

Planning Proposal

Rockdale Local Environmental Plan 2011

177 Russell Avenue, Dolls Point

[November 2016]

Bayside Council

Serving Our Community

Contents

- Part 1 -** A statement of the Objectives or Intended Outcomes of the proposed LEP
- Part 2 -** An Explanation of the Provisions that are to be included in the proposed LEP
- Part 3 -** The Justification for those objectives, outcomes and provisions and the process for their implementation
- Part 4 -** Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- Part 5 -** Details of the Community Consultation that is to be undertaken on the planning proposal
- Part 6 -** Project Timeline

Table of revisions

[05/07/2016]	Draft
[19/08/2016]	Final
[16/11/2016]	Final for Gateway Determination

Introduction

This Planning Proposal explains the intended effect of, and justification, for the proposed amendment to *Rockdale Local Environmental Plan (LEP) 2011*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning and Environment guides, including 'A Guide to Preparing Local Environment Plans' and 'A Guide to Preparing Planning Proposals'.

This Planning Proposal relates to land located at 177 Russell Avenue, Dolls Point which is legally described as Lot 80 DP 2237, Lot 81 DP 2237, Lot 82 DP 2237 and Lot 83 DP 2237.

The site, as outlined in the figure below, is located in a unique and high amenity location, as it shares a common boundary with the Peter Depena Reserve to the south and Waradiel Creek to the east. The predominant built form surrounding the site, specifically to the west, are older style high density residential flat buildings and Russell Avenue to the north.



Figure 1: Aerial of the site, subject site highlighted in blue

The subject Planning Proposal proposes the following amendments to the Rockdale Local Environmental Plan (RLEP) 2011:

- **Height of Building:** amendment of the maximum building height from 14.5 metres to 17.75 metres; and
- **Floor Space Ratio:** amendment of the floor space ratio from 1:1 to 1.65:1

These controls will allow for a development on the site of up to 5 storeys (including sufficient height to accommodate the lift overrun) with approximately 36 dwellings.

The proposed controls will achieve the following outcomes:

- **Improved Amenity:** The Planning Proposal is able to improve the amenity and presentation of the streetscape. The indicative concept which accompanies this proposal, includes increased setbacks, a visually interesting built form, and provides articulation. The built form has been orientated to overcome existing privacy constraints on any neighbouring dwellings and activates Russell Avenue and Peter Depena Reserve. Subject to discussions with Council, the development also has the potential to improve the quality of neighbouring public spaces such as the adjacent riparian corridor and the Peter Depena Reserve. This could

include undertaking revegetation works in accordance with the specifications of Council (and other relevant agencies);

- **Improved Safety:** The redevelopment will improve safety by separating vehicular and pedestrian access. The built form will also be orientated to provide passive surveillance to the adjacent park and creek;
- **Address Flood Liability:** The redevelopment will allow for the existing flood liable built form to be redeveloped in accordance with the latest flooding guidelines;
- **Improved Biodiversity:** Subject to further discussions with Council and other State agencies, there is an opportunity for any redevelopment to include the revegetation of the riparian zone of Waradiel Creek and the area of the park directly adjacent to the site. This could include, where appropriate, improved public, pedestrian and cycle access along the creek to the park via an easement across the site;
- **Consistency with surrounding development:** many of the neighbouring buildings were constructed prior to the gazettal of the RLEP, when no FSR was applicable. As a result, many of the buildings exceed Council's current FSR control. This is specifically the case for more recent and nearby residential flat buildings of 174 Russell Avenue and 27 Malua Street, which have FSRs of 1.77:1 and 1.23:1 respectively. This Planning Proposal, therefore allows development which is consistent with the established pattern of development surrounding the site;
- **Economic redevelopment:** as a result of the flood level and ground conditions including a relatively shallow ground water table, redevelopment costs are higher than usual. The Planning Proposal balances yield with development costs to make redevelopment economically feasible while maintaining a built form that is appropriate in its context;
- **Increase housing choice:** the proposal will enable the provision of well-designed high quality apartments, well suited to households wanting to downsize, while remaining in the locality; and
- **Not-for-profit Organisation:** The War Widows' Guild of Australia NSW Ltd (the Guild) owns the subject site. The proposal will ensure the site can be redeveloped in an economically feasible manner to the benefit of the Guild, thereby increasing their ability to provide essential support services for the changing needs of its ageing member base.

This Planning Proposal is accompanied by reports and concept plans prepared by specialist consultants. These studies have confirmed the capability and appropriateness of the proposal and have not identified any constraints which will result in any detrimental amenity impacts to the surrounding community.

Part 1 - Objectives or Intended Outcomes

The objective of the Planning Proposal is to amend *Rockdale LEP 2011* to:

- Encourage and facilitate efficient and logical urban renewal development in a high amenity location;
- Allow for the economic use of land as a development site which is not feasible under the current controls;
- Facilitate redevelopment of a site in a highly contextual manner with negligible external environmental or amenity impacts;
- Replace older poorly designed housing with well-designed housing enjoying high levels of amenity;
- Provide a mix and design of apartments not presently available in the market in this locality. This will provide an opportunity for local residents to downsize from their family homes enabling people to age in place in their new apartment home. Providing opportunities for people to move from their homes will ultimately increase the housing supply for younger families to enter into the housing market and continue residing within the LGA;
- Benefit a not-for-profit organisation to enhance the provision of support services to an ageing member base with increasing needs;
- Facilitate the economic redevelopment of an existing flood liable built form;
- Provide additional public benefits including the rehabilitation of the adjacent riparian corridor, other initiatives to improve water quality and improved public access to the adjacent park; and
- Protect and enhance the existing surrounding environment by proposing an appropriate building height, density and envelope that will result in minimal to no adverse impacts to neighbouring buildings or the surrounding natural environment.

Part 2 - Explanation of Provisions

A Map

The *Rockdale LEP 2011* Maps are proposed to be amended as per Table 1 below.

Table 1 – Proposed Map Amendments

Map Tile No.	Amendment	Explanation
Floor Space Ratio Map – Sheet FSR 005 and 006	• Change FSR standard from 1:1 metres to 1.65:1 metres.	The proposed amendments encourage the redevelopment of older housing stock for a 5 storey residential flat building in a suitable location, in proximity to existing infrastructure and amenity.
Height of Buildings Map – Sheet HOB 005 and 006	• Change the maximum building height from 14.5 metres to 17.75 metres.	

Part 3 - Justification

A Need for the planning proposal

A1 Is the planning proposal a result of any strategic study or report?

This Planning Proposal directly supports and implements the priorities of 'A Plan for Growing Sydney' (APfGS) by encouraging the redevelopment of older housing stock in a strategic location.

Under APfGS, the Rockdale LGA is located within the South District. The district plans are scheduled to be released in November 2016 and are expected to comprise of revised housing and job targets, to reflect the growing population of Sydney.

It is not known specifically what these new targets will be, however it is our understanding that they will increase substantially in order to accommodate the expected population projections forecast for this LGA and district.

A summary of the Department of Planning and Environment's population projections for the Rockdale LGA are summarised in the table below.

This table indicates that the Rockdale LGA, in 2011, had a population of approximately 103,500 people. This is expected to increase to a total of 134,350 people by 2031, an increase of 30,850 additional people.

Table 2: Population Projections

	2011	2016	2021	2026	2031	Increase (2011 to 2031)
Rockdale	103,500	113,400	120,900	127,550	134,350	30,850

Source: Department of Planning and Environment

As outlined in the table below, in order to accommodate DP&E's population projections, an average of 13,500 dwellings would be required to be constructed over a 20-year period (or 675 per year).

