

Planning Proposal

Rockdale Local Environmental Plan 2011

33 and 35 Cook Street, Turrella



March 2015

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[Version 1]	13 January 2015
[Version 2]	19 March 2015

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* and the relevant Department of Planning and Infrastructure guides, including 'A Guide to Preparing Local Environment Plans' and 'A Guide to Preparing Planning Proposals'.

Background

A rezoning of the subject site is sought to zone the site, known as 33 and 35 Cook Street, Turrella, with a legal description of Lot 17 in DP 933980 and Lot 16 Section 4 in DP 33396, from the current R2 Low Density Residential to R4 High Density Residential zone under the Rockdale LEP 2011. The change will permit a Residential Flat Building (RFB) to be developed on the site. The proposed development standards that would accompany the R4 High Density Residential zone would be a transition between the redevelopment occurring to the west and north and the single dwelling development to the west and south. This comprises a maximum FSR 1.25:1 and a cascading maximum height of buildings standard of 14.5m for the site. Consistent with the application of the R4 High Density Residential zone, it is proposed that the minimum lot size map be amended to remove any minimum standard from applying to the site. The amendments to the planning framework would facilitate the development of the site for 18-20 dwellings.

The ability to undertake a RFB form of development provides a greater flexibility in addressing the urban context and transitioning between the large RFB development under construction and surrounding single dwellings. The development of a RFB would remove the current approved multiple driveways from Cook Street serving the approved town house development and allow for the development of a single building that addresses both Cook and Reede Streets.

The current R2 Low Density zone only permits multi-dwelling housing in town house form. The current approval for a town house development on the site results in a stark transition along Cook Street, with multiple driveways to Cook Street. The consolidation of all car parking to a single basement accessed from Reede Street will facilitate a consolidated landscape presentation to the Cook and Reede Street frontages.

The site is a portion of a larger street block currently undergoing comprehensive redevelopment. The urban design concepts prepared identify that with sensible urban design considerations, the site is suitable for the requested rezoning.

This immediate built form context and the proximity of the site to Turrella Station indicate that the proposed development form and density is appropriate.

These locational and physical characteristics of the site underline the site's consistency with the broader strategic planning outcomes that must be considered.

Therefore the application of the R4 High Density Residential zone High Density Residential zone is proposed as the only zone that facilitates RFBs which are the best building form to address the site geometry and corner location.

Part 1 - Objectives or Intended Outcomes

The objective of the Planning Proposal is to amend *Rockdale LEP 2011* to rezone land known as 33 and 35 Cook Street Turrella, with a legal description of Lot 17 DP 933980 and Lot 16 Sec4 DP33396 from R2 Low Density Residential to R4 High Density Residential zone under Rockdale LEP 2011. This zone will permit residential flat buildings on the site.

The proposed development standards that would accompany the R4 High Density Residential zone seek a FSR of 1.25:1 and building height of 14.5m will facilitate the stepping of the built form down to Reede Street, as demonstrated in the Urban Design Concepts provided at Attachment 3.

The Planning Proposal reflects the consideration of planning issues at sub-regional, local and site specific levels:

- At a strategic planning level the proposed rezoning is considered in its metropolitan planning context and as an integral part of a comprehensive LEP. Section 4.7 of this report provides further discussion of the strategic planning context to this proposal;
- At a local planning level, the proposal is consistent with the adjoining higher density residential development;
- At a site specific level, massing diagrams have been prepared to illustrate and test the proposed rezoning and amenity impacts (refer to Attachment 3).

The R4 High Density Residential zone and height and FSR controls provide a built form that will transition down to the lower density dwellings opposite.

The R4 High Density Residential Zone has been proposed as it is consistent with the zoning of the balance of the street block.

The application of the R4 High Density Residential zone on the land and the development of the site as a RFB has the potential to deliver housing opportunities resulting in a net community benefit in regards to:

- Providing additional housing opportunities close to employment centres and transport nodes;
- Providing a range of choice of residential offerings in the Rockdale LGA;
- Provide higher density accommodation in a location well served by transport nodes; and
- Maximising the use of existing public infrastructure and investment.

The rezoning would be required to be undertaken as an amendment to the current Rockdale LEP 2011.

