

## **ITEM                      RHODES WEST DRAFT MASTERPLAN 2009**

**Department      Planning and Environment**

**Author Initials: UL**

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### **EXECUTIVE SUMMARY**

This report brings to a close an 18-month process during which Council has considered, in detail, the current condition and issues of the Rhodes Peninsula, together with future opportunities to achieving better and more sustainable social and environmental outcomes for this suburb which is currently undergoing urban renewal. Rhodes is where 47% of the City's growth over the next 30 years is planned to occur.

Planning for the area was initially undertaken by the NSW Department of Planning, in the late 1990's, with the gazettal of Sydney Regional Environmental Plan No. 29 in 1999, and an associated set of documents forming "The Planning Framework" for Rhodes. Council was reinstated as the Consent Authority for the Rhodes Peninsula on 27 July 2007. By this stage, around 20% of the development had already occurred with the remainder approved under broad Master Plan-type DAs indicating building footprints and envelopes.

In 2005, the Department of Planning produced its Metropolitan Strategy for Sydney, which was followed in 2008 by various Sub-regional Planning Strategies. The Strategy affecting the City of Canada Bay, ie the Draft Inner West Sub-regional Strategy, was released in July 2008. It is still a draft document. Under this Strategy, the City of Canada Bay is required to produce 10,000 additional dwellings and 4,000 additional jobs. Rhodes is identified under this Strategy as a Specialized Centre, conjoined with Sydney Olympic Park.

Recently, the Federal Government Treasury announced that based on current migration policies, Australia's population is likely to grow from 22 million to 35 million people by the year 2049 (65%) and that Sydney's population is expected to grow from 4.4 million to 5 million in the short term and 10 million in the long term. The Treasury stated that State and Local Governments must respond to the challenges of planning for this inevitable growth and that to achieve a sustainable future, the focus must be on quality medium urban forms within the existing urban footprint and high density around existing transport corridors and nodes. This means an increased focus on urban consolidation and less focus on fringe development.

The Rhodes West Draft Master Plan (RWDM) responds closely to this formula, and will contribute to a more sustainable future for Sydney.

### **Zoning**

A location plan is provided at Attachment 1, and an aerial photo of the Rhodes Peninsula provided at Attachment 2.

The Rhodes Peninsula is zoned under Sydney Regional Environmental Plan No. 29 (SREP29) gazetted in November 1999. Under this Plan, the area has Mixed Use, Residential and Open Space Zonings. The maximum developable floor space is 543,750m<sup>2</sup> over four separate Precincts A, B, C and D. Detailed planning principles apply under the SREP. A SREP 29 Zoning Map, and Height and Precinct Maps are provided at Attachment 3.

The Rhodes area is also subject to the Renewing Rhodes Development Control Plan (DCP) which came into effect on 3 December 2001, two Masterplan DAs for each of Precincts B and C, and a Section 94 Contributions Framework. Collectively, these documents form "the Planning Framework".

At this point in time, development over the whole of the Peninsula is approximately 30% complete, with Remediation due to be completely finished around June 2010. The remediating company is Thiess Services.

#### **Proposal - the Rhodes West Draft Master Plan 2009 (RWDM)**

A detailed time line showing the progress of the RWDM is provided at Attachment 5.

The RWDM developed out of a concern that the community facility which is to be provided by developers under the existing Planning Framework, on a site allocated in Precinct B of the Peninsula, would be inadequate for a community estimated at the time to be around 9,000 people.

This theory was tested by engaging a Company called Simply Great Leisure (SGL) to undertake a Recreational Needs Analysis. The SGL Study, provided at Attachment 4, recommended a centre more than twice the size of the centre proposed by the Planning Framework, and advised that a centre which met the assessed needs would cost around \$10M. These estimates were provided in June 2008.

Council staff began to investigate ways in which a better, larger and more functional community centre could be provided for the Rhodes area. Expressions of interest were submitted from major developers currently building in the area, offering financial assistance to Council in funding such a community centre, which developers saw as beneficial to their developments. It was obvious that the only way a larger centre could be provided would be through developers contributions. As no single developer would be likely to fund the cost of the centre, the offers were combined and resulted in the preparation of a set of proposals in the form of a draft Master Plan covering a number of undeveloped sites remaining in the area with which these major developers were involved. Once site values and the overall value of the RWDM as a Project became better known, the Master Plan was broadened to try and deliver a larger number and

range of beneficial planning outcomes for the area, with the community centre remaining as the core proposal.

In addition to the delivery of the community centre, the RWDM addressed issues of inadequate amount of open space, the embellishment of public open space, and other infrastructure works considered necessary to better connect the area to adjoining facilities and services, such as the area under and around the John Whitton bridge.

The proposals were prepared on the understanding that they would ultimately be formalised as draft Voluntary Planning Agreements which are permissible under Section 93F of the Environmental Planning and Assessment Act, 1979.

Council first considered the RWDM formally in April 2009, and called for professional and independent advice in terms of the public benefits being offered. This report, provided by Pikes Lawyers (refer Attachment 6), was considered by Council at its meeting of 4 August 2009 (refer Council report at Attachment 7). At this meeting, Council resolved to allow the RWDM to proceed to public exhibition so as to allow the community the opportunity to comment on the proposals. The exhibited RWDM is provided at Attachment 8 and the associated Strategic Planning Report at Attachment 9. The details of how the community consultation process progressed and the results are provided in the body of this report.

Following the close of the exhibition period, Council sent all submissions to the Department of Planning and then met with officers of the Department on Friday 6 November to discuss the Department's submission (dated 29 October 2009) to Council in relation to the RWDM.

A workshop was held with Councillors on 14 November 2009 to give a summary of the submissions received and to discuss the way forward.

Councillors requested that all information be placed before them prior to the matter being reported at a Council meeting, and for a further briefing prior to that meeting to assist them with making their final decision on the RWDM.

Council staff have considered all the submissions, and looked at options to respond to community concerns. They have also considered ways to improve the proposal in terms of its urban design. Independent advice has been sought from an eminent urban design specialist, Professor John Toon, whose report on the current development in the SREP29 area is provided at Attachment 10.

A number of amendments which are expressed in the recommendations of this report will form part of the **Rhodes West Draft Master Plan, amended version One**. A revised diagram of the reduced development is provided at Attachment 11.

## **REPORT**

### **1. BACKGROUND**

A detailed time line of the process undertaken to-date has been constructed and is provided at Attachment 5.

A report by a Probity Lawyer is provided for the consideration of Councillors and the community at Attachment 12.

### **2. THE “RHODES WEST” DRAFT MASTER PLAN SITE**

The site referred in the draft Master Plan as “Rhodes West” is the exact 43 hectare area covered by Sydney Regional Environmental Plan No.29. It is approximately 15km from the CBD of Sydney, surrounded by Homebush Bay to the west, Parramatta River to the North and the Great Northern Rail line which forms a straight boundary to the east. On the other side of the railway line to Rhodes West, is the Leeds Street Industrial Area, the Rhodes residential area, and the Rhodes Corporate Park. This report refers to this area as “Rhodes East” although this is not a formal suburb name as such. Refer Location Plan at Attachment 1.

A copy of the 43-hectare area covered by SREP29 is provided at Attachment 3, including a copy of the Zoning Map, Precinct Map and Height Map. An aerial photo of the Rhodes area is provided at Attachment 2.

A full copy of SREP29 is available by searching NSW Legislation, and is not reproduced with this report.

### **3. THE PROPOSAL**

The Rhodes West Draft Master Plan proposed a 12% uplift in the amount of floorspace permitted in the Rhodes Peninsula under Sydney Regional Environmental Plan No. 29. This uplift was proposed to be achieved by changes in the urban form of a number of buildings on sites yet to be developed in the Peninsula. The new urban form involved significant changes to the building heights and new open space.