Table 3: Dwelling Projections

	2011	2016	2021	2026	2031	Increase (2011 to 2031)
Rockdale	41,550	45,800	49,000	51,900	55,050	13,500

Source: Department of Planning and Environment

The table below summarises the dwelling approvals for the Rockdale LGA. There has been a significant increase in the number of dwellings being approved within the LGA, especially over the last three-year period. On average 748 dwellings were approved, per year, over the 6-year period.

Table 4: Dwelling Approvals

	09-10	10-11	11-12	12-13	14-15	15-16	Average
Rockdale	612	579	403	867	1,655	374*	748

*Up until December 2015

Source: Department of Planning and Environment

DPE's Metropolitan Development Program monitors development completions for all LGAs with the Sydney Metropolitan Area. The table below summaries the dwelling completions for the Rockdale LGA. From this table, the average number of dwellings constructed per year, between 2009/10 and 2015/16, is 365 dwellings.

Table 5: Dwelling Completions

	09-10	10-11	11-12	12-13	14-15	15-16	Average
Rockdale	135	55	519	500	370	610*	365

*Up until December 2015

Source: Department of Planning and Environment

Assuming these trends continue, notwithstanding approvals, the reduced completion levels suggest that the Rockdale LGA will not be able to accommodate the demand for dwellings generated by the population growth. In order for the LGA to meet population growth, it will require an increase in dwelling completions. Specifically, this includes an additional 310 dwelling completions per year.

It is evident there is no direct correlation between development approvals and dwelling completions. The construction of dwellings is highly reliant on market conditions. With the current economic climate slowing down and potentially declining, there will be an increase in cases where development approvals will not result in completion.

This Planning Proposal is capable of assisting the LGA in accommodating additional dwellings by providing approximately 36 apartments.

A2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is the most transparent means of achieving the desired outcomes to facilitate the economic redevelopment of the land with a well-designed residential flat building that responds to its immediate and surrounding context and provides an improved planning outcome.

Although the proposal could be considered by way of a clause 4.6 (Exceptions to development standards) request, this means is not preferred by Council.

B Relationship to strategic planning framework

B1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

‘A Plan for Growing Sydney’ (the Sydney metropolitan strategy) was released in December 2014 and is the NSW Government’s 20-year plan for the Sydney Metropolitan Area. It provides direction for Sydney’s productivity, environmental management, and livability; and for the location of housing, employment, infrastructure and open space.

Consistency with ‘A Plan for Growing Sydney’ is outlined in the below table.

Table 6 – Consistency with ‘A Plan for Growing Sydney’

Direction	Response
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles	
Direction 2.1: Accelerate housing supply across Sydney	The proposed development is capable of immediately providing an increase in the supply and housing choice in a high amenity location. A total of approximately 36 apartments can be provided from this redevelopment.
Direction 2.2: Accelerate urban renewal across Sydney - providing homes closer to jobs	The site is well positioned to accommodate urban renewal development. The location is highly accessible to existing bus infrastructure, providing services to employment and retail centres such as Hurstville, Rockdale and the Sydney CBD.
Direction 2.3: Improve housing choice to suit different needs and lifestyles	The proposed development is capable of providing housing choice which will respond to the needs of the local community, and provide a mix of dwelling types to provide ageing in place. It will also consist of adaptable and accessible housing as well as housing for first home buyers, young families and the downsizing elderly.
Goal 3: A great place to live with communities that are strong, healthy and well connected	
Direction 3.1: Revitalise existing suburbs	The existing buildings on the subject site presently consist of ageing residential buildings, which do not present an efficient built form outcome for the site. This Planning Proposal will improve the amenity and presentation of the streetscape by providing a high quality built form. The redevelopment is capable of appropriately responding to its surrounding context by providing adequate setbacks from environmentally sensitive areas such as the neighbouring creek and park, and importantly significantly improving the setbacks that currently exist.

Direction 3.3: Create healthy built environments	The site is highly accessible to existing infrastructure and open space facilities. The Planning Proposal will improve the overall amenity of the area and will provide opportunities for people to walk and cycle which promotes social cohesion and community connectivity. Overall the proposal supports strong, healthy and well connected communities.
South Subregion	
Accelerate housing supply, choice and affordability and build great places to live	The proposed development is capable of immediately providing an increase in the supply and housing choice in a high amenity location, which will provide opportunities for local residents to remain within their community. It will provide an improved built form outcome for the site, whilst improving the presentation of the surrounding streetscape, which will provide opportunities for local residents to remain within their community.

B2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Rockdale City Community Strategic Plan

Council's Vision is: One Community, Many Cultures, Endless Opportunity. The blueprint for the Rockdale community for 2025 is to be achieved through strategic community outcomes:

- **Outcome 1** – Rockdale is a welcoming and creative City with active, healthy and safe communities.
- **Outcome 2** – Rockdale is a City with a high quality natural and built environment and valued heritage in liveable neighbourhoods. A City that is easy to get around and has good links and connections to other parts of Sydney and beyond.
- **Outcome 3** – Rockdale is a City with a thriving economy that provides jobs for local people and opportunities for lifelong learning.
- **Outcome 4** – Rockdale is a City with engaged communities, effective leadership and access to decision making.

Table 7 below identifies how the Planning Proposal is consistent with the community outcomes:

Table 7 – Consistency with Rockdale City Community Strategic Plan

Outcome	Objective	Strategy	Consistency
1	1.1 Our community's health and wellbeing will increase	1.1.3 Build a healthy community with people of all ages and abilities	The site is within walking distance of bus services and leisure facilities. The redevelopment will provide opportunities for people to walk and cycle which promotes social cohesion and community connectivity. Overall the proposal supports strong, healthy and well connected communities.
2	2.1 Our City protects and enhances our natural environment including our beaches, waterways, bushland and foreshore areas	2.1.1 Protect, preserve and promote the City's natural resources	The redevelopment is capable of responding to the site's surrounding context, in particular the adjacent park and creek. Any redevelopment could include suitable setbacks and revegetation opportunities, which could improve the quality of the surrounding environment.
2	2.2 Our City has a well managed and sustainable built environment, quality and diverse development with effective housing choice in liveable neighbourhoods	2.2.1 Ensure planning enables the provision of quality affordable housing	The redevelopment is capable of providing additional housing which will assist the LGA in satisfying the demand for additional dwellings.
2		2.2.2 Promote high quality, well designed and sustainable development and places that enhances the City	The Planning Proposal is capable of facilitating an urban renewal development improving the presentation of the streetscape, replacing ageing and poorly designed housing stock with a high quality residential development.

B3 Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Consistency with the State Environmental Planning Policies is provided in Table 8, below.

