



Planning,  
Industry &  
Environment

IRF21/1071

## Gateway determination report – PP-2021-3398

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Rockdale Interchange Precinct (471-511 Princes Highway; 2-14 Tramway Arcade; and 6 & 14 Geeves Avenue, Rockdale)

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**Table 1 Reports and plans supporting the proposal**

Relevant reports and plans
Planning Proposal – 24 February 2021
Economic Assessment
Urban Design Report
Transport Study & Addendum Letters
Rockdale Town Centre Masterplan
Heritage Assessment
Draft DCP

Council Meeting 13/11/19 – Officers Report, Minutes, Consultant’s Report

# 1 Introduction

## 1.1 Overview of planning proposal

**Table 2 Planning proposal details**

<b>LGA</b>	<b>LGA name</b>
<b>PPA</b>	<b>Bayside Council</b>
<b>NAME</b>	<b>Rockdale Interchange (246 residential units; 196 direct jobs)</b>
<b>NUMBER</b>	<b>PP-2021-3398</b>
<b>LEP TO BE AMENDED</b>	<b>Rockdale LEP 2011</b>
<b>ADDRESS</b>	471-511 Princes Highway; 2-14 Tramway Arcade; and 6 & 14 Geeves Avenue, Rockdale
<b>DESCRIPTION</b>	<b>Refer to Table 3</b>
<b>RECEIVED</b>	<b>6/05/2021</b>
<b>FILE NO.</b>	<b>IRF21/1071</b>
<b>POLITICAL DONATIONS</b>	<b>There are no donations or gifts to disclose and a political donation disclosure is not required</b>
<b>LOBBYIST CODE OF CONDUCT</b>	<b>There have been no meetings or communications with registered lobbyists with respect to this proposal</b>

**Table 3 Lots subject of the planning proposal**

<b>Lot</b>	<b>DP</b>	<b>Address</b>
2	112857	471 Princes Highway
1 & 2	1333058	475-477 Princes Highway
1	576382	481 Princes Highway
1	924452	483 Princes Highway
A & B	101117	485-487 Princes Highway
1	920674	489 Princes Highway
12	2291	491 Princes Highway
1	120810	491 Princes Highway

Lot	DP	Address
2	530089	493 Princes Highway
1-14	SP3423	1-14/495 Princes Highway
1	108807	501 Princes Highway
7	109535	501 Princes Highway
10	1189023	507 Princes Highway
D	964518	509 Princes Highway
11	1188474	511 Princes Highway
11-12	576411	2-4 Tramway Arcade
2	534155	6 Tramway Arcade
B & C	387939	8-14 Tramway Arcade
1	112857	6 Geeves Avenue
PT 1	343365	14 Geeves Avenue

Note: Lot & DP numbers are stated in Consultant's Report dated 9 October 2019 and considered at the Council meeting on 13 November 2019.

## 1.2 Site description and surrounding area

The planning proposal relates to land known as the Rockdale Transport Interchange Precinct (Interchange Precinct) (see **Figure 1**), which is located within the Rockdale town centre. The site has an area of approximately 6,240m<sup>2</sup> and is bound by Geeves Avenue to the north and west, Tramway Arcade to the south and the Princes Highway to the east. The land extends approximately 140m along the Princes Highway, 126m along the western part of Geeves Avenue, 47m along the northern part of Geeves Avenue and 52m along Tramway Arcade.

The site is occupied by a number of retail and commercial premises accessed from the various frontages. The existing buildings range in height from one to three storeys and are generally contained within a slim subdivision pattern. There is no significant vegetation or habitat on the site.

The block is bisected by a pedestrian arcade which runs through the site from Geeves Avenue to Princes Highway and aligns to the main pedestrian crossing connecting to King Street in the east. This arcade provides a thoroughfare for pedestrians from Rockdale railway station and bus interchange to the west to connect to other parts of the Rockdale town centre to the east.

The land is zoned B2 Local Centre under Rockdale LEP 2011 (**Figure 2**). Apart from the SP2 Infrastructure (railway and highway) land the surrounding land is zoned B2, with Mixed Use B4 and High Density Residential R4 on the edges of the Rockdale centre.