A copy of the RWDM, as exhibited, and the associated Strategic Plan, is provided at Attachments 8 and 9.

A copy of the proposed urban form reflected in the recommendations of this report is provided at Attachment 11.

The amended proposal involves a significant change in the allocation of additional floor space under the exhibited RWDM.

The changes include:

- A reduction in the proposed heights of buildings to be constructed on the remaining undeveloped sites in Precincts B and C, ie 25 storeys along Walker Street;
- A reduction in the Precinct B building mid-way along Gauthorpe Street from 20 to 15 storeys;
- An increase in the amount of floorspace allocated to Precinct D, from 11.5% to 30% of the 66,000m<sup>2</sup> (Precinct A to remain the same at 17%);
- The inclusion of a provision to enable buildings in Precincts D and A to be up to 25 storeys in height, where parcels are larger than 3,000m<sup>2</sup> and up to 20 storeys on parcels less than 3,000m<sup>2</sup> in area.

The proposal maintains the 28% increase in consolidated open space, achieved by the higher building forms, and the open space proposals offered by the developers.

The proposal involves a range of public benefits which were fully detailed in the report to Council of 4 August (Refer Attachment 7) together with a professional analysis of the value of those public benefits by Pikes Lawyers (Attachment 6).

#### **4. PUBLIC SUBMISSIONS**

##### **Process of Community Consultation**

The RWDM was exhibited initially for a 28-day period, from 2 to 29 September 2009. The consultation period was further extended until 5 October 2009 following specific requests from consultants and certain Government Departments seeking some more time.

Over 5,200 letters were sent to residents in three suburbs – Rhodes, Concord West and Liberty Grove, and advertisements were placed in local newspapers on two occasions, 10<sup>th</sup> and 15<sup>th</sup> September, 2009. The exhibition panels were located at Concord Library and at Council offices in Drummoyne throughout the 5-week period, and a 3D model remained at Concord Library for 19 days after which time it was moved to the Drummoyne location.

A drop-in community information day was held between 10am and 12noon on 19<sup>th</sup> September at the Rhodes Community Centre at 63 Blaxland Road, and attended by an estimated number of approximately 60 residents. Information about the Draft Master Plan was available throughout the period on Council's Website, with an opportunity for people to directly email their comments/questions to Council. Additional information was gradually added to the website as it was requested, ie Traffic Reports, information about opportunities to improve bus services etc.

Council staff also gave a special briefing to the Rhodes Community Reference Group at an additional meeting of the Group on 2 September

2009. Following requests for more detailed shadow diagrams, these were obtained and sent to all residents who mentioned the issue of solar access in their submissions, or who asked for such diagrams (23 residents), and given a further two weeks to supplement their submissions in terms of solar access concerns.

**Issues, including those matters raised by objectors**

The RWDM has generated the following submissions –

- **16 submissions from residents within the SREP29 area** (1 supportive, 4 mixed comments for and against, 11 against)
- **Total of 31 submission from residents in the area called "East Rhodes"**
  - 9 submissions from Blaxland Road (mostly against, some mixed comments)
  - 7 submissions from Cavell Avenue, (mostly against, some mixed comments)
  - 12 submissions from Llewellyn Street (mostly against, some mixed comments)
  - 1 submission from Denham Street (against)
  - 2 submissions in Cropley Street (against)
- **32 submissions from residents in Concord/Concord West** (mostly against, some mixed)
- **5 submissions from Liberty Grove** (mostly against, due to traffic)
- **1 submission from North Strathfield**
- **4 submissions from people outside of Canada Bay**
- **4 submissions from Planning Consultants representing property interests in or near Precinct D in the Rhodes Peninsula, and Leeds Street** (supportive of development but seeking participation)
- **3 submissions considered invalid**, from people who failed to give details of where they live or their property interest

**93 submissions in total were submitted to Council including three submissions which were invalid.**

Generally, residents expressed objection to the plans in their current form, although a number of submissions also expressed an understanding of Council's objectives in pursuing the proposals.

The range of issues raised through the Master Plan exhibition was extensive. These issues will be covered in detail in this report. The main issues raised by the community are concerns about traffic and parking congestion in the area, the heights of the proposed tall buildings and their impact in terms of appearance and shadows, the location and value of the proposed additional open space, and inadequacy of infrastructure in the area, particularly roads, competency of intersections, bus and rail services, school capacities, and emergency services.

Summaries of all submissions are provided at Attachments 13 and 14 with key points summarised for each submission. Government department/service provider submissions are provided in full at Attachment 14.

The main issues raised in the objections are summarised below, although some issues such as the capacity problems of Concord West Public School are dealt with in the responses to the Department of Education and to the School's Principal and P&C President, further in the report.

- **Traffic is highly congested in the area and the roads and intersections cannot accommodate the additional traffic. Concord Road is at capacity, and has been declared a Black Spot.**

*Comments in response:* The traffic report by Halcrow MWT concludes that the additional density can be accommodated within existing traffic flows in Concord Road. This conclusion was verified by an independent traffic report commissioned by Council from consultants Transport and Urban Planning (TUPA). TUPA then go on to make a number of observations that indicate that there are capacity issues on Concord Road regardless of the level of development in Rhodes and that additional development in this area is most appropriate due to its relationship to existing public transport. A copy of this report is provided at Attachment 18.

Concord Road will continue to experience heavy amounts of traffic during peak hours, whether or not the additional dwellings proposed under the Rhodes West Draft Master Plan go ahead or not. Council is unable to influence this situation - it is a matter for the Ministers of Planning and Infrastructure, and Transport, and the State Government generally.

Under the Sydney Metropolitan Plan, the City of Canada Bay must provide 10,000 additional dwellings by 2030. It is considered better to provide these additional dwellings close to a railway station, where at least people have options. This is consistent with Council's Local Planning Strategy which advocates for centre-based development close to public transport. The RWDM option is a more sustainable option, although its success also depends on peoples' car dependency being reduced.

Should the uplift of density be approved, then Council will be able to use money generated by the uplift over that required for the community centre, to upgrade roads and intersections in the area in addition to what is provided for under the existing planning framework. This includes the following works:

- New right hand turn into Concord Road from Averill Street;

- Lights at the Blaxland Road/Leeds intersection - under current plans, only an elongated dividing island is intended;
- Restoration of all pathways in the area, including construction of new pathways where they can be accommodated;
- Full upgrade of the area around the northern part of Blaxland Road in the vicinity of the John Whitton Bridge, including the construction of stair and ramp up to the Bridge to improve access, pathways, lighting, landscaping and seating.

The above works are reflected in the recommendations of this report.

- **Inadequate parking - Resident and Visitor**

**Comments in response:** The RTA requires Council to provide only half the number of additional carspaces for new dwellings being provided or 1 space per 2 dwellings (ie half of 787 is 393). Refer RTA submission at Attachment 14. This can be partially achieved if all further dwellings have only 1 car space per dwelling which is the minimum under the existing DCP. The average provision to date has been 1.2 spaces per dwelling. With over 700 dwellings yet to be approved, a change in the control to a maximum of 1 space per dwelling would mean that 140 spaces could be allocated to the extra dwellings under the RWDM.

Also, some of the revised proposals will cover development sites which have approvals but which would now be subject to the proposed new control of a maximum of 1 space per dwelling. Examples of these sites would be Site 2A, at 40 Walker Street where 289 dwellings have been approved; the Mirvac Lot 6 in Precinct A where 145 apartments have been approved. Revising these developments to a new maximum provision of 1 space per dwelling, would mean that 87 spaces will be available to the extra dwellings under the RWDM.

If Council was to resolve that 5% of all new dwellings are to be affordable housing units, then it is not necessary for these dwellings to have a designated car space if they are located in Precincts A or D which is very close to the Rhodes station. 40 spaces could be allocated to those new units which are not Affordable Housing Units.