Table 8 - Consistency with State Environmental Planning Policies

No.	Title	Consistency with Planning Proposal
1	Development Standards	(Repealed by <i>RLEP 2011</i>)
14	Coastal Wetlands	Not Applicable
15	Rural Landsharing Communities	Repealed
19	Bushland in Urban Areas	Not Applicable
21	Caravan Parks	Not Applicable
22	Shops and Commercial Premises	Not Applicable
26	Littoral Rainforests	Not Applicable
29	Western Sydney Recreation Area	Repealed

30	Intensive Aquaculture	Not Applicable
32	Urban Consolidation (Redevelopment of Urban Land)	Repealed
33	Hazardous and Offensive Development	Not Applicable
36	Manufactured Home Estates	Not Applicable
39	Spit Island Bird Habitat	Repealed
44	Koala Habitat Protection	Not Applicable
47	Moore Park Showground	Not Applicable
50	Canal Estate Development	Not Applicable
52	Farm Dams and Other Works in Land and Water Management Plan Areas	Not Applicable
55	Remediation of Land	Consistent – refer to Section C2.
59	Central Western Sydney Regional Open Space and Residential	Repealed
60	Exempt and Complying Development	(Repealed by <i>RLEP 2011</i>)
62	Sustainable Aquaculture	Not Applicable
64	Advertising and Signage	Not Applicable
65	Design Quality of Residential Flat Development	The Planning Proposal will create the development control framework within which future development can achieve consistency with the SEPP. The indicative concept plans which accompany this proposal demonstrates an appropriate concept built form on the site. Any future DA to be submitted to Council for this site will demonstrate detailed compliance with the requirements of this SEPP.
70	Affordable Housing (Revised Schemes)	Not Applicable
71	Coastal Protection	Not Applicable
	(Affordable Rental Housing) 2009	Not Applicable
	(Building Sustainability Index: BASIX) 2004	The PP will not contain provisions that will contradict or would hinder application of this SEPP. Compliance would be demonstrated under any subsequent application.
	(Exempt and Complying Development Codes) 2008	Not Applicable
	(Housing for Seniors or People with a Disability) 2004	Not Applicable
	(Infrastructure) 2007	Not Applicable
	(Kosciuszko National park Alpine Resorts) 2007	Not Applicable
	(Kurnell Peninsula) 1989	Not Applicable
	(Major Development) 2005	Not Applicable
	(Mining, Petroleum Production and Extractive Industries) 2007	Not Applicable
	(Miscellaneous Consent Provisions) 2007	Not Applicable
	(Penrith Lakes Scheme) 1989	Not Applicable
	(Rural Lands) 2008	Not Applicable
	(SEPP 53 Transitional Provisions) 2011	Not Applicable
	(State and Regional Development) 2011	Not Applicable
	(Sydney Drinking Water Catchment) 2011	Not Applicable
	(Sydney Region Growth Centres) 2006	Not Applicable
	(Three Ports) 2013	Not Applicable
	(Urban Renewal) 2010	Not Applicable
	(Western Sydney Employment Area) 2009	Not Applicable
	(Western Sydney Parklands) 2009	Not Applicable

See Table 9 below which reviews the consistency with the formerly named State Regional Environmental Plans, now identified as deemed SEPPs.

Table 9 - Consistency with deemed State Environmental Planning Policies

No.	Title	Consistency with Planning Proposal
8	(Central Coast Plateau Areas)	Not Applicable
9	Extractive Industry (No.2 – 1995)	Not Applicable
16	Walsh Bay	Not Applicable
18	Public Transport Corridors	Repealed
19	Rouse Hill Development Area	Repealed
20	Hawkesbury-Nepean River (No.2 – 1997)	Not Applicable
24	Homebush Bay Area	Not Applicable
26	City West	Not Applicable
30	St Marys	Not Applicable
33	Cooks Cove	Not Applicable
	(Sydney Harbour Catchment) 2005	Not Applicable

B4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

See Table 10 below which reviews the consistency with the Ministerial Directions for LEPs under section 117 of the *Environmental Planning and Assessment Act 1979*.

Table 10 - Consistency with applicable Ministerial Directions

1. Employment and Resources

No.	Title	Consistency with Planning Proposal
1.1	Business and Industrial Zones	Not Applicable
1.2	Rural Zones	Not Applicable
1.3	Mining, Petroleum Production & Extractive Industries	Not Applicable
1.4	Oyster Aquaculture	Not Applicable
1.5	Rural Lands	Not Applicable

2. Environment and Heritage

No.	Title	Consistency with Planning Proposal
2.1	Environmental Protection Zones	Not Applicable
2.2	Coastal Protection	Not Applicable
2.3	Heritage Conservation	No heritage items are located on the site. A heritage item is however located adjacent to the site. Refer to Section C2.
2.4	Recreation Vehicle Areas	Not Applicable

3. Housing, Infrastructure and Urban Development

No.	Title	Consistency with Planning Proposal
3.1	Residential Zones	The proposal encourages a variety and choice of housing types, not currently available in the locality, which will provide for existing and future housing needs, whilst making efficient use of existing infrastructure and facilities. The proposal demonstrates appropriate built form whilst minimising the impact on the environment.
3.2	Caravan Parks and Manufactured Home Estates	Not Applicable
3.3	Home Occupations	Not Applicable
3.4	Integrating land use and Transport	Not Applicable
3.5	Development near Licensed Aerodromes	Not Applicable
3.6	Shooting ranges	Not Applicable

4. Hazard and Risk

No.	Title	Consistency with Planning Proposal
4.1	Acid Sulfate Soils	Consistent – refer to Section C2.
4.2	Mine Subsidence and Unstable Land	Not Applicable
4.3	Flood Prone Land	Existing residential development is currently located on the site. It is our understanding that this development does not comply with the latest flooding guidelines and policies. Any redevelopment is therefore capable of providing a complying built form, ensuring the safety of the site's occupants.
4.4	Planning for Bushfire Protection	Not Applicable

5. Regional Planning

No.	Title	Consistency with Planning Proposal
5.1	Implementation of Regional Strategies	Not Applicable
5.2	Sydney Drinking Water Catchments	Not Applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.5	Development on the vicinity of Ellalong...	Not Applicable
5.6	Sydney to Canberra Corridor	Not Applicable
5.7	Central Coast	Not Applicable
5.8	Second Sydney Airport: Badgerys Creek	Not Applicable

6. Local Plan Making

No.	Title	Consistency with Planning Proposal
6.1	Approval and Referral Requirements	Not Applicable
6.2	Reserving land for Public Purposes	Not Applicable
6.3	Site Specific Provisions	This Planning Proposal does not propose any site specific development controls.

7. Metropolitan Planning

No.	Title	Consistency with Planning Proposal
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Yes. The Planning Proposal is consistent with the new Metropolitan Plan for Sydney, as detailed in Part B1.

C Environmental, social and economic impact

C1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is located within an existing urban environment and does not apply to land that has been identified as containing critical habitat or threatened species, population or ecological communities, or their habitats.

C2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

In order to determine the suitability of the site for the subject development, the Planning Proposal is supported by the following studies and assessments:

Geotechnical

A Geotechnical Investigation has been prepared by JK Geotechnics and provided at Appendix 4.

The report outlines a series of recommendations in regards to several matters for consideration including groundwater, which will be implemented during the detailed design phase of the development.

It should be noted, however, that consultation with the NSW Office of Water has already commenced and details regarding groundwater management will be included with the development application.

Flooding

As indicated in the RLEP, the site is located within a 'flood planning area'. This is confirmed in the Flood Advice Letter from Rockdale City Council at Appendix 7, which indicates that the site is affected by the 1% Annual Exceedance Probability Flood and that a Minimum Habitable Floor Level of 2.50m AHD is required with any new development.

Existing residential development is currently located on the site. It is our understanding that the existing development does not comply with the latest flooding guidelines and policies.

The indicative development scheme has been designed to the flood planning level provided by Rockdale City Council and demonstrates that a well-designed building can be accommodated on the land free of flood risk.

This is confirmed in the Letter prepared by hydraulic engineers Green Arrow, provided at Appendix 8.

Detailed compliance will be demonstrated at development application stage.

Contamination

An Acid Sulfate Soil Assessment and Preliminary Waste Classification Assessment has been prepared by Environmental Investigation Service and provided at Appendix 5.