Figure 1: Aerial photo of the site highlighted red (source: Planning Proposal)



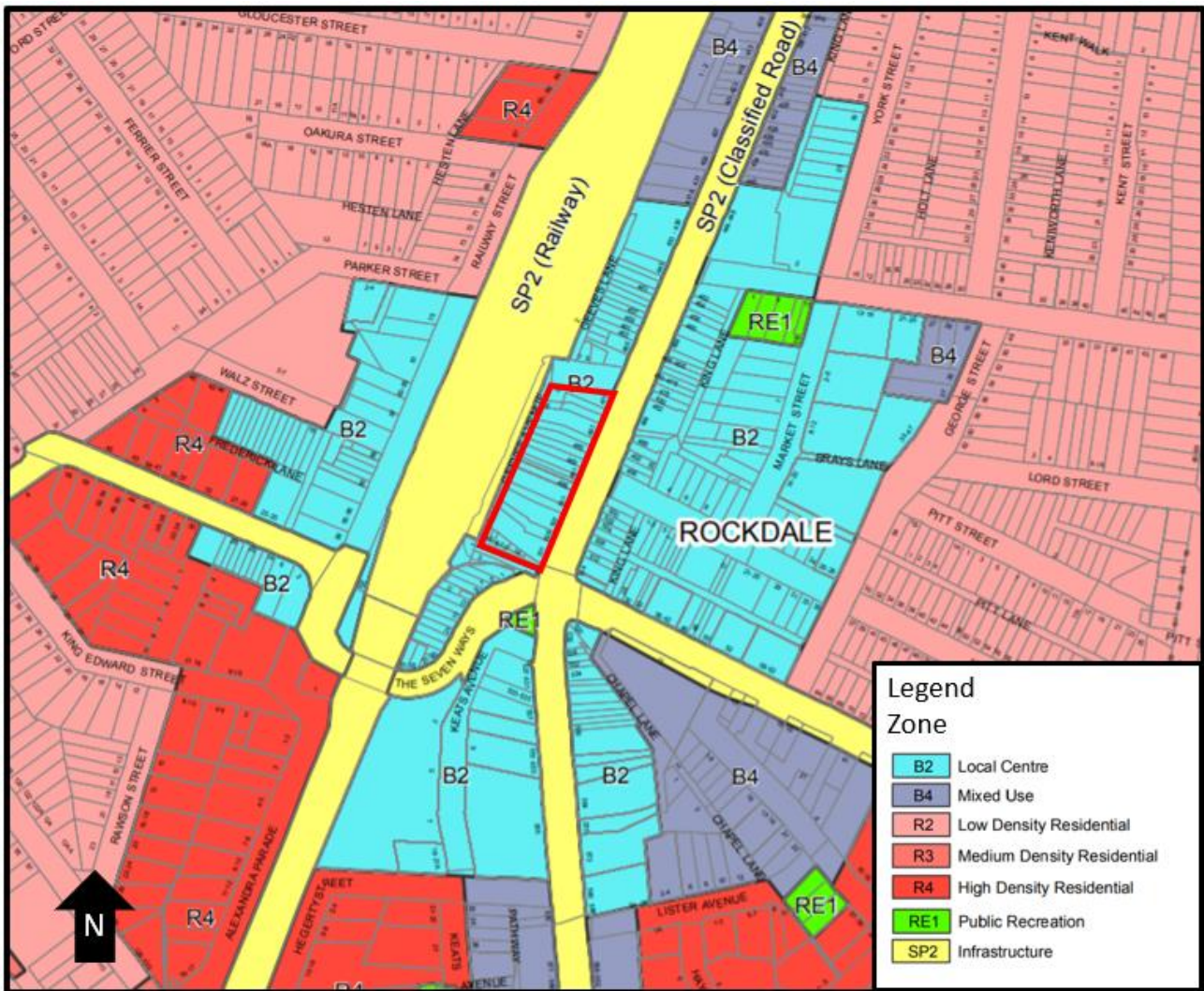


Figure 2: Current zoning of precinct in context with wider Rockdale centre (source: Council consultant's report)

### 1.3 Rockdale Town Centre Masterplan

The planning proposal responds to the Rockdale Town Centre Masterplan (the Masterplan) which was adopted by the former Rockdale City Council on 5 December 2012. The aim of the Masterplan is to identify key precincts that have redevelopment potential, need revitalisation, and would have the greatest impact on improving the vibrancy of the Rockdale town centre. The planning proposal intends to implement the intent of this Masterplan through changes to the built form controls that apply to the site.

The Masterplan identifies three distinct precincts within the Rockdale town centre and outlines the existing role or character of each precinct and provides guidance as to how each precinct will be developed. Of relevance to this planning proposal is the 'Town Centre Core' which is located around the Rockdale Railway Station, within which the Interchange Precinct (**Figure 3**) is one of the four sub precincts.