In other words, 620 spaces would be available for the use of 747 additional dwellings (excluding a component of 40 Affordable Housing Units) whilst still meeting the RTA requirement. Provision of an additional 127 spaces to meet the proposed standard of one carspace per dwelling, would be non-compliant with the RTA recommendation. The level of compliance is high at 89%. A table setting out the above carparking analysis is provided at Attachment 19.

The independent peer review by Transport and Urban Planning suggests that the RTA's suggestions may not be the most appropriate solution.

However, it is recommended that a standard of one space per dwelling should be maintained for the Rhodes Peninsula. Only Affordable Housing Units should be considered as suitable to be potentially without a car parking space.

With new strategies proposed by Council to try and reduce car usage in this area, such as Go Get Car schemes or similar car share providers, and better walking and cycling facilities, it is considered that the RTA recommendation should not be a limiting factor to endorsement of the amended Rhodes West Draft Master Plan.

Information obtained from Go-Get Cars is that each share car replaces between 8 and 23 private car parking spaces, depending on the location of the development. Also of relevance is the advice that "the lower the parking rate applied in a development or precinct is, the greater the viability of the associated car share scheme". Go-Get Cars are currently preparing a Feasibility Study of the Rhodes area, which, based on preliminary discussions with Go Get Cars, meets the criteria for such a scheme better than most other areas of Sydney which either already have schemes or are being considered for them. These criteria include a 10-minute walk to public transport (Rhodes has train, ferry and bus access), a significant component of high-density residential, potential for high day-time demand due to other landuses such as commercial (Rhodes West has both offices and retail and the adjacent Corporate Park), and opportunity to design for "pod facilities" early in the process. As part of the RWDM, there is an opportunity to incorporate special design controls for such facilities as part of a new DCP which would be required if the Master Plan proceeds.

Developers are not required to provide visitor parking in buildings under the Renewing Rhodes DCP and it is proposed that this requirement remain unchanged.

- **Heights of buildings, building bulk and Overshadowing**

***Comments in response:*** Generally people commented that 28-33 storey buildings were unacceptably high due to visual bulk, loss of privacy and overshadowing. They were considered to be out of character with the existing established, and the new developments in Rhodes.

The detailed shadow diagrams which were obtained indicate that the amount of shadowing is well within the SEPP65 standard of 3 hours between 9am and 3pm. In fact, the longest shadows from the tallest towers only affect residential properties in Blaxland Road after 2pm, such that properties receive at least 5 hours of solar access, which is considered acceptable. Council staff have consulted with people individually as to how they are affected, and it was found that no property was

overshadowed to an extent where they receive less than 5 hours of sunlight at the winter solstice.

Should Council resolve on tower buildings of reduced heights in Precincts B and C, say to 25 storeys, then the impact of the shadows will be considerably less than the proposal which was exhibited.

Building bulk would be controlled by limiting the footprints of the buildings to a maximum of 750m<sup>2</sup>, ensuring slim building forms. Under a reduced height scenario, and given the separation provided between the proposed towers and the existing homes in Blaxland Road (more than 70 metres made up of Walker Street, the railway reservation and Blaxland Road), it is considered that the visual impacts and extent of overlooking when weighed up against the benefits of the proposal, are acceptable.

- **Inappropriate location of the proposed Open Space areas - it should be on the foreshore; it will only serve the people in the developments adjacent; the Rhodes Peninsula already has sufficient open space**

*Comments in response:* The RWDM provides an increase of 28% in additional open space, or 1.723 ha in addition to the 6.15 ha zoned open space under SREP29.

The exhibited RWDM reported that the present provision is 6.8m<sup>2</sup> per person. This was calculated on the basis of 61,500m<sup>2</sup> of zoned open space divided amongst a potential population of 9,000 persons. This figure has since been revised with new Metropolitan Development Programme figures being released which state that Rhodes is now likely to generate 4656 dwellings (due to smaller dwellings being produced) and that each household will have 2.5 persons based on the latest Census Data. This means 61,500m<sup>2</sup> must now be divided amongst 11,640 persons, and the provision per person is even less, ie, 5.8m<sup>2</sup> per person.

The figures under the RWDM should also be revised. The addition of 787 new dwellings would mean an extra 1968 persons, and the amount of open space per capita works out to be the same at exactly 5.8m<sup>2</sup> per person.

However, it is important to recognise the quality and design of the proposed consolidated open space. The foreshore areas are mostly made up of pathways and cycleways, with planted areas in between. The walking/cycling paths are well utilised and intensity of use is likely to increase as more and more people move into the area. Apart from the park opposite the Shopping Centre, the playground at the end of Mary Street, and the proposed park at the northern end of the Peninsula (temporarily referred to as Point Park), there is little area for seating and relaxing, or for children to play with a ball. The extra consolidated open space proposed around two areas off Shoreline Drive would improve the overall provision

of recreational opportunities by providing a different type of open space, with significantly improved levels of solar access (compared to current designs of communal areas in the perimeter-style developments) as indicated in the detailed shadow diagrams.

By comparison, the provision of open space at Pymont is over 15m<sup>2</sup> per person, and Green Square around 8m<sup>2</sup> per person, and whilst at Rhodes there is no opportunity to significantly increase the amount per person, we can look at the type and design of open space which is provided and try and provide consolidated areas to augment the linear, fairly narrow open space along the foreshore.

- **Loss of privacy to existing/prospective residents in the Rhodes Peninsula and "East Rhodes"**

*Comments in response:* Site inspections of the existing perimeter style developments have indicated that the degree of cross viewing between buildings is already considerable, with SEPP65 separation distances not achieved in a number of developments due to the shape of allotments. Whilst some existing apartments may be overlooked by the proposed tower buildings, this should be partially compensated for by the increased separation distances which can be achieved with smaller building footprints of the higher towers. As such, the change in urban form proposed under the RWDm improves the situation relating to cross viewing between buildings and developments.

The prospective owner of the top (eighth) floor unit of the Village Quay development, through his planning consultant, expressed concern about loss of privacy from northfacing balconies of a potential tower on the adjacent development to the south owned by the same property developer Billbergia. There will be some loss of privacy for this owner from such a tower, but there is potential, as part of the detailed design of the tower to ensure an increased separation distance (under current planning it could be as little as 20m including a proposed road) and to design the balconies to enable long distance views whilst discouraging cross viewing to south facing balconies of the Village Quays building. The area of the objector's balcony is extensive and the owner will be able to landscape the balcony to create private areas whilst still maintaining the best views, if he wishes to.

Any loss of privacy to residential dwellings in "East Rhodes" is considered minimal as the separation created by Walker Street and Blaxland Road (2 x 20m) and the railway corridor (approx.37m) is over 75m and there are many established trees planted on either side of the railway corridor, with additional plantings proposed in Walker Street as part of the Walker Street streetscape.

- **Loss of views**

***Comments in response:*** A number of submissions within the Rhodes Peninsula cited loss of views. When a detailed examination of these submissions was undertaken, it was found that in each case, the property would have lost its view to the City anyway with up to 8 storey buildings potentially able to be built in Precincts D, B and C, along Walker Street. This is because the City Skyline is below the line of the potential 8 storey buildings when looking from any balcony of any building back from Walker Street.

Only one person, on the top (eighth) floor of the recently-completed Village Quay development by Billbergia claimed loss of regional views, including views to the southeast which are not water views. A site inspection of this apartment found that the prospective owner would retain substantial views to the northeast and east, and to the west and northwest as the complainant's balcony sweeps around his unit on three sides. There could be a partial loss of view to the southwest with a proposed tower in Gauthorpe Street, but the extent of the balcony is such that the impact of this view loss is not considered significant. The closest view to the immediate west is the view to rooftops of adjacent 6 level buildings. A view out to potential areas of landscaped open space to the southwest, as is proposed under the Billbergia/Multiplex component of the RWDM is considered to potentially enhance the outlook from the unit of the prospective top floor unit owner.