The assessment outlines the following materials were found on site:

- Fill material over the majority of the site has been classified as "general solid waste" and could be transported to landfill or reused on the site for geotechnical and earthwork requirements;
- Sandstone bedrock has been classified as "virgin excavated natural material" and is considered suitable for reuse on the site or any other site. Alternatively, the material can be disposed; and
- Natural sands after lime treatment has been classified as "general solid waste containing treated acid sulfate soils and can either be reused on the site or disposed.

A review of the RLEP indicates that the site is classified as Acid Sulfate Soils category 'Class 3'.

As outlined in the Assessment, an acid sulfate soil management plan is required. A site specific management plan has been provided at Appendix 5.

Shadowing

As this Planning Proposal proposes to increase the permissible building height from 14.5 metres to a maximum of 17.75 metres, a shadow analysis has been prepared and provided at Appendix 1.

The figure below outlines that the site's existing buildings generate shadowing to the neighbouring park and creek.

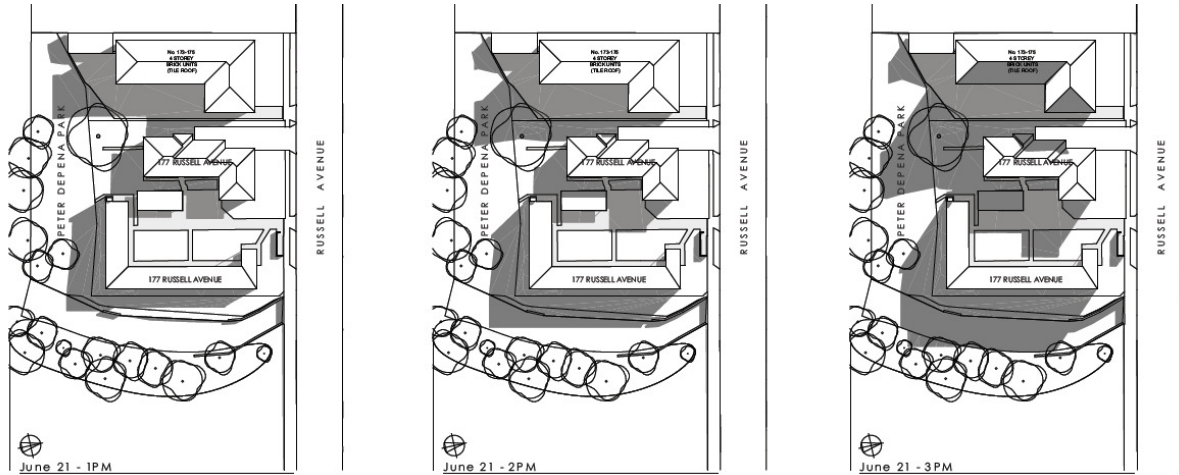


Figure 2: Potential shadowing – existing buildings (Winter)

As outlined in the figure below, this is similarly the case for the proposed development, with minimal shadowing generated along the site's park and creek frontage:

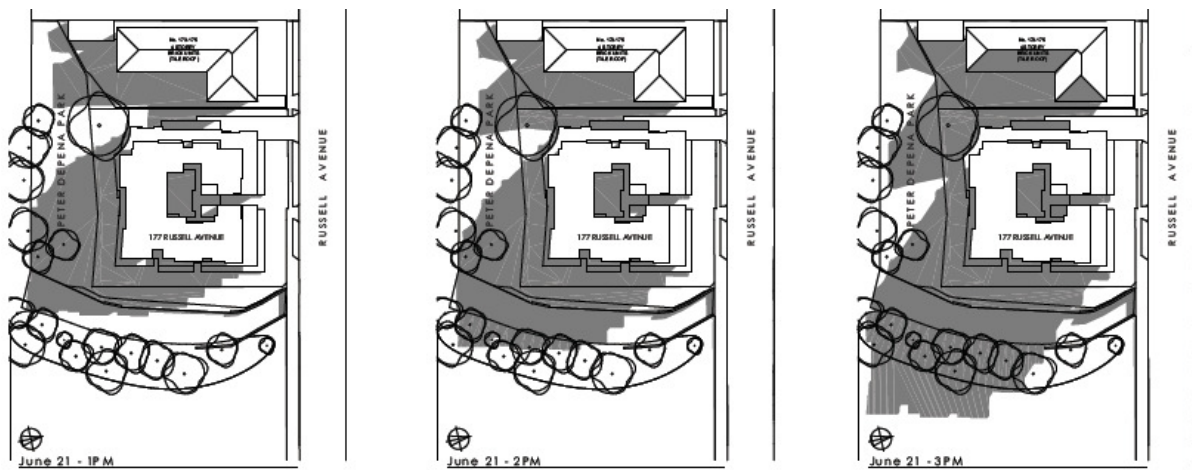


Figure 3: Potential shadowing - proposed height limit (Winter) – shadow cast by existing trees not shown

The elevational shadow diagram (below) shows that with the exception of a garage door at 9am, the proposed development does not over shadow the neighbouring property to the west between 9am-3pm on the winter solstice:

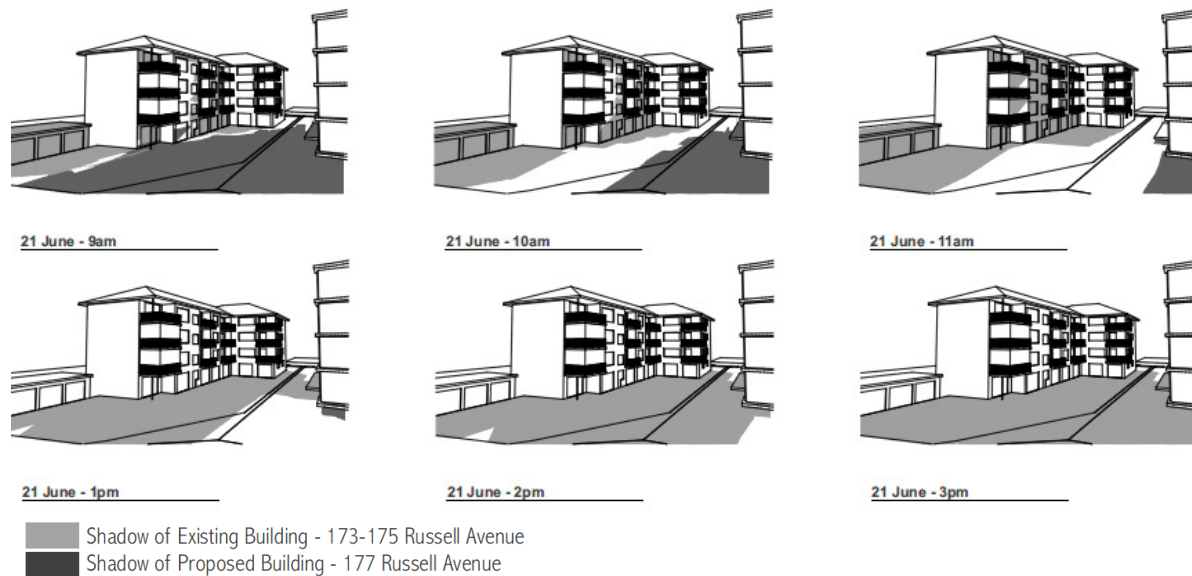


Figure 4: Potential shadowing – existing buildings vs proposed height (Winter) – shadow cast by existing trees not shown

Due to an increase in side and rear setbacks and the beneficial location and orientation of the site, as illustrated in the above figures, the proposal creates no overshadowing of any habitable space in the adjacent dwellings and generates only minimal additional shadowing on the surrounding environment.

Arborist

An Arboricultural Impact Assessment Report has been prepared by The Arborist Network and provided at Appendix 3.