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
LZN 003	• Apply R4 High Density Residential zone	To permit RFB development
FSR 003	• Apply FSR 1.25:1	To provide an appropriate density
HOB 003	• Apply height of 14.5m	To provide an appropriate height transition
LSZ 003	• Delete application	Not used for R4 High Density Residential zoned land

There are no proposed amendments to the written instrument.

Part 3 - Justification

A Need for the planning proposal

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

The Planning Proposal is not the result of any strategic study.

The site is a residual site adjoining a large parcel zoned R4 High Density Residential. The Planning Proposal will facilitate the development of the site for RFB use with the attendant benefits in additional housing provision for the LGA in a well serviced location.

The requested rezoning of the land will facilitate the development of the site for higher density housing on a site that responds to the targets set within the Draft Subregional Strategy for the South Subregion at a regional planning level to respond to the need to accommodate an increasing population in established urban areas.

At a local planning level, the proposal is consistent with the surrounding higher density residential living development within the locality.

At a site specific level, the site is considered to be of a sufficient area and dimension to facilitate a RFB residential development that:

- Provides a suitable level of amenity for the surrounding and intended residents; and
- Can accommodate a form and scale of development that would have minimal impact on surrounding development and streetscapes.

The planning rationale for increasing land use density close to existing transport services will further the planning principles of reducing private car travel movements and support public transport. Overall, the proposed rezoning is unlikely to result in negative transport impacts. Rather, the proposal will facilitate positive transport and traffic planning outcomes.

The Planning Proposal is the most appropriate means to apply an alternate land use to the site being an RFB. The Planning Proposal would provide translated planning controls from the adjoining high density residential areas and respond to the broader strategic issues of A Plan for Growing Sydney and the South Subregion Draft Subregional Strategy.

As detailed in Section 3 of this report, the rationale to pursue a rezoning of the site to R4 High Density Residential zone High Density Residential is an appropriate use of the land and an appropriate zone to apply to the land.

An existing approval for the site is in place for a townhouse style development. It is considered that the design flexibility afforded by an RFB will provide greater opportunity to provide a suitable transition on this corner site.

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

The Planning Proposal is considered to be the best and only method of achieving the change in use for the site. The existing R2 Low Density Residential zone applying to the site prohibits RFB development.

The proposed rezoning to permit RFB's on the site via the Planning Proposal will enable residential development to be realised on the site generally consistent with the

density of residential development in the locality enabling a positive contribution of the site to the housing target for the LGA without a significant adverse built form impact within the existing built environment.

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?

A Plan For Growing Sydney (2014)

A Plan For Growing Sydney was adopted in December 2014 providing the State Governments overarching goal for Sydney relating to a competitive economy, provision of housing choice, quality living environments and communities and protection of the natural environment.

The provision of additional housing density potential is consistent with the following

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.

The proposal is consistent with the directions and actions of this goal as:

- Housing supply and choice would be increased; and
- The additional housing is located in proximity to employment areas and serviced by a passenger rail transport corridor

Goal 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The proposal is consistent with the directions and actions of this goal as:

- The proposal delivers additional housing opportunities on existing urban land avoiding intrusions into environmentally sensitive lands;
- The site is free of natural hazards;
- The additional housing opportunities are provided in an established area consistent with Principle 1 and well served by passenger rail consistent with Principle 3.

Action 2.1.1: Accelerate housing supply and local housing choices

The proposal is consistent with the action as the proposal will contribute to the provision of the identified additional 664,000 dwellings over the 20 years from 2014.

South Subregion

The Planning Proposal is consistent with the relevant priorities identified for the South Subregion relating to the acceleration of housing choices and affordability along the key public transport corridors.

Sydney South Draft Subregional Strategy

The Metropolitan Strategy is divided into subregions and the Department of Planning and Environment has maintained the subregional strategies in draft form. The subject site is located within the South Subregion.

The subregional strategies are designed to assist Council's with the preparation of their LEPs. The South Subregion Draft Subregional Strategy was released for exhibition on December 2007.

The key directions and targets identified in the South Subregion Draft Subregional Strategy of relevance to the proposal include:

B2 increase Densities in centres whilst improving liveability

The proposal will provide for higher density residential within walking distance to local centres contributing to their vibrancy and providing a range of housing choice for the local population. This provides opportunity for active and public transport use.