- **Impact on Emergency Services**

***Comments in response:*** A number of residents expressed concern about the impact on emergency services, and in particular, the Fire Brigade, which has a small station in Concord Road, manned by volunteers.

The adequacy of this facility to service existing Rhodes development is not the responsibility of Council, however, if the RWDM is to go ahead, then Council staff will engage in discussions with the Fire Brigade to ascertain whether any additional land would need to be reserved in future for the purposes of the Fire Brigade.

- **Probity Issues - Council perceived as having done a "deal" with developers at the expense of the community; Council taking "gifts" from developers, Council staff being unduly influenced by developers; community not consulted with sufficiently.**

***Comments in response:*** Following a consultation process which aimed at consultation being provided via a number of different avenues, means, and extension of the period by a week, and then in relation to the specific concern of overshadowing, it is considered that the community was given a fair and reasonable opportunity to comment on the Draft Plan. A report

from a Probity Lawyer was commissioned, and this is provided at Attachment 6.

### **Submissions by property owners in Precinct D**

2 additional developers/property owners in Precinct D made submissions seeking to participate in a more inclusive and co-ordinated approach to the review of redevelopment in Precinct D which is the only Precinct which does not have any Master Plan developed for it, and which is the closest Precinct to Rhodes Station. These property owners own large parcels in Precinct D.

The 2 submissions from property owners/developers in Precinct D, seeking to participate in the Rhodes West Draft Masterplan, were:

1. Worley Parsons/Planning Workshop Australia, for the Hossa Property Group, owners of a potential development parcel (2506m<sup>2</sup>) comprising property Nos. 3, 5, 7 and 9 Marquet Street, and 4 Mary Street;
2. Urbis/Allen Jack and Cottier on behalf of Impresstik Machinery Unit Trust Pty Ltd and Mifare Pty Ltd, owners of 34-38 Walker Street (6740m<sup>2</sup>) and 11-21 Marquet Street (4540m<sup>2</sup>), both significantly sized parcels.

Both submissions propose their sites for taller buildings with the associated potential for creation of additional public space at ground level to increase the permeability of this Precinct and its overall urban design.

Because of the fragmented ownership of the Precinct, the Department of Planning did not give a lot of attention to the opportunities available in respect of Precinct D, at the time that the SREP29 was gazetted (1999). However, there is opportunity now to undertake a comprehensive review.

The exhibition of the RWDM has initiated expressions of interest from property owners in Precinct D wanting to participate in a review of the planning relating to this important Precinct close to the station.

### **Copies of the above submissions pertaining to Precinct D, are provided in Attachment 13**

This report recommends that a higher proportion of the 12% floorspace uplift being considered for Rhodes, be allocated to Precinct D. Following consideration of the community's comments, including submissions from property owners, comments from the Department of Planning and more detailed urban design assessment, it is considered that floorspace should in fact be redistributed ie reduced in Precincts B and C and reallocated to Precinct D.

A 30% proportion of the 66,000m<sup>2</sup>, for example, would mean an increase of 19,800m<sup>2</sup> in addition to the remaining 35,455m<sup>2</sup> of floorspace currently remaining in Precinct D, resulting in a total of 54,255m<sup>2</sup>. In other words, a property owner in Precinct D could expect 56% more floorspace than under the current Planning Framework. It is considered that this recommendation will satisfactorily resolve concerns expressed by the Department of Planning about ensuring a more equitable distribution of floorspace in the RWDM.

**Submission from Mecone on behalf of FIFE Capital, landowner in Leeds Street Industrial Area**

This submission does not object to the RWMD per se, but to the fact that this landowner made submissions on the City of Canada Bay Draft Local Planning Strategy and the Housing and Employment Study, seeking rezoning to mixed uses.

At the present time the Leeds Street industrial area has been identified in the draft Inner West Subregional Strategy as category 1 land for retention as industrial land. There is indication from the Department of Planning that the industrial land categorisation may change in a future Strategy but to date this has not been released. In Council's Local Planning Strategy it is proposed that the Leeds Street industrial area remain as such in the short to medium term with a review to occur within 10 years.

The submission suggests that the RWDM should be extended to include part or all of the Leeds Street Industrial Area. This is not considered prudent at this time given Council's resolution to review the zoning of this area in the future.

**5. SUBMISSIONS FROM GOVERNMENT DEPARTMENTS AND /SERVICE PROVIDERS**

Fourteen (14) Government Departments/Service Providers provided submissions, all of which will be detailed in this report. Copies are provided in full at Attachment 14.

Comments on the submissions are provided below:

**Department of Planning**

The Department has requested Council to address the following matters prior to the matter progressing:

- The Metropolitan Strategy;
- The draft Inner West Sub-regional Strategy;
- Sydney Regional Environmental Plan No. 29 - Rhodes Peninsula; and
- Sydney Regional Environmental Plan (Sydney Harbour Catchment 2005).

Council is also requested to consider how the proposal enhances:

- The current built form, scale and relationships of development across the Peninsula;
- Urban design and built form with particular focus on building setbacks, solar access, wind impacts, overshadowing and visual impacts, and impacts on view corridors;
- Existing and proposed additional open space, with regard to both spatial distribution and provision per capita, taking account of proposed dwelling numbers and resulting population;
- Connectivity of open space networks;
- Parking, traffic and transport circulation, access and permeability, particularly responding to the views of the Road and Traffic Authority;
- Other infrastructure requirements resulting from the proposal.

***Comments in response:*** The above matters are addressed below in Part 6 of this report with supplementary work undertaken by Architectus in relation to Sydney Regional Environmental Plan (Sydney Harbour Catchment).

### **Department of Housing**

The Department of Housing is supportive of additional density at Rhodes but wishes to see more affordable housing in the mix of housing being provided, stating that the project has the potential to play a significant role in meeting Sydney's future housing needs.

"Council's use of voluntary planning agreements to use density incentives in exchange for additional community facilities, public amenity and infrastructure, particularly affordable housing, is supported by HNSW. Furthermore, increases in density within the Rhodes Specialised Centre is supported as it will contribute to meeting the Metropolitan Strategy housing targets and help expand a tightening housing market."

***Comments in response:*** Housing NSW would like to work with Council to try and increase the provision of affordable housing in the proposed project, and Council has already resolved to pursue a policy of 5% of all housing within the Rhodes Master Plan to be affordable. Council's Strategic Planners will work with the Department of Housing and Department of Planning to try and deliver additional affordable housing in Precincts A and D in 2010.

### **Sydney Water**

Sydney Water advised that it has an existing servicing strategy for water, wastewater and non-potable water in the Rhodes West area, based on current dwelling estimates, and that additional dwellings may require the augmentation of the existing systems.

**Comments in response:** Council staff met with Sydney Water staff to further explore Sydney Water's advice in this regard, and it is now clear that it is possible to service the additional dwellings being proposed. A copy of the Sydney Water Advice is available at Attachment 14.

### **Railcorp**

Railcorp advised that it "supports City of Canada Bay Council Strategies for maximising development around existing rail infrastructure and encouraging the use of public transport. While increasing the density and number of dwellings in Rhodes will increased demand at public transport nodes, the extra patronage demand projected for Rhodes station will be sufficiently catered for, with the introduction of the October 11, 2009 CityRail timetable."

**Comments in response:** Advice is noted.

### **NSW Transport and Infrastructure (NSWTI)**

NSWTI supports the planned accommodation of population and employment growth in areas of high accessibility to public transport such as the Rhodes Peninsula, with its proximity to Rhodes Station and Strategic Bus Corridor 39 (Burwood to Macquarie via Concord Road). NSWTI says that "pedestrian connectivity, safety and amenity along with provision of bicycle facilities and infrastructure will be fundamental to realise the full benefits of this accessibility and reduce car dependency."