The Interchange Precinct incorporates the Rockdale Railway Station, Bus Interchange and the adjacent commercial properties (including the land subject to this planning proposal) between Geeves Avenue and the Princes Highway.



A previous planning proposal was prepared and finalised to implement planning controls relating to some aspects of the Masterplan. However, it did not implement any changes in relation to the Interchange Precinct (incorporating the site).

A key reason for deferring this precinct was to prepare a Transport Management Accessibility Plan (TMAP) to address the concerns of Transport for NSW (TfNSW) regarding the functioning of Rockdale train station and bus interchange. In response, a Transport Study has been prepared and provided to TfNSW who have provided comments to inform the preparation of this planning proposal.

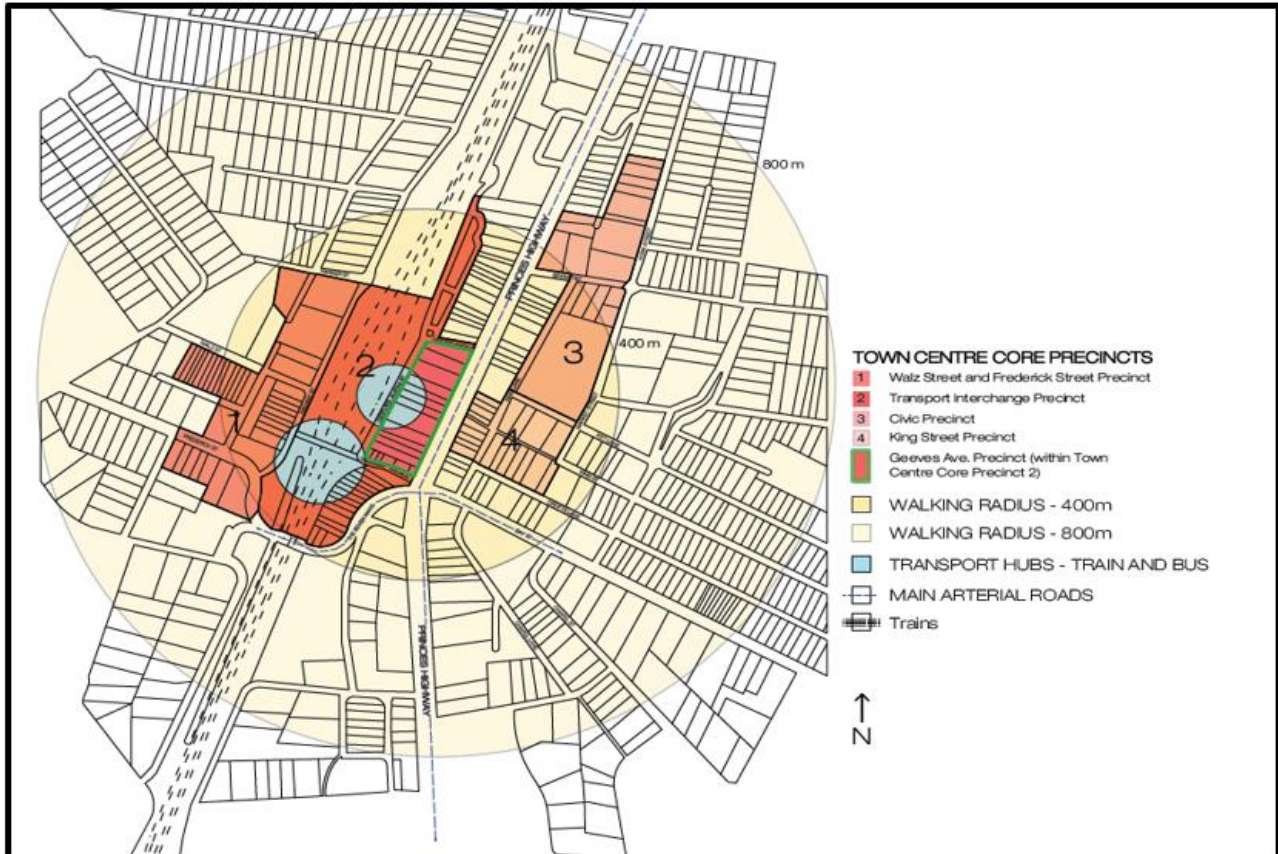


Figure 3: Rockdale Town Centre Masterplan, Town Centre Core Precincts (Source: the Masterplan)

## 2 Proposal

### 2.1 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- Provide incentive and flexibility for redevelopment of the precinct;
- Increase the existing base height of building development standard by 5m (from 22m to 27m) which will increase the maximum achievable height for the site to 39m (27m base height + 12m through incentive clause where additional height subject to the Design Review Panel reviewing the proposal and the site being greater than 1,500m<sup>2</sup>);
- Remove the floor space ratio (FSR) control for the site to align with the approach taken in the Rockdale Town Centre. The built form is to be controlled by the height control and DCP building envelope controls.

