

Planning proposal to increase the height of buildings to 17.75 metres and floor space ratio to 1.65:1 at 177 Russell Avenue, Dolls Point

Proposal Title :	Planning proposal to increase the height of buildings to 17.75 metres and floor space ratio to 1.65:1 at 177 Russell Avenue, Dolls Point		
Proposal Summary :	This Planning Proposal seeks to amend the Rockdale Local Environmental Plan 2011 to increase the height of buildings from 14.5 metres to 17.75 metres, and increase the floor space ratio from 1:1 to 1.65:1, in relation to 177 Russell Avenue, Dolls Point.		
PP Number :	PP_2017_BSIDE_002_00	Dop File No :	16/15859

Proposal Details

Date Planning Proposal Received :	09-Jan-2017	LGA covered :	Bayside
Region :	Metro(CBD)	RPA :	Bayside Council
State Electorate :	ROCKDALE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	177 Russell Avenue		
Suburb :	Dolls Point	City :	Dolls Point
		Postcode :	2219
Land Parcel :	Lots 80-83 DP 2237		

DoP Planning Officer Contact Details

Contact Name :	Rachel Johnston
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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro South subregion	Consistent with Strategy :	Yes

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. The Sydney Region East office has not met any lobbyists in relation to this proposal, nor has the Director been advised of any meetings between other Departmental officers and lobbyists concerning this proposal.

Supporting notes

Internal Supporting
Notes :

Council has submitted a planning proposal in relation to 177 Russell Avenue, Dolls Point which seeks to increase the maximum height of buildings from 14.5 metres to 17.75 metres, and the FSR from 1:1 to 1.65:1.

Amending these controls will facilitate housing supply in the area, provide urban renewal to an ageing part of Dolls Point, and enhance the public area by rehabilitating the adjacent riparian corridor and improving access to the abutting park.

The proposal demonstrates consistency with A Plan for Growing Sydney, relevant SEPPs and Section 117 Directions, and the local strategic plan.

Impacts resulting from the proposal will be of a positive or neutral nature; the proposal is unlikely to pose any adverse effects.

The proposal is required to be revised to demonstrate consistency with the Draft Central District Plan, before it is placed on public exhibition for a period of not less than 28 days.

Council will act as the RPA, and the timeframe to make the LEP has been set as 9 months.

External Supporting
Notes :

Council supports the planning proposal as it will achieve a planning outcome that facilitates housing supply and choice, makes the most efficient re-use of an existing residential site, and is consistent with directions in 'A Plan for Growing Sydney', as well as elements within the other strategic planning frameworks including a SEPP, Section 117 Directions and the Local Strategic Plan.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment :

The objectives of this planning proposal are to:

- contribute to the increase in housing supply and choice within Dolls Point;

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- provide urban renewal and revitalisation to an ageing residential part of the area; and
- provide enhanced public benefits including the rehabilitation of the adjacent riparian corridor and improved access to the abutting park.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **It is proposed to amend the Rockdale Local Environmental Plan 2011 as follows:**

- change the Height of buildings on 177 Russell Avenue, Dolls Point from 14.5 metres to 17.75 metres; and
- change the Floor space ratio on 177 Russell Avenue, Dolls Point from 1:1 to 1.65:1.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA : **3.1 Residential Zones**
4.1 Acid Sulfate Soils
* May need the Director General's agreement **4.3 Flood Prone Land**
7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP No 55—Remediation of Land**

e) List any other matters that need to be considered : **STATE ENVIRONMENTAL PLANNING POLICY**
This planning proposal is consistent with the SEPP 55 - Remediation of Land, as an acid sulfate soil management plan has been provided.

SECTION 117 DIRECTIONS

This proposal is consistent with all of the following relevant Section 117 Directions.

2.3 Heritage Conservation

This Direction aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

Despite no heritage items being located on the site, Cook Park located immediately adjacent to the site has been listed as being of local heritage significance. This planning proposal is consistent with this Direction as it will improve the site's relationship with the Park through inclusion of consistent built form, increased setbacks from the Park, greater activation, use of high quality materials, and rehabilitation of the creek and riparian zone immediately adjacent to the Park. It is recommended the Office of Environment and Heritage is consulted in relation to this matter.