"NSWTI supports the Master Plan's principles of providing active street frontages, improving existing pedestrian connectivity, consideration of a reduction in the number of general traffic roads, and encouragement of improvements to links through street blocks for pedestrians. NSWTI also supports the provision of bicycle parking adjacent to the station along with the upgrading of cycleways, pedestrian pathways, and stair/ramp access to the John Whitton Bridge under the proposed VPA."

"In addition, NSWTI recommends that Council consider the following issues in finalising the master plan and VPA:

- Opportunities to provide bicycle parking and amenities across a range of locations such as at the proposed community centre rather than just at the proposed civic space adjacent to Rhodes Station;
- The provision of direct through-block pedestrian links from Rhodes Station to the community centre; and
- The opportunities to improve connectivity to and across Concord Road to improve general accessibility and safety, and in particular for access to buses on the east side of that Strategic Bus Corridor."

"Given the Peninsula's accessibility to public transport, a constrained approach to car parking provision will be necessary to achieve sustainable transport outcomes. NSWTI recommends that Council pursue a

minimalist approach to car parking in future revisions of the area's development control plan to complement the measures identified in the draft master plan and VPA."

**Comments in response:** It is clear that the approach which is needed and proposed at Rhodes is one which will need to be taken across the whole of the Sydney Metropolitan Area, but Council's strategic planners will endeavour to incorporate the above principles in the re-planning of Precinct D. A pedestrian bridge across Concord is desirable infrastructure which cannot be funded under the RWDM but could be investigated in the future.

### **Road and Traffic Authority**

A submission from the RTA followed a number of earlier consultations and reaffirmed the RTA's concerns with the traffic impact that the proposal would have on the existing traffic conditions along Concord Road/Homebush Bay Drive. It is the RTA's view that "the additional modelling undertaken by the applicant with the exception of the intersection of Homebush Bay Drive and Concord Road, does not fully reflect the levels of congestion being experienced by motorists using this major north/south corridor. Unless there are some radical changes made to the current proposal to limit car usage and to encourage the use of other transport modes, the existing congestion on the Homebush Bay Drive/Concord Road corridor will worsen, and access to and from the Rhodes Peninsula will become difficult."

Accordingly, it is suggested that should the Department agree to allow an additional 787 units plus 5,450m<sup>2</sup> commercial floor area and 1,740m<sup>2</sup> retail floor area over and above what has been previously approved then the following conditions should be imposed:

1. No additional parking over what is currently available for the retail component.
2. No additional parking over what is currently available for the existing commercial component;
3. A maximum amount of parking for the residential component to be restricted to one space for every two units (total 393 spaces).

**Comments in response:** In relation to traffic issues along Concord Road, the traffic consultant for the developers, Halcrow MWT, in response, has advised that on the basis of additional analysis undertaken using revised trip distribution factors and intersection analysis using the SCATES model, "the additional traffic would not result in any worsening of the intersection performance along the Homebush Bay/Concord Road corridor" and that "this result is consistent with our previous analysis using the 2001 TMAP trip distribution."

A copy of the Halcrow MWT supplementary report dated 15 September 2009 is provided at Attachment 16. The conclusions were further verified by Transport and Urban Planning's Review commissioned independently by Council (refer Attachment 18).

In relation to the parking issue, under the RWDM, Council did not propose a separate amount of floorspace for additional retail or commercial space. The total amount of suggested additional floorspace in the Master Plan was 66,000m<sup>2</sup>.

Residential buildings are permitted to include neighbourhood shops at ground levels in the residential zone under the existing SREP, without any limit on floorspace, and it is not considered necessary to change this.

A detailed review of Precinct D may result in proposals for additional ground level retail or commercial space instead of a residential takeup, but this would be accommodated within the overall 66,000m<sup>2</sup> floorspace uplift proposal. As Precinct D is within the Mixed Use Zone, appropriate amendments to the relevant limiting floorspace clauses in the SREP would be required.

In relation to RTA recommendation 3, as outlined in the response to the community's concerns about lack of parking (refer to Section 4 of this report - Public Submissions), the RWDM is unable to meet in total the RTA's recommendation that only 393 additional spaces be provided, however the proposal is largely compliant (89%).

### **NSW Maritime**

NSW Maritime supports the concept of a future pedestrian bridge linking the east and west sides of Homebush Bay and suggests that this might be an appropriate opportunity to recommence discussion with the relevant stakeholders.

NSW Maritime also notes that the altered arrangement of residential buildings and public open space areas may impact on the recommendations of previous contamination reports and the outcomes of remediation works.

***Comments in response:*** The bridge is unable to be funded out of the RWDM but is considered by Council to be desirable for future connectivity. The matter should be further investigated and is the subject of a Recommendation.

This issue only affects Precinct B. In relation to the contamination, consultation with Thiess Services has been undertaken and Council was advised that the open space is to be above basement carparking areas and that no change to "use criteria" or to the remediation method is necessary.

**Energy Australia**

Energy Australia has identified the need to construct a zone electricity substation in Precinct D of the Rhodes Peninsula. The Authority has acquired a site at Nos. 29-33 Marquet Street and advises that planning and design for the facility is well underway.

*Comments in response:* Advice is noted.

**GridX**

Advice from GridX is that there are constraints in the supply of electricity in the area. GridX offers a total energy solution called an embedded Trigenation solution, which can assist in relieving some of the load on the portions of the constrained network.

The GridX System incorporates multiple, self-contained natural gas fire generators that produce electricity and thermal energy on site. Power is delivered to individual consumers through a proven but unique distribution and delivery network. This system can meet all the energy requirements of the site as well as the heating and cooling requirements. The GridX Power total Energy Solution is an energy-efficient, environmentally sound method of providing power, heating and cooling to developments.

The on-site Tri/CoGeneration system captures the waste heat (created from the electricity generation) that would normally be lost to the atmosphere and converts it to hot and cold water as well as space heating and cooling. The GridX system is able to effectively utilise almost 80% of the energy created through the burning of Natural Gas. As a comparison, a coal fire power station may utilise no more than 35%.

Gridx advises that if it is to supply the energy solution for any new development, then it needs parcels of public land to place its plant and associated machinery. The facility can however be underground.

*Comments in Response:* GridX guarantees a 5% discount in the cost of electricity, to the residential client, but the true environmental savings of more efficient use of electricity are far higher. There are opportunities at Rhodes for developers to enter into agreements with an energy provider which has cheaper, more sustainable source of power, but Council cannot force a developer to do so. Council can make available public land, but the basis on which this occurs requires further investigation to ensure that there is no loss of amenity to the community and real benefits.

**Department of Education and Training**

The Department wrote to outline its concerns in relation to the potential impact of the proposal on future government school demand locally.

The Department advised that a review of the area in 2004 relied upon ABS 2001 Census data and assumptions about the extent of future residential

growth in the Peninsula. As a consequence, the DET believed that the expansion of school facilities at Concord West Public School would be sufficient to cater for its anticipated local enrolment demand. The school's current enrolment is now 345 students and is fully occupying the 16 permanent classrooms.

DET advises that it based its strategic planning on a figure of 3,715 dwellings.

***Comments in response:*** The latest released MDP figures based on latest Census 2006 data and latest DA approvals, estimates the number of dwellings for Rhodes to be 4656 dwellings, or 25% higher than originally planned for. This figure is incorporated within the 10,000 dwellings required to be produced under the draft Sub-regional Housing Strategy by the Department of Planning, but there are also dwellings likely to be in part of the Concord schools' planning catchment (and not including the Rhodes Peninsula) which have not been considered. This means that the Department already has a major capacity problem, even before one considers any increase in dwellings proposed under the RWDM.

