Minister for Planning and Public Spaces for a Gateway Determination under Section 3.34 of the EP&A Act.

126. If Council resolves not to support the Planning Proposal, the Proponent has the opportunity to request a pre-Gateway Review (Rezoning Review) to DPIE. The DPIE requests comments from Council and the Joint Regional Planning Panels/Commissions Secretariat forwards the request to relevant regional panel/the Commission.

LPP012-21 53A - 59A Gloucester Road, Hurstville
(Report by Strategic Planner/Information Management)

The Panel carried out an inspection of the site and nearby locality.

Speakers

- Ian Cady (Planner)
- Justin O'Neill (architect)
- Meaghan Morice (architect)

Voting of the Panel Members

The decision of the Panel was unanimous.

Recommendation

The Panel notes:

1. The proposal results in adhoc zoning outcomes in relation to the surrounding zones (R2, R3, B1 and SP2) and built form uniformity. In particular having regard to a maximum height of the proposal.
2. Ideally the consideration of the Planning Proposal and rezoning would apply to the block bounded by Ruby Street, Millet Street, Pearl Street and Gloucester Road Hurstville in relation to the strategic planning intentions for this part of the Local Government Area.

The Panel defers the Planning Proposal subject to:

1. Further consideration by the proponent of the Planning Proposal to assess and provide a further submission to the Panel that address the relationship of the future built form/development in regard to:
    a. Distribution of heights and implications for adjoining sites and potential future developments,
    b. Setbacks in relation to the adjoining sites and potential future developments,
    c. The provisions of the Housing for Seniors or People with a Disability SEPP and the draft Housing Diversity SEPP.

2. The submission of a draft Development Control Plan that articulates a, b, and c above.

The applicant is required to provide the additional information within 60 days of the date of this resolution. The matter is to be referred back to the same Panel as constituted on 6 May 2021 for electronic determination.