In order to accommodate the indicative concept plan, 7 trees will require removal, including two *Magnolia grandifloras*. The *Magnolia grandifloras* will be propagated, with the propagated trees being incorporated into the overall landscape design for the property.

As outlined in the assessment report, all of the trees requiring removal have a low retention value.

The assessment also incorporates a Tree Protection Plan with recommendations for the development. These recommendations will be implemented at construction stage to ensure that the trees that are being retained will not be significantly impacted by the proposed works.

The removal of the trees will be more than offset by the landscaping, riparian rehabilitation and improvements to the Peter Depena Reserve.

Traffic and Parking

A Traffic and Parking Impact Assessment has been prepared by McLaren Traffic Engineering and Road Safety Consultants and provided at Appendix 6.

The net traffic generation from the proposed development equates to one additional vehicle every 7 to 8 minutes, during both am and pm peak periods, when compared to the site's existing development. This increase is considered minor and represents no significant impact in terms of flow efficiency and residential amenity.

The indicative concept plan has taken into consideration Council's traffic and parking DCP requirements. It specifically includes the following:

- 62 car parking spaces over 2 basement levels;
- The provision of 4 disabled residential garages and 1 disabled visitor space;
- 4 bicycle spaces and 3 motorcycle spaces;
- Waste will be collected along the site's kerbside; and
- The internal circulation is satisfactory.

Future development is therefore capable of achieving compliance with Council's DCP and will have no adverse traffic or parking impact on the surrounding road network.

Heritage

The site is not a heritage item nor is it located in a heritage conservation area.

The site is however located adjacent to the Peter Depena Reserve. Under the RLEP this Reserve is part of the larger 'Cook Park' that extends along the 8.5km length of the Botany Bay foreshore. Cook Park is an item of local significance.

The following assessment of significance of Cook Park has been extracted from the Office of Environment and Heritage's heritage register:

"Cook Park provides evidence of the late 19th century development of peninsula as the creation of the park was in direct response to the urbanisation of the area.

The park is historically significant as being associated with early land developers Saywell and Samuel Cook. Samuel Cook was a very early advocate for public parks.

The park is aesthetically significant as part of the open space system forming the edge of Sandringham Bay. It contributes to the amenity and character of the area.

The park most likely has significance for the many individuals and groups who regularly use the park for events, celebrations and day to day recreation.

The Norfolk Island Pine Trees in Cook Park are representative of late 19th century and early twentieth century seaside plantings."

As outlined in the figures below, the Park is bordered and adjacent to a mix of built form typologies including 4 storey and partial above ground basement Residential Flat Buildings (RFB) to the Park's south and 8 storey RFBs to the Park's north.



Figure 5: Built Form Typologies neighbouring the Park

The proposed additional height of 3.25 metres (or 1 storey) is consistent with the built form surrounding the Park. Moreover, it will remain below the level of the existing mature trees on the opposite side of Waradiel Creek and screened from the view of park users.

The proposal will additionally improve the site's relationship with the Park. As outlined in the indicative concept plan at Appendix 1, this would be achieved by increased setbacks from the park, greater activation and casual surveillance of lesser used parts of the park, the use of high quality materials and the proposed rehabilitation of the creek and riparian zone and land immediately adjacent to the park (in conjunction with Council and other relevant agencies).

As already mentioned, the recommended height limit has been determined having regard to the height of the Park's existing mature trees and the casuarina trees on the eastern side of Waradiel Creek to ensure that the future development does not visually intrude on the key public areas of Peter Depena Reserve while the proposal will enhance casual surveillance of the lesser used parts of the south western corner reserve.

We therefore consider the proposed development to be a positive contribution to the park and the effect on the historical significance of the Cook Park to be neutral if not positive.

C3 How has the planning proposal adequately addressed any social and economic effects?

This Planning Proposal comprises several public benefits to the local community. These are briefly outlined below:

- **Remove flood risk:** the existing ground floor residential apartments do not comply with current flooding policies and guidelines. This development will allow for the existing non-conforming built form to be redeveloped in accordance with the latest flooding guidelines and policies, improving the safety of the building's occupants.
- **Housing:** the proposed development contributes to the continued social growth of the area by encouraging a pattern of development which will help to diversify and increase housing choice. The redevelopment is capable of providing approximately 36 apartments.
- **Urban Renewal:** the Planning Proposal will encourage urban renewal within this established suburb by replacing older housing stock with a contemporary built form, whilst minimising the impact of the development on the environment.
- **Improved Streetscape:** this Planning Proposal benefits the broader locality by enhancing and improving the presentation of the streetscape both within and around the site. The site currently comprises of ageing housing stock. The Planning Proposal will facilitate the redevelopment of the site's existing buildings for a contemporary and attractive built form which appropriately responds to its surrounding context. The concept plan provides separation and articulation in the built form which provides a visually interesting development.
- **Improved Public Access:** there is an opportunity to increase the side setback from the creek and the rear setback from the park. This will allow for an opportunity to improve public access along the creek.
- **Biodiversity:** there is an opportunity to improve the functionality and appearance of the neighbouring park and creek and riparian zone. Subject to further discussions with Council this could include the revegetation of these areas, in accordance with the specifications of Council (and other relevant agencies).

- **Passive Surveillance:** there is an opportunity to orientate the built form and proposed apartments to improve passive surveillance and security of the neighbouring park and creek, and activation of these areas including Russell Avenue.
- **Privacy:** the orientation of the existing built form presents a privacy constraint to the neighbouring dwellings to the north. There is an opportunity to orientate the built form to ensure any privacy constraints are minimised.
- **Safety:** the existing development's pedestrian and vehicular entry/exit is combined in the one location which presents a safety concern. Any redevelopment could overcome this concern by separating access to different locations of the development.
- **Consistency with surrounding development:** many of the neighbouring buildings were constructed prior to the gazettal of the RLEP, when no FSR was applicable. As a result, many of the buildings exceed Council's current FSR control. This is specifically the case for more recent and nearby residential flat buildings at 174 Russell Avenue and 27 Malua Street, which have FSRs of 1.77:1 and 1.23:1 respectively. This Planning Proposal, therefore allows development which is consistent with the established pattern of development surrounding the site.
- **Not-for-profit Organisation:** The War Widows' Guild of Australia NSW Ltd (the Guild) owns the subject site. The Guild is a not-for-profit charitable organisation formed in 1946, with the purpose of promoting and protecting the interests of war widows. The Guild today has around 5,600 members, the vast majority of whom are World War II widows, with an average age of 87 years. The outcome of the proposal will improve the ability of the Guild to provide essential support services for the changing needs of its ageing member base.

Accordingly, it is considered that the Planning Proposal will have a positive effect on the local economy and community.

D State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

As described below, the existing public infrastructure available surrounding the site is more than capable of accommodating the demand generated by this Planning Proposal.

Road and Bus Network

As indicated in the Figure below, the site is accessible by the existing road network, with the Grand Parade located approximately 500 metres to the north. Several bus stops are located in the vicinity of the subject site, including a bus stop located directly along the site's Russell Avenue frontage.



Figure 5: Surrounding transport infrastructure

These bus stops provide services to the surrounding commercial and retail centres of Miranda, Hurstville, Rockdale and the Sydney CBD.

Other Infrastructure

As outlined below, there are a number of schools within close proximity, within suburbs such as Sans Souci, Blakehurst, Ramsgate and Sylvania.

Existing utility services will adequately service any future development proposal as a result of this Planning Proposal, and will be upgraded or augmented where required.

Waste management and recycling services are available through Rockdale City Council.

The area is generally well-serviced with Police, Ambulance, Fire and other emergency services.