- *Enable redevelopment of the precinct which includes:*
  - *A six storey podium along Princes Highway and a three storey podium along Geeves Avenue;*
  - *Create landmark buildings to the northern and southern ends for the precinct which will present a positive image of Rockdale Centre and facilitate high quality architectural design; and*
  - *Improve the existing through site link by opening it up to the air and increasing its width.*
- *Increase housing supply and choice within walking distance of Rockdale Station, which will provide residents with easy access to major employment hubs including Sydney CBD and Hurstville, and will contribute to the State government’s vision of a ‘30-minute city’;*
- *Renewal of the Transport Interchange Precinct and improvement to public domain along Princes Highway, Geeves Avenue and Tramway Arcade; and*
- *Deliver a transit-orientated development in association with the Rockdale train station and bus interchange.*

The objectives of this planning proposal are clear and adequate.

## 2.2 Explanation of provisions

The planning proposal seeks to amend the Rockdale LEP 2011 per the changes below.

**Table 4: Current and Proposed controls**

Control	Current	Proposed
Zone	B2 Local Centre	Unchanged B2 Local Centre
Maximum height of the building	22m or 34m through incentive clause	27m or 39m through incentive clause
Floor space ratio	2:1	nil
Number of dwellings	Not stated	246
Number of jobs	Not available	196 Direct jobs

Note: at the time of writing this report, the Bayside Local Environmental Plan 2021 is under consideration for finalisation. It is likely that the Bayside LEP 2021 will be in effect should this planning proposal proceed to finalisation and legal drafting. The Bayside LEP 2021 seeks to retain the existing zoning and development standards that currently apply to the site under the Rockdale LEP 2011.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

Further details of these proposed provisions are provided below.

### Building Height

The planning proposal seeks to increase the maximum base height of building (HOB) control from 22m to 27m for the entire site. Currently an incentive (clause 4.3(2A)(a)) applies to the site, which provides for an additional 12m of height for buildings in ‘Area A’ on sites greater than 1,500m<sup>2</sup> subject to:

- design excellence considerations under clause 6.14; and,
- a design review panel reviewing the development application (clause 6.14(5)(a)(i)).

The proposed maximum achievable height for the site will be 39m (27m base height, plus an additional 12m as per Clause 4.3(2A)(a)). The planning proposal seeks to increase the overall achievable building height by 5m, from 34m to 39m. It is noted that the concept design supporting the planning proposal reflects a height of 38.9m (or RL54.87).

The incentive height provision and requirement to refer development applications to a design review panel are proposed to be retained in Bayside LEP 2021.

### Floor Space Ratio

The planning proposal removes the maximum FSR of 2:1 that currently applies to the site and removes the site from the FSR map. The site will also be removed from 'Area A' designation in the FSR map which allows for an additional FSR of 1:1 as per clause 4.4(2C)(a).

This site and another are the only sites in the Rockdale Master Plan that currently have an FSR control under the LEP. The built form for the rest of the sites in the Rockdale Town Centre is controlled by maximum building height standards in the LEP and building envelope controls in the Rockdale Development Control Plan 2011. The removal of the site from the FSR map will be consistent with the application of controls for the surrounding sites.

Bayside Council is currently preparing a planning proposal that will apply to the Rockdale Town Centre, including this site. It is anticipated that this further planning proposal will be submitted for Gateway in June 2021. It is understood that the future proposal will be supported by further design analysis and include design excellence provisions. The consideration of built form controls, including FSR can be further considered as part of the broader review of the town centre.

### Land use outcomes

The planning proposal seeks to facilitate a high-density mixed-use development with 246 residential units including 70 one bedroom units, 145 two bedroom units and 31 three bedroom units. The intended future development will also include approximately 4,015 m<sup>2</sup> GFA of retail floorspace and 377m<sup>2</sup> of retail floorspace.