C1 Ensure adequate supply of land sites for residential development

The housing target for the Rockdale LGA is identified as having an extra dwelling target to 2031 of 7,000 dwellings. Under the provisions of the Strategy, Council is required to plan for sufficient zoned land to accommodate their local government area housing targets, in particular a target of 60-70 per cent of new housing is to be accommodated in existing urban areas focussed around centres and corridors. The subject site and this proposed amendment to the Rockdale LEP 2011 will further contribute to the Rockdale Council's ability to meet its housing target.

C2 Plan for a housing mix near jobs, transport and services

Sites such as the subject site, given its location in close proximity to Turrella railway station supports increased density.

The site is considered large enough to enable the provision of a range of housing types and sizes therefore improving the housing choice within the Rockdale LGA.

C4 Improve housing affordability

The site is considered large enough to enable the provision of a range of housing types and sizes therefore improving the housing affordability within the Rockdale LGA.

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.

The proposal to rezone the current unused land does not conflict with Council's vision.

Any future development of the site for RFB development will be required to ensure due consideration has also been given to the relevant provisions of the Rockdale Development Control Plan 2011 and other Council Technical Specifications (i.e. landscape, stormwater management, traffic parking and access and waste minimisation and management).

The existing DCP controls and Technical Specifications function to moderate the development achievable under the LEP provisions. Their intentions are numerous, including:

- To facilitate suitable development of the site in accordance with Council's objectives for development;
- To protect the amenity of the area; and
- To promote the development of land with increased density in an orderly manner.

B3 Is the planning proposal consistent with applicable state environmental planning policies?

Consistency with the State Environmental Planning Policies is provided in Table 4, below.

Table 4 - 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	Not Applicable
19	Bushland in Urban Areas	Not Applicable
21	Caravan Parks	Not Applicable
26	Littoral Rainforests	Not Applicable
29	Western Sydney Recreation Area	Not Applicable
30	Intensive Aquaculture	Not Applicable
32	Urban Consolidation (Redevelopment of Urban Land)	Consistent in permitting a higher density residential development of the subject land.
33	Hazardous and Offensive Development	Not Applicable
36	Manufactured Home Estates	Not Applicable
39	Spit Island Bird Habitat	Not Applicable
41	Casino Entertainment Complex	Not Applicable
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. The site already permits residential development.
59	Central Western Sydney Regional Open Space and Residential	Not Applicable
62	Sustainable Aquaculture	Not Applicable
64	Advertising and Signage	Not Applicable
65	Design Quality of Residential Flat Development	The rezoning will permit residential flat development. Future development applications will be required to demonstrate consistency with the SEPP and Residential Flat Design Code (RFDC).
70	Affordable Housing (Revised Schemes)	Not Applicable
71	Coastal Protection	Not Applicable
	(Affordable Rental Housing) 2009	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
	(Building Sustainability Index: BASIX)	This SEPP is relevant to specific

	2004	development that would become permitted under the Planning Proposal. Future development would need to comply with these provisions, if proposed.
	(Exempt and Complying Development Codes) 2008	This SEPP is relevant to specific development that would become permitted under the Planning Proposal and would need to comply with these provisions.
	(Housing for Seniors or People with a Disability) 2004	This SEPP is relevant to specific development that would become permitted under the Planning Proposal and would need to comply with these provisions.
	(Infrastructure) 2007	This SEPP is relevant to particular development categories. This Planning Proposal does not derogate or alter the application of the SEPP to future development.
	(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	Temporary structures that may be proposed would be controlled by the provisions of the SEPP should they be proposed in the future
	(Penrith Lakes Scheme) 1989	Not Applicable
	(Rural Lands) 2008	Not Applicable
	(SEPP 53 Transitional Provisions) 2011	Not Applicable
	(State and Regional Development) 2011	The provisions of the SEPP would be applicable should future development of the land exceed the threshold values identified for certain development.
	(Sydney Drinking Water Catchment) 2011	Not Applicable
	(Sydney Region Growth Centres) 2006	Not Applicable
	(Three Ports) 2013	Not Applicable
	(Urban Renewal) 2010	Not Applicable – the site is not within a potential urban renewal precinct.
	(Western Sydney Employment Area) 2009	Not Applicable
	(Western Sydney Parklands) 2009	Not Applicable

See Table 5 below which reviews the consistency with the State Regional Environmental Plans, now deemed SEPPs.