Council is not responsible for solving the capacity problems of the local government schools. This is a matter for the Department of Education, whose strategic planning is already significantly out of date with the likely demand which will be generated by approved development in the Rhodes Peninsula, and additional dwellings which State Government has indicated must be supplied in the area in addition to Rhodes, as part of Sydney MetroPlan. Furthermore, it is considered too late to locate a primary school in the SREP29 Rhodes area.

However, additional dwellings at Rhodes could make the provision of a new school in the "East Rhodes" location more viable, and there would be substantial merit in finding a site to which children living in the high density developments of Rhodes could walk. This would also avoid them needing to cross the busy intersection of Concord Road/Homebush Bay Drive. Such a development in itself would mean a reduction in car trips by people worried about their children crossing Concord Road, and re-gain for children the healthy opportunity of being able to walk to school which has been lost in recent decades.

**Submissions from Mrs Cathy Brennan, Principal of Concord West Public School and Mr Peter Swientek, President, Concord West Public School Parents & Citizens Association**

**These submissions were in essence the same submission and are therefore responded to concurrently.**

***Comments in response:*** The submissions object to the 12% increase in residential floorspace, on the basis of capacity constraints in local roads, the school and shopping precinct.

The submissions outline in considerable detail, the problems which local people are having with traffic in the area. The submissions also describe in considerable detail the capacity problems which are being experienced by all schools in the sub-region, and express concern about the traffic congestion in the vicinity of Rhodes Shopping Centre.

***Comments in response:*** The area will continue to experience ongoing growth in traffic congestion from new developments being planned to increase housing in the area. The additional housing and employment targets are a requirement of State Government under Sydney MetroPlan and are unlikely to be reduced or withdrawn, given indications from the Federal Government about future migration levels and the prognosis for population growth for Australia, and main cities such as Sydney.

The proposal to put additional housing in an area which has access to a railway station and other public transport (regional bus routes and ferry) is considered a more sustainable option than providing housing in areas poorly-served by public transport. Canada Bay must provide additional dwellings over the next 20 years and Rhodes is considered a suitable location to accommodate some of this additional growth..

Whilst the problem with the capacity of schools is one with which Council can sympathise, it is not within Council's area of responsibility to address this issue. As outlined in the response to the DET submission above, the larger problem of capacity of schools in this sub-region, needs to be addressed by State Government. Locating a new school within the 'Rhodes East' is a smart and environmentally sustainable idea from the point of view of children being able to walk to school, but this issue is not one which Council can address beyond ensuring that walking and cycling routes are upgraded to improve accessibility and safety to a new school facility, should one be provided.

In relation to the concerns raised in relation to additional development resulting in additional traffic to the shopping centre, this is not necessarily the case. The additional dwellings at Rhodes will all be within walking distance of the shopping centre and people will be disinclined to use their cars to access it, if there are difficulties with parking. Peoples' car usage habits will probably adjust over time once the Peninsula is fully developed. Also, once the new shopping centre at Top Ryde is completed, Rhodes Shopping Centre is likely to experience a reduction in retail turnover, thus reducing its role as a sub-regional facility.

**NSW Heritage Council**

The NSW Heritage Council does not object to the RWDM but advises that the Rhodes Railway Station Group is a State-listed item, and that this should be considered in the planning and design phase of any development. The Heritage Council also recommends that the industrial history of the site be recognised and interpreted.

## **6. COMPLIANCE OF THE RHODES WEST DRAFT MASTER PLAN WITH STATUTORY PLANS AND POLICES**

### **• The Metropolitan Strategy (MetroPlan)**

The Sydney Metropolitan Strategy (MetroPlan), which was released in December 2005 (5 years after Sydney Regional Environmental Plan No.29), establishes a strategic planning framework for the Sydney Metropolitan area to 2031.

Rhodes is identified as a "Specialised Centre" within the Strategy. Characteristics of a "Specialised Centre" include hospitals, universities and major research and business centre facilities that perform "vital economic and employment roles across Sydney."

### **• The draft Inner West Sub-Regional Planning Strategy**

Rhodes is placed within the Inner West Sub-region within which it is co-joined with Sydney Olympic Park as a "Specialised Centre".

The City of Canada Bay is required under the Strategy to produce 10,000 new dwellings and 6,000 new jobs (4,000 at Rhodes), and it is recognised in the Strategy that people need to reside close to areas of employment and retail, such as the Rhodes Corporate Park and Rhodes Shopping Centre. Concord Hospital is also within walking distance. The Rhodes area is recognised as a suitable to provide employment opportunities, given the convenient location of Rhodes Railway Station and regional connections to the Peninsula.

In particular, the Sub-regional Strategy identifies the following centre and housing objectives:

- ***B2.1 Increase densities in centres whilst improving liveability:***
  - Providing higher density housing within existing centres should be given priority;
  - Plan for housing in centres consistent with their employment role.
- ***C2.1 Focus residential development around centres, town centres, villages and neighbourhood centres***
  - Focus residential development within centres and corridors with access to public transport and local services;

- Areas for renewal exist around train stations with opportunities for higher densities than exist currently;
- The Strategy recommends Councils investigate increasing densities in all centres where access to employment, services and public transport are provided;
- Locating housing around centres with easy access to public transport linkages will reduce private vehicle usage resulting from housing with poor linkages to public transport.

- ***C1.2 Apply sustainability criteria for new urban development***

This action applies across the metropolitan area, including Rhodes.

- **Sydney Regional Environment Plan No. 29 (SREP29)**

SREP29 provides specific built form and density objectives for the area.

Precincts A, B, C and D identified within SREP 29 are allocated a maximum floor area, and building height controls. These were prepared before the identification of Rhodes as a Specialised Centre.

SREP29 also contains built form and public domain controls, expressed in the form of a set of 5 fundamental Planning Principles.

Independent advice from Urban Design Specialist, Professor John Toon, was sought on the current satisfaction of SREP29 Planning Principles in developments which have been constructed to-date on the Rhodes Peninsula. This advice is provided at Attachment 10.

It is submitted that the Rhodes West Draft Master Plan will improve the planning outcomes as it better satisfies the planning principles under the SREP.

### ***Planning Principles***

#### **Principle One - Role and Land Use Activities**

The proposals under the RWDM are consistent with all statements contained within this section of the SREP, including that development should be carried out in a manner consistent with the principles of Ecologically Sustainable Development (ESD). The opportunities to improve performance in terms of sustainability are available through the RWDM, by agreements with developers to provide more sustainable designs in their buildings over and above BASIX, improved internal solar access to communal spaces, improved solar access to public open space, and new strategies to reduce car dependency.

The SREP Principle also refers to the creation of vibrant and safe public domain by encouraging active frontages along main streets.

Developments to-date are mainly oriented to their internal communal spaces. The proposals under the RWDM, both in Precincts B and C, significantly improve the provision of consolidated public open space, with excellent opportunity existing in Precinct D to create a series of permeable, active and continuous areas of public domain which will encourage residents to walk to the station, and the development of a village-like atmosphere. The relevant owners of large development parcels in Precinct D are keen to work with Council to develop such proposals.

### **Principle Two - Built Form**

Under this principle, building heights are to reflect and emphasise the topography and other natural attributes of the Rhodes Peninsula. Building heights should allow a reasonable sharing of views from buildings by their occupants with lower buildings at the foreshore and the greatest building height and density adjacent to the railway line. The RWDM is consistent with this requirement.

The principle also states that the predominant height of buildings adjacent to the foreshore is not to exceed 4 storeys. Under the RWDM, the 4 storey zone is not significantly affected, although there is an increase in 1 to 1 ½ storeys on a number of buildings to the height which was permitted in the approved Precinct B Master Plan. The buildings where most of the extra space is distributed, is in the SREP29 6-storey zone. As there is to be open space behind these higher buildings, and the land slopes upward towards Walker Street by over 5m, there are no significant impacts in terms of view loss on any existing residents eastward of these proposed higher buildings. View corridors through Gauthorpe Street, Marquet Street West, Timbrol Avenue, Nina Grey Avenue and Darling Avenue West, will not be removed or affected in any way, and there will be enhanced opportunities from which to enjoy views from the consolidated open space areas proposed along and to the east of Shoreline Drive.

