

Appendix C

Consistency with State Environmental Planning Policies

Introduction

This section of the report address the relevant State Environmental Planning Policies

SEPP 55 – Remediation of land

Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated, prior to granting of consent to the carrying out of any development on that land. Full remediation of Precinct B is expected to be completed in accordance with the consent granted for DA-437-12-2002 before any of the buildings subject to the Master Plan are occupied.

SEPP – Building Sustainability Index (BASIX) 2004

Commitment to the principles of Ecologically Sustainable Development (ESD) have been made in each of the developments demonstrated through the incorporation of energy and water efficient measures, waste disposal and recycling, and construction management. An assessment is to be made against BASIX for consistency with the minimum energy reduction target of 20 – 40% reduction in greenhouse gas emissions while still achieving acceptable thermal comfort levels, and a demonstration of the 40% water reduction target.

The Precinct B and C developers have provided Council with a list of ESD initiatives intended to meet or exceed BASIX requirements. Measures in excess of BASIX will be negotiated through the proposed Planning Agreements.

SEPP 65 – Design quality of residential flat development

Since the gazettal of the SREP 29 and adoption of the Rhodes DCP 2000, the NSW Government introduced SEPP 65. SEPP 65 and the supporting Residential Flat Design Code provides a framework for the assessment of residential flat development in NSW. SEPP 65 is also used in the preparation of environmental planning instruments and development controls plans related to residential flat developments.

SEPP 65 will apply to the remaining development proposals at Rhodes.

This policy applies to the development in the Master Plan as it is defined under the SEPP as 'residential flat building', in that it meets the criteria of being 'three or more storeys, and consisting of four or more self-contained dwellings'.

Applicants will be required to provide a design verification report

prepared by a registered Architect that provides an assurance from the Architect at the application stage that the subject proposal has been prepared in accordance with the design principles of SEPP 65. Compliance with SEPP 65 will have a significant bearing on the achievement of the design excellence objectives that Council is seeking to implement at Rhodes.

The new DCP for Rhodes is to be prepared with reference to the Design Quality Principles of SEPP 65.

NSW Residential Flat Design Code 2002

The NSW Residential Flat Design Code 2002 published by Planning NSW (now the Department of Planning – DoP) is part of the package of measures under SEPP 65 which the State Government is using to improve the design quality of residential flat development in NSW.

It is noted that the NSW RFDC 2002 provides design principles and 'rules of thumb' standards. Other standards may achieve the design principles. Consequently, a degree of judgement is needed to interpret the NSW RFDC 2002 rules of thumb which apply to a wide range of multi-unit development throughout NSW regardless of local area character.

Development proposals will need to demonstrate consistency with the NSW RFDC 2002. The new DCP for Rhodes will be prepared having regard to the RFDC. The new DCP will introduce additional site specific development controls for building setbacks, bulk, floor plate sizes, building lengths, and separation distances to promote design excellence having regard to the better design practice guidelines in the NSW RFDC 2000.

Draft State Environmental Planning Policies

Draft State Environmental Planning Policy No. 66 – Integrated land use and transport applies to the proposed development.

Draft SEPP 66 – Integrated land use and transport

This Draft SEPP applies to development having a gross floor space of more than 1,000m², and including residential flat buildings of more than 300 units; the subject proposal is affected as its GFA exceeds 1,000m². The principal objective of the Draft SEPP is to better integrate land use and transport planning by providing guidelines for planners and developers preparing planning instruments and development applications. The Master Plan is consistent with the aims of the Draft SEPP in that it:

- Facilitates new residential development in a highly accessible area close to the Rhodes railway station, which has recently been renovated with contributions from the State government and developers, and is in proximity to other transport nodes by car, bus and ferry;
 - Is located near the employment opportunities of the Olympic Park and Rhodes specialised centres;
 - Adopts further restrictive parking rates than the already restrictive Rhodes Peninsula DCP 2000;
 - Enhances opportunities for walking and cycling through additional cycling parking close to the railway station.
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Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Architectus prepared a response to a request from the Foreshores and Waterways Planning and Development Committee on 2 October 2009 for the RWMP have consideration for the planning principles outlined in the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 including 13(b), (c), (f), (g) and 14(a), (b), (d) and the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005, including Part 4.5.

In summary, the following responses were provided to the key clauses of The Sydney Harbour REP and the DCP:

The RWMP is consistent with the SREP and associated DCP for the following reasons:

- The Master Plan will not affect any previous commitments to the restoration of foreshore areas that will transform the former industrial site into a high density residential precinct in accordance with the zoning of the site. The progressive redevelopment of Rhodes Peninsula has started to restore Rhodes Peninsula foreshore areas by providing the following:
 - Creation of 20 metre wide foreshore Reserve;
 - Consolidating areas of foreshore park land and neighbourhood pocket parks;
 - Well-distributed public spaces that are accessible and central to recreational users and contribute towards the open space network, adding to the diversity of civic and recreational experiences;
 - Provide space that is suitable for the intended purposes catering to a mix of recreation needs.
 - High quality landscape design is provide scenic quality and civic amenity with a mix of riparian vegetation and lawn areas to balance biodiversity and recreational objectives;
 - Completion of remediation activities.

In addition to the significant improvements that are currently required on foreshore land, the following initiatives are proposed under the Master Plan 2009:

- Upgrade to the foreshore areas around the John Whitton Bridge;
 - Additional local parks which will add to the existing network of foreshore and neighbourhood pocket parks in recognition that additional areas for active and passive recreation are needed at Rhodes.
 - The Master Plan proposes additional height up to 25 stories along the ridgeline (Walker Street) stepping down to the foreshore. Sites adjoining the foreshore are to remaining generally 4 stories with some buildings ranging up to 6-9 storeys. The height strategy proposes tower buildings in strategic locations along the ridgeline and at key street intersections to achieve greater variety in form and scale throughout Rhodes.
 - Buildings are setback between 20 and 30 m from the foreshore, which is no closer than the existing and approved buildings.
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- View corridors are promoted and augmented from Walker Street (north) to the foreshore and waters of Homebush Bay and the Parramatta River.
 - This part of Parramatta River has substantial areas of remediation associated with former industrial uses. The reclamation areas have reshaped Homebush Bay and the river edge and introduced large areas of predominantly un-vegetated land into the pre-existing riparian systems. The preparation of a new Master Plan provides an opportunity to further enhance the unique character of the Peninsula.
 - The scenic quality and civic amenity is enhanced through the RWMP which provides additional consolidated areas of landscape open space which responds to site topography, view corridors and local context. An additional 1.643 hectare of publicly accessible open space is proposed under the Master Plan, which equates to 26.7% increase in open space.
 - There is limited variety in the type and use of public open spaces in the existing planning framework. Open space is generally concentrated along a 20m foreshore strip, which is further divided by cycleways. The Master Plan 2009 with large areas of public open space accessible from elevated locations along Walker Street, adds to the variety of publicly accessible locations with views toward the foreshore and waters of Homebush Bay and Parramatta River in quieter locations away from the main cycle route.
 - Existing views to the water are to be enhanced with greater building setbacks to secondary East-West streets.
 - No amendments are proposed to the foreshore open space edge to Homebush Bay. The existing planning framework for Rhodes provides public access for walking, cycling and general passive use of the foreshore.
 - Additional community facilities are proposed in the form of an enlarged community centre which will enhance the community's use and access to the foreshore, without any additional adverse impacts on riparian vegetation or on the aquatic environment of Homebush Bay.
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