Table 5 - Consistency with deemed State Environmental Planning Policies

No.	Title	Consistency with Planning Proposal
5	(Chatswood Town Centre)	Not Applicable
8	(Central Coast Plateau Areas)	Not Applicable
9	Extractive Industry (No.2 – 1995)	Not Applicable
16	Walsh Bay	Not Applicable
18	Public Transport Corridors	Not Applicable
19	Rouse Hill Development Area	Not Applicable
20	Hawkesbury-Nepean River (No.2 – 1997)	Not Applicable
24	Homebush Bay Area	Not Applicable
25	Orchard Hills	Not Applicable

26	City West	Not Applicable
28	Parramatta	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 6 below which reviews the consistency with the Ministerial Directions for LEPs under section 117 of the *Environmental Planning and Assessment Act 1979*.

Table 6 - 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	Not Applicable
2.4	Recreation Vehicle Areas	Not Applicable

3. Housing, Infrastructure and Urban Development

No.	Title	Consistency with Planning Proposal
3.1	Residential Zones	Consistent. The proposal broadens housing choice, in a locality utilising existing infrastructure on existing residential zoned land.
3.2	Caravan Parks and Manufactured Home Estates	Not Applicable
3.3	Home Occupations	Consistent. Home occupations remain a permitted use in the R4 High Density Residential zone.
3.4	Integrating land use and Transport	Consistent. The proposal provides increased housing choices in a locality well served by existing public transport.
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. The land is existing residential zoned land mapped as Class 5 Acid Sulfate Soils. Existing assessment requirements for development of the land.
4.2	Mine Subsidence and Unstable Land	Not Applicable
4.3	Flood Prone Land	Not Applicable
4.4	Planning for Bushfire Protection	Not Applicable

5. Regional Planning

No.	Title	Consistency with Planning Proposal
5.1	Implementation of Regional	Not Applicable

	Strategies	
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	Yes - The Planning Proposal is consistent with this Ministerial Direction.
6.2	Reserving land for Public Purposes	Yes - The Planning Proposal is consistent with this Ministerial Direction.
6.3	Site Specific Provisions	Yes - The Planning Proposal is consistent with this Ministerial Direction.

7. Metropolitan Planning

No.	Title	Consistency with Planning Proposal
7.1	Implementation of <i>A Plan for Growing Sydney</i>	Yes - The Planning Proposal is consistent with the relevant actions for the south subregion.

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 an existing highly modified site with no existing or potential habitat.

The Planning Proposal and future redevelopment of the site is appropriate to be considered further as there are unlikely to be any species affected by the potential works.

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

Given that the site is currently zoned for residential use and has an existing approval for residential development, it is considered the site presents a low level of risk to human health. Any future development proposal for the site would be subject to a Section 79C assessment to ensure impacts such as privacy, overshadowing and the like are adequately considered consistent with Council's DCP provisions.

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

The proposed rezoning has the potential to support additional housing opportunities. The proposal has been assessed as having the ability to provide a development that is consistent with the locality and maintains residential amenity.

The increase in land available for housing provision in the Rockdale LGA is considered to be a positive outcome.

D State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

The site is an existing site within the urban context serviced by all required utilities and with access to public transport infrastructure. The rezoning and subsequent redevelopment of the site would be based upon sound principles for utilising existing community investment in infrastructure and services, any development would have a gross floor area under 1,500m², representing a nominal increase in overall dwellings in the locality.

The Planning Proposal has the potential to utilise and support these existing facilities and the existing community investment in this infrastructure. The Planning Proposal would not place unacceptable demands on existing public infrastructure.

No infrastructure upgrades are likely that would not be augmented through the normal development application process.

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

Consultation as part of any Gateway Determination is expected to be required with:

- Roads and Maritime Services; and
- Sydney Water.

No discussions with any of these agencies have been undertaken to date.