The principle refers to the importance of ensuring that visual impact of buildings is considered in terms of building height, form and orientation. It is considered that the arrangements of buildings under the RWDM, particularly in terms of the amended proposal which reduces the height of proposed buildings in Walker Street to a maximum of 25 storeys, and the tower in Gauthorpe Street to a maximum of 15 storeys, achieves a diversification of the form of development on the Peninsula, as it would appear from the water, without excessive visual bulk impacts.

It is also stated under this principle that design should promote public domain and residential areas with a high quality of amenity and follow design practices which encourage energy conservation and the promotion of public transport. It is believed that the opportunities under the RWDM to undertake development of a more sustainable design and with improved energy efficiency are meritorious.

### **Principle Three - Public Domain**

This principle in the SREP requires the foreshore to be publicly accessible, to be continuously linked within the Rhodes Peninsula and linked to public areas adjoining the Rhodes Peninsula, and to provide variation in open space character.

It is submitted that the RWDM provides for a superior response to this principle by providing more consolidated open space in a number of locations, and providing better connectivity than is provided for by internal-facing perimeter-style developments which are typical under the current Framework. The consolidated open space areas adjacent to Shoreline Drive in Precinct B and C will provide additional seating and play areas away from the busy pedestrian/cycleway thoroughfare which the linear open space along the foreshore is likely to be. Furthermore, Precinct D provides additional opportunities to provide flow-through public domain from the station to the community centre and other main destinations along the foreshore such as Foreshore Park, and the future potential bridge across Homebush Bay.

### **Principle Four - Accessibility, Movement and Parking**

The SREP Principle states that transport and traffic should be managed in accordance with a comprehensive plan that provides for the co-ordinated provision of infrastructure and the staging of its provision.

Currently, Council's Traffic and Transport Manager is reviewing the Transport Management Plan which forms part of the current Planning Framework.

Although the current Plan provides funding and arrangements for certain road improvements and infrastructure, there is concern that the works to intersections, road improvements and a stairs/ramp structure up to the John Whitton Bridge will cost significantly more than what is provided for under the current Framework.

Whether or not the density uplift under the RWDM goes ahead, it is known that Concord Road will continue to experience congestion, particularly during peak times, and that this situation is unlikely to change unless the State Government follows through with proposals for major new rail links (NW Metro, West Metro and SW Metro) and better integrated public transport systems.

The RWDM is an opportunity to update and implement with greater commitment by Council via a new DCP, a range of transport management strategies, some of which will be new and better respond to current issues. Whilst some strategies are already contained within the existing planning framework, many of these were either ineffective or never implemented. A review of the Transport Management Plan will identify which Strategies

should be continued, how they can be most effectively implemented, and the additional works which can be undertaken to effectively improve access to and from the Peninsula. The review will also address access to public transport, within the constraints of the present traffic congestion scenario on Concord Road/Homebush Bay West and the region generally.

In terms of access, it is believed that the RWDM responds in a superior manner to the SREP as it involves upgrading the whole of the area under and around the John Whitton Bridge with stairs/ramp access. Detail and implementation of this work is considered to be a serious failure of the current DCP.

### **Principle Five - Ecological Issues**

This principle requires that development within the Rhodes Peninsula makes a significant contribution to ecological sustainability through reduced energy requirements, particularly those of a non-renewable nature and to waste reduction.

Under the existing planning legislation, State Environmental Planning Policy BASIX overrides all other controls and developers cannot be forced to incorporate features within new developments with improved environmental performance if they don't wish to. Under a Voluntary Planning Agreement, however, developers could "agree" to incorporate more sustainable features if they wish to take up the additional floor space.

The DRWM is not inconsistent with any other requirements under this SREP principle, and is in fact a more sustainable solution than approving traffic generating development in other areas which do not have access to a railway station.

- **Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

The RWDM was referred formally to the Sydney Harbour Foreshore Committee. The proposal was presented to the Committee on Friday 18<sup>th</sup> September 2009. The Committee advised that it had no objections in principle to the proposal noting that the building height increases proposed for the site would be offset by community benefits including additional open space and inter-development connectivity. The Committee recommended that the Master Plan have consideration for the planning principles outlined in the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 including Clause 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.

A letter to the Department of Planning dated 30 September 2009 (copy provided at Attachment 20) addressed the relevant issues raised by the Sydney Harbour Foreshore Committee, and further urban design

investigations undertaken by Council, point to the view that the planning principles under the SREP and associated DCP are reasonably satisfied by the RWDM 2009.

Council's independent urban design advice (John Toon) expresses the view that the changes to urban form proposed under the RWDM (ie higher towers and increased space between proposed buildings) will contribute significantly to diversifying the appearance of the Rhodes Peninsula development as it appears from the water (Refer Photo at Attachment 21) and give Rhodes a more interesting identity.

## **7. CONCLUSIONS**

The community has voiced its objections to 787 additional dwellings for Rhodes West and building heights of up to 33 storeys, despite the public benefits which are being offered. The community has voiced a preference for the existing Planning Framework under SREP29 to remain unchanged.

However, through the exhibition of the draft Master Plan, the community has also expressed dissatisfaction with many aspects of the area which are the results and outcomes of the current planning controls under SREP29, and the traffic problems which pertain to the whole region over which Council has no control.

The area is approximately 30% complete and problems associated with traffic and parking, pressure on existing limited open space, need for community facilities will continue to grow as issues. Council is limited in its ability to make significant improvements due largely to funding shortfalls, but also because matters such as regional traffic are outside of Council's control. The option for Council to do nothing, and to simply ignore the problems is considered to be unacceptable.

Council Policy reflects a commitment to building a sustainable future and this does necessitate the acceptance by the community of the sense and imperative of locating new dwellings in the City of Canada Bay in locations close to railway stations, in preference to other areas of the City where there is no access to rail transport, and poor access to arterial roads, resulting in increased usage of cars.

In view of the recent advice provided by Federal Treasury in relation to Sydney's further growth, it is felt that the Rhodes West Draft Masterplan provides a sound and responsible response to planning for the estimated growth, consistent also with Sydney Metroplan and the Inner West Sub-regional planning Strategy.

Following consideration of all submissions and State Government Planning policy, directions from the Minister for Planning as to ensuring consistency with these policies, and Council's own sustainability and

environmental objectives, the following is recommended in relation to the proposals under the Rhodes West Draft Master Plan:

1. Draft proposals for Precincts B (Billbergia and Renewing Homebush Bay) and Precinct C (Meriton) be permitted to proceed in a reduced form to enable enough funding to be provided for the community centre (\$13M) and to enable the additional open space in these Precincts to be provided as indicated in the Draft Masterplan, with a reduction in the maximum heights of buildings ie 25 storeys on remaining sites along Walker Street, and 15 storeys on the site facing Gauthorpe Street. The buildings to the west of Shoreline Drive be permitted to be increased in height by 1 to 1 ½ storeys, as proposed in the draft Master Plan, and subject to acceptance of this recommendation by developers and the progression of associated Voluntary Planning Agreements;
2. The allocation of floorspace to Precinct D (as a % of the 66,000m<sup>2</sup> which represents a 12% uplift for the Peninsula) be increased to 30% and that the detailed planning of Precinct D be deferred until a meeting of all property owners of undeveloped land in Precinct D can be organised to discuss an approach to review the planning controls for this Precinct to allow its further redevelopment. The offer of specialist assistance from the Department of Housing be accepted, and the objective to increase the housing mix and the amount of Affordable Housing in Precinct D be pursued. The meeting for review of Precinct D to be organised early in 2010.
3. The allocation of additional floorspace to Precinct B be reduced from 44% to 33% (21,688m<sup>2</sup>) with a maximum building height of 25 storeys for buildings along Walker Street and 15 storeys for the building in Gauthorpe Street, with other buildings remaining the same as proposed in the exhibited RWDM;
4. The allocation of additional floorspace to Precinct C be reduced from 27.5% to 20% (13,292m<sup>2</sup>) with a maximum building height of 25 storeys for buildings along Walker Street with other buildings remaining the same as proposed in the exhibited RWDM;
5. The Department of Planning be requested to review and amend the SREP29 controls to allow the proposals for Precincts A, B, C and D to proceed, in their amended form, and in accordance with these recommendations;
6. Council staff to enter into discussions with the Department of Education with a view to the identification of a site within the Rhodes East area for the purpose of the construction of a new primary school. The new school is needed to meet the demand which will be generated by a portion of the 10,000 dwellings required to be provided under the

Inner West Sub-regional Planning Strategy (likely to locate in the Concord catchment area), AND the 787 new dwellings which would be permitted under the amended Rhodes West Master Plan, which is to be prepared as an amendment to the version which was placed on exhibition;

7. A new Development Control Plan is to be prepared to guide the development of specific proposals in Precincts A, B, C and D to ensure compliance with Council's objectives in terms of minimising car dependency in the area, a range of sustainable development initiatives, and excellence in building design, including areas specifically designed for Go-Get type car schemes. The new DCP will replace the existing Renewing Rhodes DCP;
8. Council to upgrade the Blaxland Road/Leeds Street intersection using funds from developers arising from the density uplift to cover any shortfall from existing funding available under the Section 94 Planning Contributions Framework;
9. Council to investigate the possibility of providing a right-hand turn from Averill Street into Concord Road, using funds from developers arising from the density uplift;
10. Council to put aside money arising from the density uplift to fully upgrade all roads and pathways in the Rhodes area when construction of development is complete;
11. Council to fully upgrade the area around the John Whitton Bridge, including the stairs and ramp up to the Bridge, with any shortfalls in existing funding available under the Section 94 Planning Contributions Framework, being made up from funds generated by the density uplift.
12. Council staff to pursue sustainable energy solutions being offered by Energy Australia and/or Gridx.
13. That Council initiate a meeting with NSW Maritime, Sydney Olympic park Authority, Auburn Council, interested developers and the Department of Planning to ascertain the level of interest in developing a bridge from Rhodes West to Homebush Bay West.

## **RECOMMENDATION**

1. THAT Council endorses the Rhodes West Draft Master Plan and that Draft proposals for Precincts B (Billbergia and Renewing Homebush Bay) and Precinct C (Meriton) in the Rhodes Draft West Master Plan be permitted to proceed in a reduced form to enable enough funding to be provided for the community centre (\$13M) and to enable the additional

open space in these Precincts to be provided as indicated in the Draft Masterplan, with a reduction in the maximum heights of buildings ie 25 storeys on remaining sites along Walker Street, and 15 storeys on the site facing Gauthorpe Street. The buildings to the west of Shoreline Drive be permitted to be increased in height by 1 to 1 ½ storeys, as proposed in the draft Master Plan, and subject to acceptance of this recommendation by developers and the progression of associated Voluntary Planning Agreements (VPAs);

2. THAT the allocation of floorspace to Precinct D (as a % of the 66,000m<sup>2</sup> which represents a 12% uplift for the Peninsula) be increased to 30% and that the detailed planning of Precinct D be deferred until a meeting of all property owners of undeveloped land in Precinct D can be organised to discuss an approach to review the planning controls for this Precinct to allow its further redevelopment. The offer of specialist assistance from the Department of Housing be accepted, and the objective to increase the housing mix and the amount of Affordable Housing in Precinct D be pursued. The meeting for review of Precinct D to be organised early in 2010.
3. THAT the allocation of additional floorspace to Precinct B be reduced from 44% to 33% (21,688m<sup>2</sup>) with a maximum building height of 25 storeys for buildings along Walker Street and 15 storeys for the building in Gauthorpe Street, with other buildings remaining the same as proposed in the exhibited RWDM;
4. THAT the allocation of additional floorspace to Precinct C be reduced from 27.5% to 20% (13,292m<sup>2</sup>) with a maximum building height of 25 storeys for buildings along Walker Street with other buildings remaining the same as proposed in the exhibited RWDM;
5. THAT the Department of Planning be requested to review and amend the SREP29 controls to allow the proposals for Precincts A, B, C and D to proceed, in their amended form, and in accordance with these recommendations;
6. THAT Council staff enter into discussions with the Department of Education with a view to the identification of a site within the Rhodes East area for the purpose of the construction of a new primary school. The new school is needed to meet the demand which will be generated by a portion of the 10,000 dwellings required to be provided under the Inner West Sub-regional Planning Strategy (likely to locate in the Concord catchment area, AND the new dwellings which would be permitted under the amended Rhodes West Master Plan, which is to be prepared as an amendment to the version which was placed on exhibition;
7. THAT a new Development Control Plan be prepared to guide the development of specific proposals in Precincts B, C and D and in the

event of a new DA in Precinct A, to ensure compliance with Council's objectives in terms of minimising car dependency in the area, a range of sustainable development initiatives, and excellence in building design, including areas specifically designed for Go-Get type car schemes. The new DCP will replace the existing Renewing Rhodes DCP;

8. THAT Council upgrades the Blaxland Road/Leeds Street intersection using funds from developers arising from the density uplift to cover any shortfall from existing funding available under the Section 94 Planning Contributions Framework;
9. THAT Council investigates the possibility of providing a right-hand turn from Averill Street into Concord Road, using funds from developers arising from the density uplift;
10. THAT Council puts aside money arising from the density uplift to fully upgrade all roads and pathways in the Rhodes area when construction of development is complete;
11. THAT Council fully upgrades the area around the John Whitton Bridge, including the stairs and ramp up to the Bridge, with any shortfalls in existing funding available under the Section 94 Planning Contributions Framework, being made up from funds generated by the VPAs;
12. THAT Council staff pursue sustainable energy solutions being offered by Energy Australia and/or Gridx;
13. THAT Council initiate a meeting with NSW Maritime, Sydney Olympic Park Authority, Auburn Council, interested developers and the Department of Planning to ascertain the level of interest in developing a bridge from Rhodes West to Homebush Bay West.

Attachments:

1. Location Plan (**all listed attachments sent under separate cover**)
2. Aerial Photo of the Rhodes Peninsula
3. SREP29 Area, Zoning, Height and Precinct Maps
4. Recreational Needs Analysis by Simply Great Leisure
5. Detailed Time Line of Process Undertaken to Date
6. Report on Public Benefits of the RWDM by Pikes Lawyers
7. Council report of 4 August 2009
8. RWDM, as exhibited
9. RWDM Strategic Planning Report, as exhibited
10. Urban Design Report on Rhodes West by Professor John Toon
11. RWDM, proposed amended urban form
12. Probity Report, Len Withers
13. Public submissions to Rhodes West Draft Master Plan

14. Submissions from Government Departments/Service Providers
15. Public Submissions Map
16. Supplementary Traffic Report dated 15.9.2009 by Halcrow MWT
17. Initial Traffic Report by Halcrow MWT dated 13 March 2009
18. Independent Traffic, Parking and Transport Review by Transport and Urban Planning
19. Table analysing Car Parking in Rhodes
20. Letter to DOP addressing Principles of Sydney Regional Plan (Sydney Harbour Catchment) and associated DCP
21. Photo of existing Rhodes Developments, as seen from water (supplied by NSW Maritime)