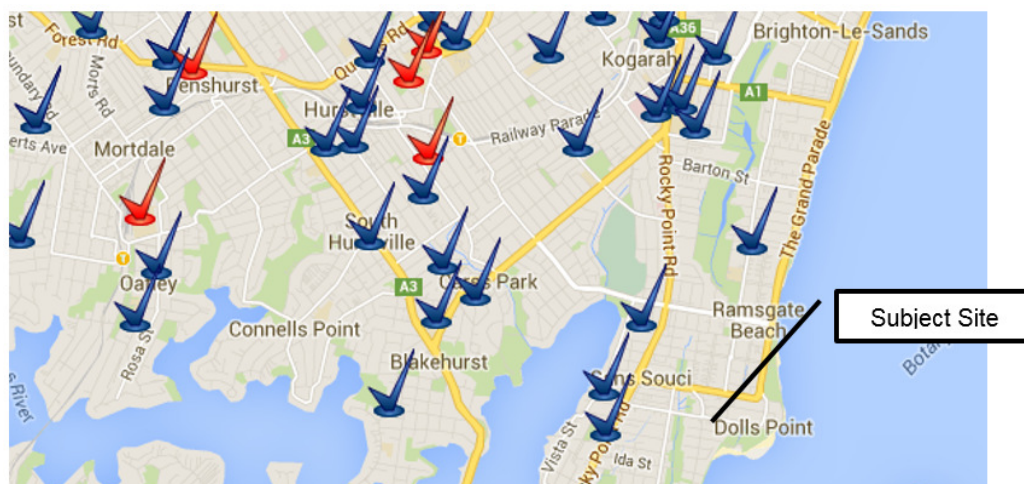


Figure 6: Surrounding educational establishments – identified with blue and red markers
(Source: Australian Schools Directory)

D2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth public authorities have not yet been contacted at this early stage in the planning proposal process. The Gateway Determination has yet to be issued by the Minister for Planning and Environment. This will identify the necessary consultation to be undertaken.

Part 4 – Mapping

As illustrated in the Figure below, this Planning Proposal relates to land located at 177 Russell Avenue, Dolls Point, legally described as Lot 80 DP 2237, Lot 81 DP 2237, Lot 82 DP 2237 and Lot 83 DP 2237. The site consists of four allotments, with a total site area of approximately 2,575 sqm.



Figure 7: Aerial image of the subject site (Source: Six Viewer)

Figures 8 to 15 below illustrate the current controls and the proposed controls.

Please note that the subject site falls over two mapping sheets, namely map 005 and 006. Therefore, two mapping amendments are required per proposed zoning change.

Existing Floor Space Ratio (Map Sheet FSR_005) - 1:1

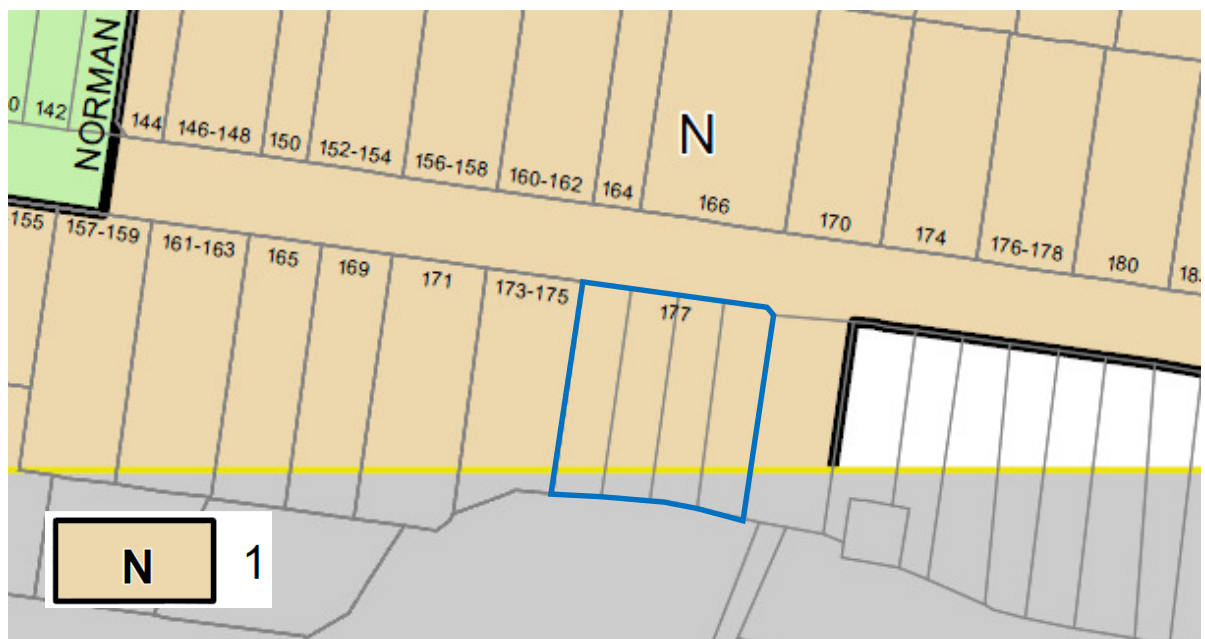


Figure 8: Current floor space ratio – Map Sheet FSR_005 (Source: NSW Legislation)

Existing Floor Space Ratio (Map Sheet FSR_006) - 1:1



Figure 9: Current floor space ratio – Map Sheet FSR_006 (Source: NSW Legislation)

Existing Height of Building (Map Sheet HOB_005) - 14.5 metres

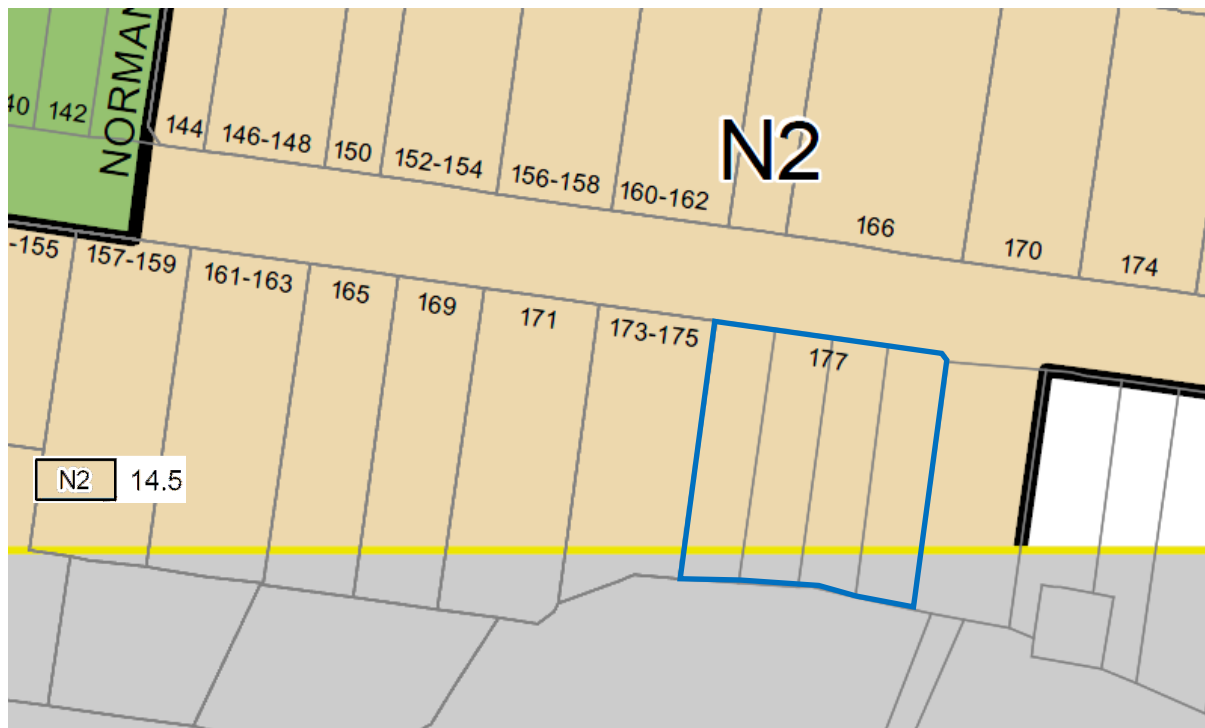


Figure 10: Current height of building – Map Sheet HOB_005 (Source: NSW Legislation)