Part 4 – Mapping

To facilitate the Planning Proposal the following map amendments will be required to be undertaken (refer to Attachment 9):

1. Sheet LZN 003 – designate the subject site as R4 HIGH DENSITY RESIDENTIAL ZONE High Density Residential
2. Sheet FSR 003 – apply designation “P” for an FSR of 1.25:1
3. Sheet HOB 003 – apply a designation to the western portion of the site for a 14.5m maximum height of buildings
4. Sheet LSZ 003 – remove the minimum lot size designated from the site

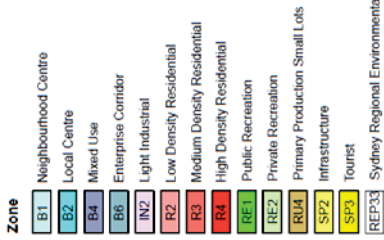


Figure 1 - Site location context

Figures 2 to 5 illustrate the current control maps and describe the proposed amendments to those maps as a result of the Planning Proposal. Specifically, the zoning, height of building, floor space ratio and minimum lot size maps are proposed to be modified by this planning proposal.

Figure 2 below shows the current land zoning under Rockdale LEP 2011

Land Zoning Map - Sheet LZN_003



Proposed mapping amendment

The site to be zoned R4 High Density Residential Zone High Density Residential consistent with the adjoining land.

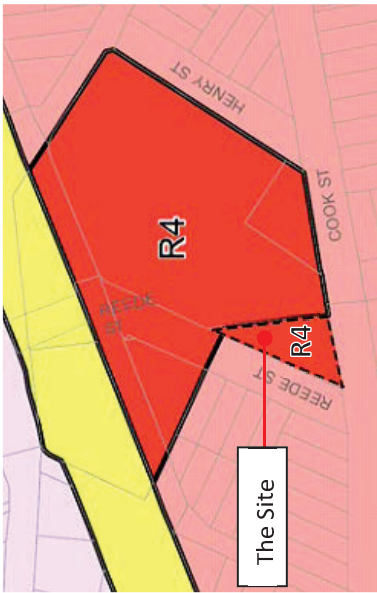
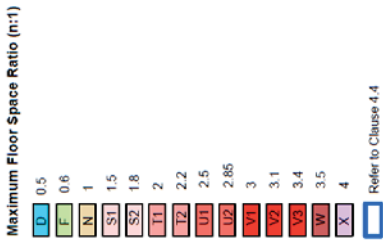


Figure 3 below shows the current maximum FSR under Rockdale LEP 2011

Floor Space Ratio Map - Sheet FSR_003



Proposed mapping amendment

The applicable FSR to be amended to a maximum of 1.25:1 to provide a transition between the maximum 2:1 on the adjoining land and 0.5:1 on the land opposite the site.

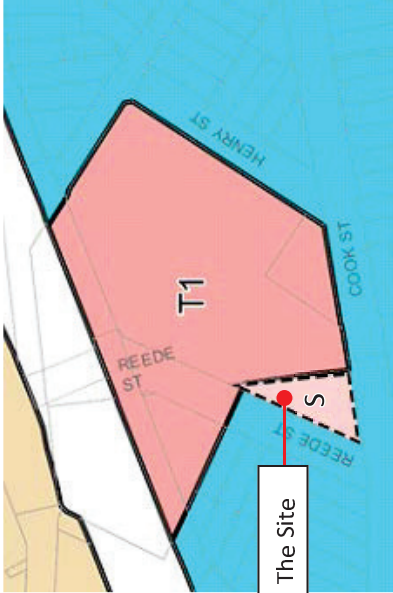


Figure 4 below shows the current maximum Height of Buildings under Rockdale LEP 2011