3.1 Residential Zones

This Direction aims to encourage a variety and choice of housing types to provide for existing and future housing needs; make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services; and minimise the impact of residential development on the environment and resource lands.

This planning proposal is consistent with this Direction as it encourages a variety and choice of housing types which will provide for existing and future housing needs, and make efficient use of existing infrastructure and facilities.

4.1 Acid Sulfate Soils

This Direction aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

Despite the site being classified as containing Class 3 acid sulfate soils, a management

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plan has been provided to ensure significant adverse impacts will be avoided. It is recommended the Office of Environment and Heritage is consulted in relation to this matter.

4.3 Flood Prone Land

This Direction aims to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005; and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

This planning proposal is consistent with this Direction as it will provide flood-complying built form, which ensures the safety of residents. However, as the site is within a flood planning area, it is recommended the Office of Environment and Heritage is consulted in relation to this issue.

7.1 Implementation of the Metropolitan Plan for Sydney 2036

This Direction gives legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

This planning proposal is consistent with this Direction as it will provide an increase in the supply and choice of housing, provide urban renewal, revitalise part of Dolls Point, and create a healthy built environment.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The mapping provided is adequate for public exhibition.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Consultation will be undertaken in accordance with the Gateway Determination. The planning proposal includes a proposed timeline and suggests that an exhibition of 28 days would be appropriate.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Rockdale Local Environmental Plan (LEP) 2011 was notified on 5 December 2011.**

Assessment Criteria

Need for planning proposal :

A planning proposal is needed to achieve the subject amendments to the Rockdale LEP 2011. The amendments to the height of building and floor space ratio controls will facilitate the delivery of new residential development and housing choice in the area, which will allow households wanting to downsize to remain in the locality.

Consistency with strategic planning framework :

The planning proposal demonstrates consistency with the majority of relevant strategic frameworks including A Plan for Growing Sydney, the SEPP, Section 117 Directions and the local strategic plan.

The planning proposal is of low impact, and as the proposed changes are minor in nature, the planning proposal will not hinder the application of strategic plans relevant to the area.

The proposal is required to be revised to include a discussion on how it is consistent with the Draft Central District Plan.

The following strategic planning documents have been considered in respect of this planning proposal:

- A Plan for Growing Sydney;**
- Rockdale City Community Strategic Plan;**

A PLAN FOR GROWING SYDNEY

This planning proposal is of low impact and is considered consistent with A Plan for Growing Sydney.

In reviewing the Plan, the Department considers the proposal demonstrates consistency with the following directions:

• Direction 2.1 Accelerate housing supply across Sydney

The proposed development will contribute to an increase in housing supply, as it will consist of approximately 36 apartments.

• Direction 2.2 Accelerate urban renewal across Sydney – providing homes closer to jobs

The site of the proposed development is well suited for urban renewal, and is able to provide homes closer to jobs as it is highly accessible to the employment and retail centres of Hurstville, Rockdale and the Sydney CBD.

• Direction 2.3 Improve housing choice to suit different needs and lifestyles

The proposed development will provide housing choice through the provision of 1, 2 and 3 bedroom apartments suitable for those wishing to downsize, young families and first home buyers.

• Direction 3.1 Revitalise existing suburbs

The proposed development will revitalise buildings that have aged by improving the amenity and streetscape through provision of high quality built form. In turn, this will contribute to the revitalisation of Dolls Point.

• Direction 3.3 Create healthy built environments

The proposed development will provide opportunities for people to easily connect to the neighbouring Cook Park and Depena Reserve, where they are able to walk and be active, all of which promotes a healthy built environment.

ROCKDALE CITY COMMUNITY STRATEGIC PLAN

This planning proposal is of low impact and will not affect the implementation of the Rockdale City Community Strategic Plan.

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Environmental social
economic impacts :

ENVIRONMENTAL

The planning proposal will not affect any critical habitats, threatened species, populations or ecological communities. In order to confirm this, a number of assessments were undertaken.

A Geotechnical investigation resulted in a series of recommendations in regard to matters for consideration including groundwater, which will be implemented during the design phase of the development.

An Acid Sulfate Soil Assessment and Preliminary Waste Classification Assessment were also undertaken. Existing fill material, sandstone bedrock and natural sands after lime treatment were all deemed suitable for reuse or disposal.