Ground level commercial uses will be encouraged as shop top housing is the only form of residential development permissible with consent.

### Development Control Plan

An associated draft development control plan (draft DCP) is provided with the planning proposal. It is drafted to include controls to deliver a 12m wide pedestrian link through the centre of the precinct, encourage active retail zones along street frontages and setbacks to provide wider pedestrian footpaths along the Princes Highway, Geeves Avenue and Tramway Arcade (**Figure 4**).

The draft DCP contains site amalgamation and staging and building envelope controls. The built form of the proposal contains a 6 storey podium along Princes Highway and 3 storey podium along Geeves Avenue, two 12 storey landmark buildings with one at the northern end of the precinct and the other to the southern end. The built form to 2-18 Tramway Arcade is to be 3 storeys and the centre of the precinct is to be between 5 and 6 storeys. Parking rates and access arrangements are addressed in the draft DCP.

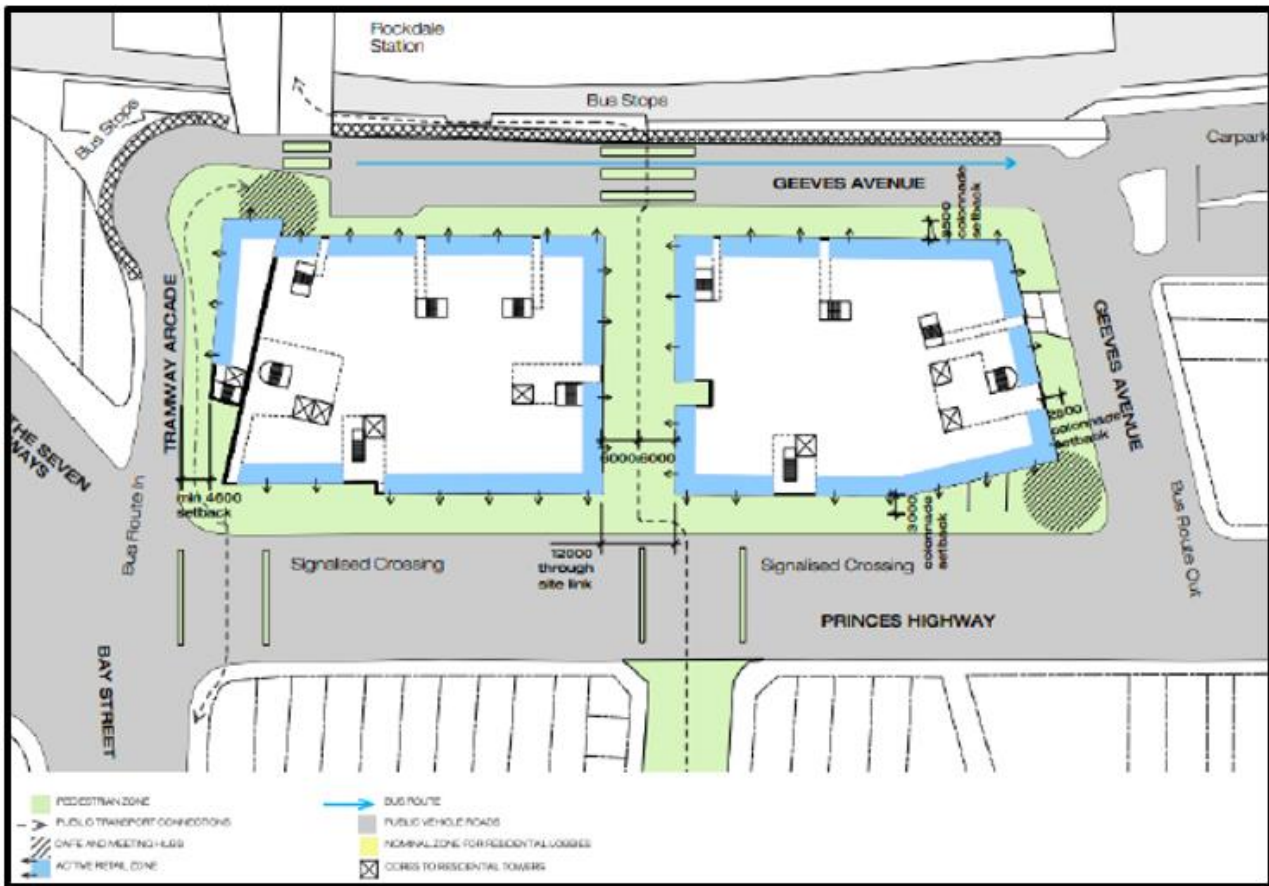


Figure 4: Proposed site plan showing pedestrian linkages and footpath widening (source Draft DCP)