Existing Height of Building (Map Sheet HOB_006) - 14.5 metres



Figure 11: Current height of building – Map Sheet HOB_006) (Source: NSW Legislation)

Proposed Floor Space Ratio (Map Sheet FSR_005) – 1.65:1

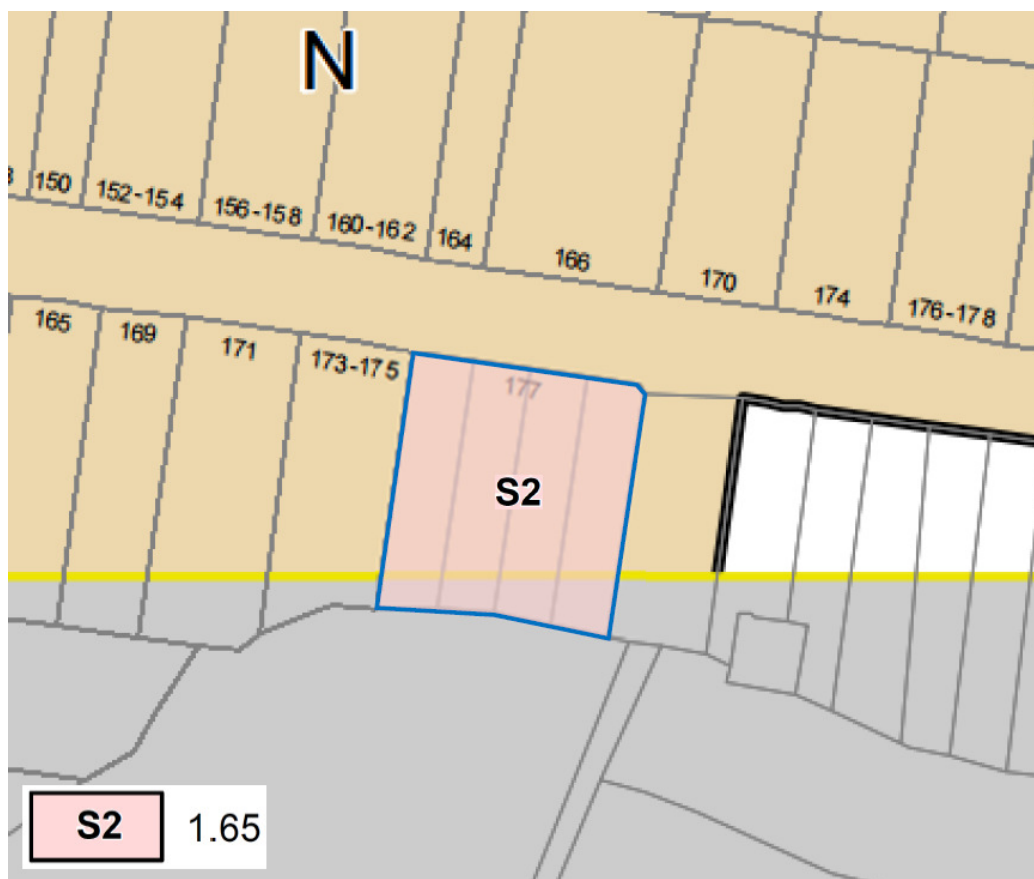


Figure 12: Proposed floor space ratio – Map Sheet FSR_005 (Source: NSW Legislation)

Proposed Floor Space Ratio (Map Sheet FSR_006) – 1.65:1

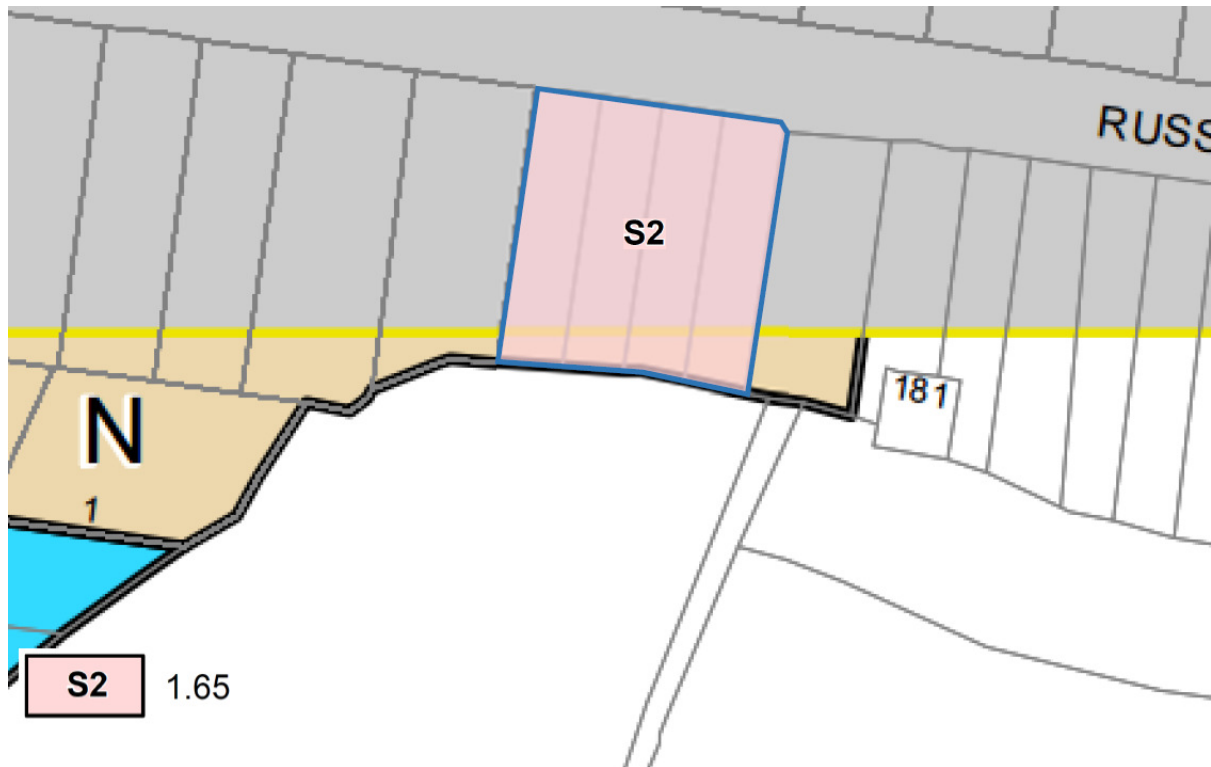


Figure 13: Proposed floor space ratio – Map Sheet FSR_006 (Source: NSW Legislation)