Height of Buildings Map
- Sheet HOB_003

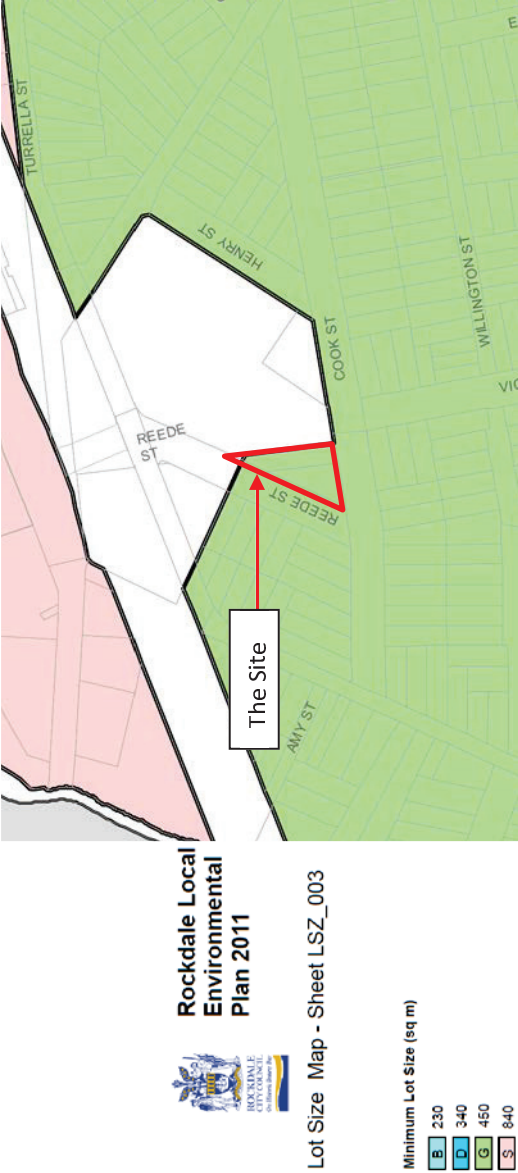


Proposed mapping amendment

The applicable maximum Height of Buildings to be amended to permit 14.5m on the site.

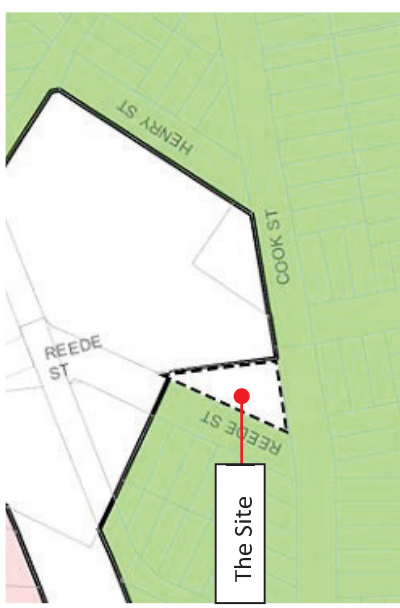


Figure 5 below shows the current minimum Lot Size under Rockdale LEP 2011



Proposed mapping amendment

Delete application of the minimum lot size development standard from the subject site.



Part 5 - Community Consultation

It is anticipated that the Planning Proposal would be placed on public exhibition in accordance with any Gateway Determination should endorsement be received.

The engagement strategy is expected to include:

- Advertisement in a local newspaper (St George and Sutherland Leader);
- Notification letters to relevant State Agencies and any other authorities nominated by the Department, but will include the Sydney Airports Corporation;
- Notification letters to landowners adjoin and within the vicinity of the subject site;
- Advertisement and exhibition of the Planning Proposal on Council's website; and
- Exhibition of the Planning Proposal at Council's Customer Services Centre, 2 Bryant Street, Rockdale.

An exhibition period of 28 days is recommended for the Planning Proposal.

Part 6 – Project Timeline

The table below provides a proposed timeframe for the project.

Table– Approximate Project Timeline

To be completed by Council once preliminary assessment completed.

Task	Timing
Date of Gateway determination	4-6 weeks after submission to DP&E
Anticipated timeframe for the completion of required technical information	Completed.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	21 days – to run concurrently with the public exhibition period.
Commencement and completion dates for public exhibition period	
Dates for public hearing (if required)	Not applicable at this stage.
Timeframe for consideration of submissions	4 weeks.
Timeframe for the consideration of a PP following exhibition	6 weeks.
Consideration of PP by Council (Council Meeting)	20 May 2015
Date of submission to the department to finalise the LEP	23 May 2015 – Pending Council resolution
Anticipated date RPA will make the plan (if delegated) or Anticipated date RPA will forward to the department for notification	July 2015
Anticipated publication date	July 2015

Appendix 1: Urban Design Report

To be determined by Council