## 2.3 Mapping

The planning proposal includes mapping showing the proposed changes to the height of buildings and FSR maps (**Figures 5 & 6**). A Gateway condition is recommended to require the planning proposal to be updated for community consultation to:

- include maps showing the existing height of buildings and FSR with the site clearly identified;
- identify the site with a legend on the proposed height of buildings map and FSR map;
- rectify an error on the proposed height of buildings map which shows a polygon on the southern corner of Parker Street and Railway Street specified as 'R2'. This should reflect an existing height provision of 'T3'.



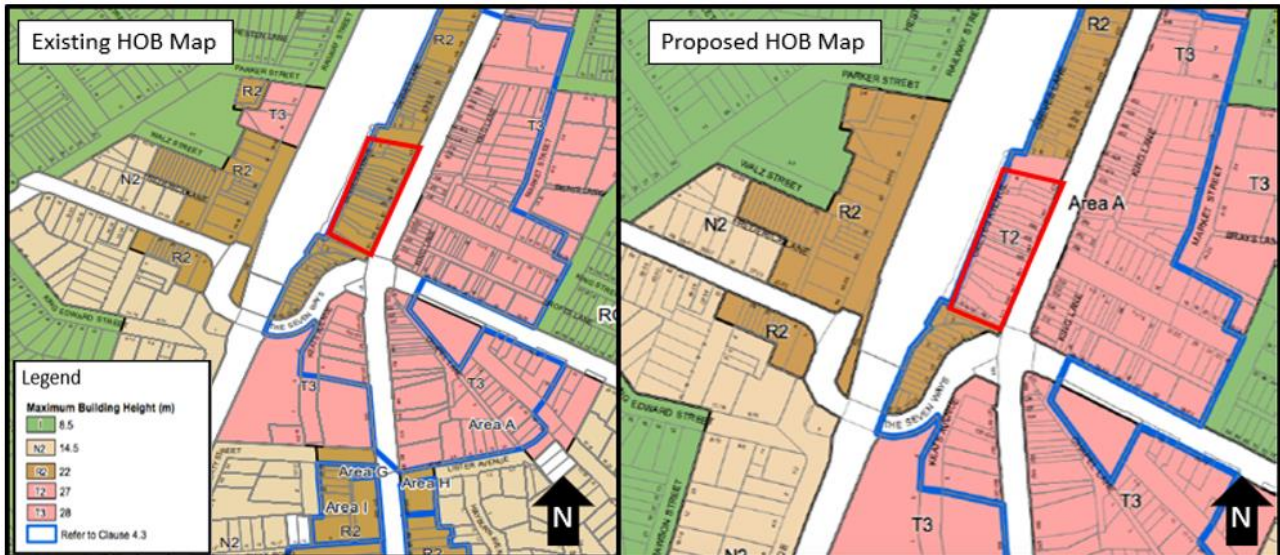


Figure 5: Current and proposed height of building maps (LEP 2011 & planning proposal)