Proposed Height of Building (Map Sheet HOB_005) – 17.75 m

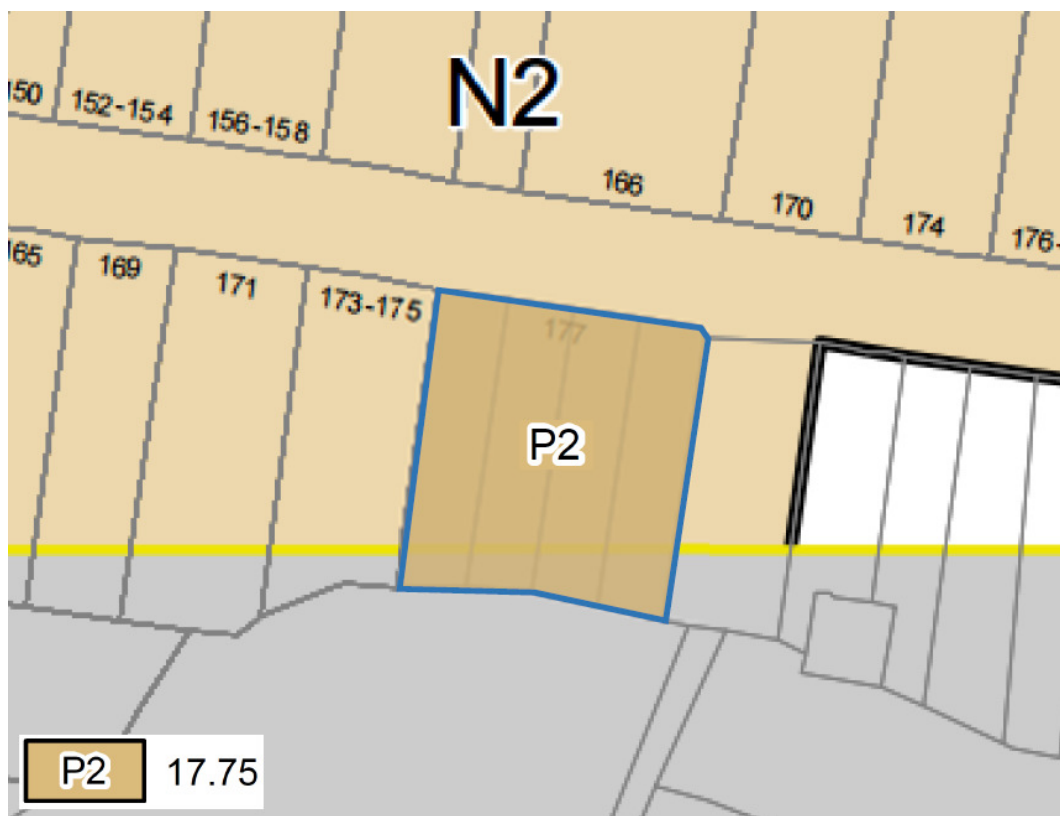


Figure 14: Proposed height of building – Map Sheet HOB_005 (Source: NSW Legislation)

Proposed Height of Building (Map Sheet HOB_006) – 17.75 m

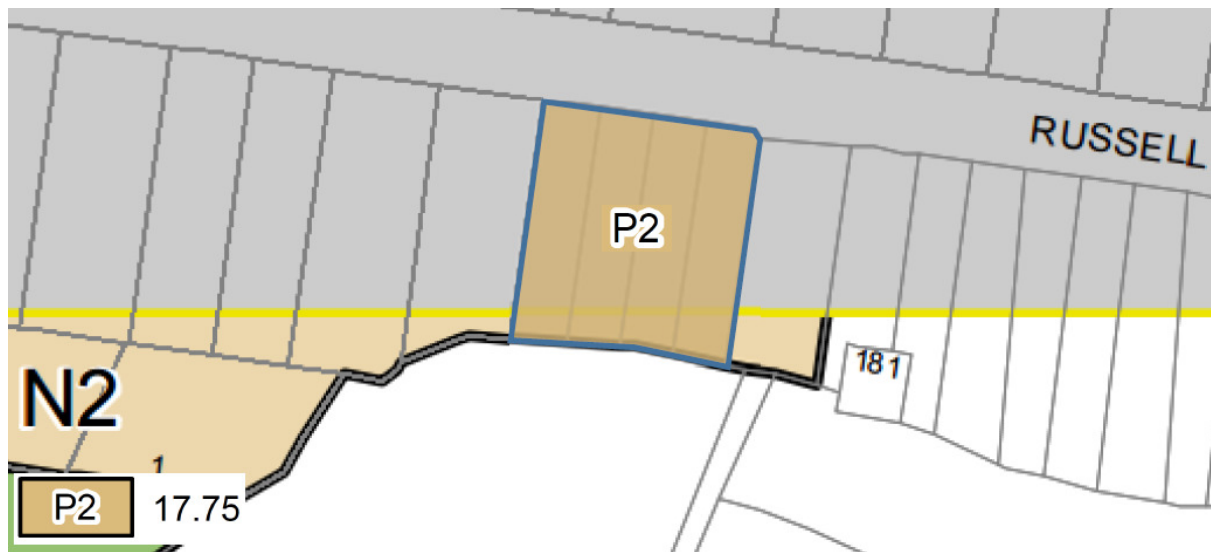


Figure 15: Proposed height of building – Map Sheet HOB_006 (Source: NSW Legislation)

Part 5 - Community Consultation

The Planning Proposal will be placed on public exhibition in accordance with the Gateway Determination.

A comprehensive engagement strategy will be prepared by Council which would include the following mechanisms:

- Advertisement in a local newspaper;
- Notification letters to relevant State Agencies and other authorities nominated by the Department;
- Notification (via letter) to land holders of properties surrounding the land subject to this Planning Proposal;
- Advertise and exhibit the Planning Proposal on Council's website.
- Exhibit the Planning Proposal at Council's Customer Services Centre and local library; and
- Undertake any other consultation methods appropriate for the proposal, such as community workshops with surrounding landowners to describe and present the proposal and address any concerns which may arise.

Part 6 – Project Timeline

The table below provides a proposed timeframe for the project.

Table 11 – Approximate Project Timeline

Task	Timing
Date of Gateway determination	Not known
Anticipated timeframe for the completion of required technical information	Not applicable. Technical analysis has already been commissioned to support the Planning Proposal. Anticipate open space and riparian improvement plan to be completed prior to Gateway.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	As specified in the Gateway determination. Anticipated timeframe is to run concurrently with the public exhibition period.
Commencement and completion dates for public exhibition period	4 weeks commencing 2 weeks after gateway determination
Dates for public hearing (if required)	Not applicable at this stage
Timeframe for consideration of submissions	2 weeks
Timeframe for the consideration of a PP following exhibition	2 weeks
Consideration of PP by Council (Council Meeting)	3 weeks
Date of submission to the department to finalise the LEP	2 weeks
Anticipated date RPA will make the plan (if delegated) or Anticipated date RPA will forward to the department for notification	2 weeks
Anticipated publication date	17 weeks after gateway determination

Appendix 1 – Urban Design Study prepared by PCA Architects

Appendix 2 – Survey prepared by Daw and Walton

Appendix 3 – Arborist Report prepared by The Arborist Network

Appendix 4 - Geotechnical Investigation prepared by JK Geotechnics

**Appendix 5 – Acid Sulfate Soil Assessment and Preliminary Waste
Classification Assessment
prepared by Environmental Investigation Services**

**Appendix 6 – Traffic and Parking Impact Assessment
Prepared by McLaren Traffic Engineering & Road Safety
Consultants**

Appendix 7 – Flood Advice Letter prepared by Rockdale City Council

Appendix 8 – Letter from Hydraulic Engineer prepared by Green Arrow