An Arboriculture Impact Assessment was also undertaken. The Assessment concluded all trees to be removed had a low retention value, and also included a Tree Protection Plan ensuring trees being retained will not be significantly impacted by the proposed development.

FLOODING

Council confirmed the site is located within a flood planning area, and a minimum habitable floor level of 2.50m AHD is required with any new development. It is recommended the Office of Environment and Heritage is consulted in relation to this issue.

HERITAGE

The site is not a heritage item nor is it located in a heritage conservation area. It is however located adjacent to the Peter Depena Reserve which is considered an item of local significance. The proposed additional height of the development is consistent with the built form surrounding the park. Additionally, the increased setbacks from the park, greater activation, casual surveillance of lesser used parts of the park, and the proposed rehabilitation of the creek and riparian zone and land immediately adjacent to the park, will improve the site's relationship with the park. It is recommended the Office of Environment and Heritage is consulted in relation to this issue.

SOCIAL AND ECONOMIC

The proposal is posed to have positive effect on the local community and economy, through removal of flooding risk, increased housing choice, urban renewal, improved streetscape, improved public access, increased biodiversity, improved passive surveillance, minimising privacy constraints, increasing safety, and enabling built form consistency with surrounding developments.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
1. Councils Cover Letter.pdf	Proposal Covering Letter	Yes
2. Council Report.pdf	Determination Document	Yes
3. Planning Proposal.pdf	Proposal	Yes
Appendix 2 - Survey.pdf	Determination Document	Yes
Appendix 6 - Traffic and Parking Impact Assessment.pdf	Determination Document	Yes
Appendix 7 - Flood Advice Letter.pdf	Determination Document	Yes
Appendix 8 - Letter from Hydraulic Engineer.pdf	Determination Document	Yes
Map_Existing FSR_005.pdf	Map	Yes
Map_Existing FSR_006.pdf	Map	Yes
Map_Existing HOB_005.pdf	Map	Yes
Map_Existing HOB_006.pdf	Map	Yes
Map_Proposed FSR_005.pdf	Map	Yes
Map_Proposed FSR_006.pdf	Map	Yes
Map_Proposed HOB_005.pdf	Map	Yes
Map_Proposed HOB_006.pdf	Map	Yes
Appendix 1 - Urban Design Study_Part1.pdf	Study	Yes
Appendix 1 - Urban Design Study_Part2.pdf	Study	Yes
Appendix 1 - Urban Design Study_Part3.pdf	Study	Yes
Appendix 1 - Urban Design Study_Part4.pdf	Study	Yes
Appendix 3 - Aborist Report_Part1.pdf	Determination Document	Yes
Appendix 3 - Aborist Report_Part2.pdf	Determination Document	Yes
Appendix 3 - Aborist Report_Part3.pdf	Determination Document	Yes
Appendix 3 - Aborist Report_Part4.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part1.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part2.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part3.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part4.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part5.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part6.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part7.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part8.pdf	Determination Document	Yes
Appendix 4 - Geotechnical Report_Part9.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part1.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part2.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part3.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part4.pdf	Determination Document	Yes

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Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part5.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part6.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part7.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part8.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part9.pdf	Determination Document	Yes
Appendix 5 - Acid Sulfate Soil and Preliminary Waste Classification Assessment_Part10.pdf	Determination Document	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones**
 4.1 Acid Sulfate Soils
 4.3 Flood Prone Land
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal proceed, subject to the following conditions:**
 1. Prior to exhibition, the planning proposal is to be revised to demonstrate consistency with the Draft Central District Plan.
 2. The planning proposal is to be publicly exhibited for a period of not less than 28 days.
 3. The Office of Environment and Heritage is to be consulted in relation to flooding, acid sulfate soils and heritage issues.
 4. A public hearing is not required.
 5. The timeframe for completing the LEP is to be 9 months.

Supporting Reasons : **The proposal is supported as it will facilitate the delivery of new residential development and provide housing choice and a mix of dwelling types suitable for those who want to downsize, purchase their first home or purchase a home suitable for a young family. The proposal is considered to have positive and/or neutral environmental, social and economic impacts.**

Signature:



Printed Name:

MARTIN COOPER

Date:

24/01/2017