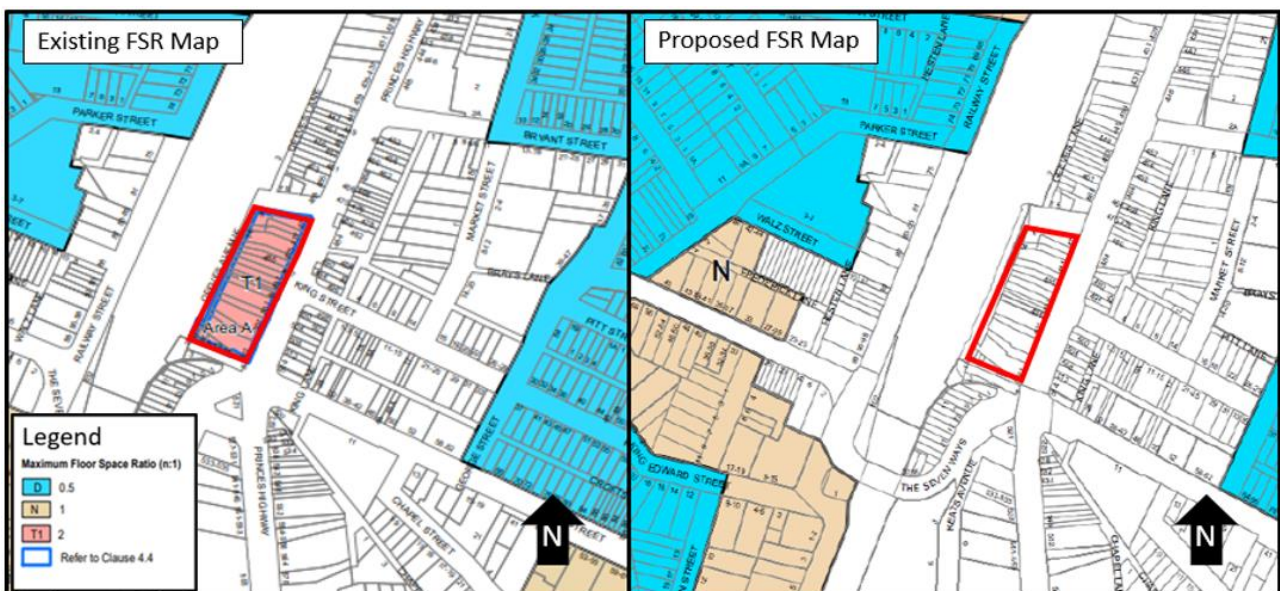


Figure 6: Current and proposed floor space ratio maps (LEP 2011 & planning proposal)

### 3 Need for the planning proposal

The planning proposal states that it seeks to implement the Rockdale Town Centre Masterplan which identifies that the Interchange Precinct has the potential to provide a landmark for the Rockdale Town Centre.

The desired future character for the precinct under the masterplan is summarised as follows:

- Mixed Use development with ground floor retail and residential above;
- Landmark built form visible to passing motorists and rail users;
- Upgraded and expanded pedestrian through link between the bus interchange and Princes Highway; and
- Expanded bus interchange.

In response to the masterplan, the planning proposal seeks to facilitate retail (4,015m<sup>2</sup>) and commercial (377m<sup>2</sup>) floor space with the aim of delivering services and the continuation of



employment opportunities in the town centre. Residential uses are intended to be provided above ground level.

Given that height and density are controlled by Rockdale LEP 2011, a planning proposal is the best means for achieving this outcome.

## 4 Strategic assessment

### 4.1 District Plan

The site is within the Eastern City District and the Greater Sydney Commission released the Eastern City District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

**Table 5 Eastern City District Plan assessment**

District Plan Priorities	Justification
Planning Priority E1. Planning for a city supported by infrastructure	The planning proposal will provide additional housing and retail floor space within close proximity to Rockdale station and bus interchange, which will help optimise the existing public transport infrastructure. It seeks to facilitate expanded setbacks and widened footpaths to enable improvements to the adjacent bus interchange.
Planning Priority E4. Fostering healthy, creative, culturally rich and socially connected communities.	The planning proposal intends to facilitate opportunities for more housing and employment. It intends to improve public domain, permeability and walkability via creating publicly accessible through-site connections and new footpaths. This is generally in keeping with this Priority, including Action 10, which seeks to foster healthy, culturally rich and connected neighbourhoods, that are active and walkable.
Planning Priority E5. Providing housing supply, choice and affordability, with access to jobs and services	<p>The planning proposal intends to locate new dwellings with mixed uses on the same site, within walking distance to public transport (rail and bus) and near existing jobs and services.</p> <p>The proposal will deliver housing supply and choice with a mix of apartment types, in a location that optimises existing transport infrastructure and services.</p> <p>The planning proposal does not provide a commitment to affordable housing other than to state that it will be considered as part of a future development application. Under Section 7.32 (3(b) of the EP&amp;A Act, a condition can only be imposed by a council to levy a developer for an affordable housing contribution if:</p> <ul style="list-style-type: none"> <li>- the contribution requirement for affordable housing is in an LEP, and;</li> <li>- the condition is in accordance with an affordable housing contribution scheme.</li> </ul> <p>As Bayside Council does not yet have an endorsed affordable housing contribution scheme then affordable housing cannot be addressed through this planning proposal.</p>

District Plan Priorities	Justification
<p>Planning Priority E6: Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>The District Plan identifies Rockdale as a 'local centre' where local centres include public transport and transport interchanges, they are an important part of a 30-minute city.</p> <p>The planning proposal intends to facilitate an active through site link with mixed uses and increased building setbacks to provide wider footpaths. This has the potential to increase pedestrian accessibility and permeability for movement from the rail station and bus interchange through to the eastern side of the town centre.</p> <p>There are no existing heritage items located on the site. Notwithstanding this, a heritage report has been provided with the planning proposal which considers that the buildings on the site do not meet the criteria for future heritage listing.</p>
<p>Planning Priority E10. Delivering integrated land use and transport planning and a 30-minute city</p>	<p>The planning proposal will enable development of a mixed-use precinct adjacent to Rockdale Station. Future residents will be located close to the jobs and services in Rockdale and within 30 minutes of larger employment hubs such as Hurstville, Kogarah and the Sydney CBD.</p> <p>The proposal will deliver integrated land use and transport planning, by locating new housing in close proximity to the station and facilitating improved pedestrian linkages from the train station/bus interchange to Princes Highway.</p>
<p>Planning Priority E17 Increasing urban tree canopy cover and delivering Green Grid connections</p>	<p>The Greater Sydney Green Grid is a long-term vision for a network of high quality green spaces that connects communities to the natural landscape. The Princes Highway is identified as an 'Other Green Grid Opportunities' connection.</p> <p>The planning proposal is accompanied by a site specific DCP which incorporates prescribed building street setbacks that could contribute to improved tree canopy and contribution to green grid connections. With redevelopment there will be an opportunity to increase the planting along the Princes Highway due to increased setbacks in the associated draft DCP to facilitate street trees.</p>
<p>Planning Priority E18: Delivering high quality open space</p>	<p>This priority stipulates that new high density developments are to be serviced by adequate access to open space (within 200-400m) and Action 67 encourages existing open spaces to be maximised, including those that are privately owned.</p> <p>The Rockdale Centre Masterplan acknowledges that there is currently limited public open space within the Town Centre. The Masterplan identifies the need to create a new town square fronting Byrant Street, King Lane and Market Street to contribute to the open space needs of the Centre. The previous planning proposal which implemented parts of the Masterplan included a rezoning of this land to a RE1 Public Recreation zoning to facilitate this future outcome. The site will be within 200 metres of this envisaged new open space.</p>

District Plan Priorities	Justification
Planning Priority E19. Reducing carbon emissions and managing energy, water and waste efficiently	The planning proposal is generally consistent with this priority as its location adjacent to the bus interchange and rail station promotes the use of public transport and reduced private vehicle trips.
Planning Priority E20 Adapting to the impacts of urban and natural hazards and climate change	Rockdale LEP 2011 contains provisions to address urban and natural hazards specifically acid sulfate soils, aircraft noise and flooding. These provisions are expected to be transferred across to Bayside LEP 2021.

## 4.2 Local

**Table 6 Local Strategies**

Local Strategies	Justification
Local Strategic Planning Statement (LSPS)	<p>The planning proposal does not currently address the Bayside LSPS. The Department has reviewed the LSPS and notes the following key relevant planning priorities.</p> <p><i>Infrastructure and collaboration – E1 Planning for a city supported by infrastructure</i></p> <p>The site is immediately adjacent to the rail station and bus interchange, future development of the precinct will optimise the use of this transport infrastructure.</p> <p><i>E2 Working through collaboration</i></p> <p>The transport study supporting the proposal was prepared through collaboration between the major land holder/proponent, Council and TfNSW.</p> <p><i>Liveability – Housing the City– E5 Providing housing supply, choice and affordability, with access to jobs, services and public transport</i></p> <p>The planning proposal intends to locate new dwellings with mixed uses on the same site, within walking distance to public transport (rail and bus) and in proximity to a number of jobs and services.</p> <p>The proposal will deliver housing supply with a mix of apartment types, in a location that optimises existing transport infrastructure and services.</p> <p><i>Productivity - E10 Delivering integrated land use and transport planning and a 30-minute city</i></p> <p>The planning proposal will enable development of a mixed use precinct adjacent to Rockdale Station. Future residents will be located close to the jobs and services in Rockdale and within 30 minutes of larger employment hubs such as Hurstville and the Sydney CBD.</p> <p>The proposal will deliver integrated land use and transport planning, by locating new housing in close proximity to the station and facilitating improved pedestrian linkages from the train station/bus interchange to Princes Highway.</p>

Local Strategies	Justification							
	<p><i>Sustainability – An efficient city - E19 Reducing carbon emissions and managing energy, water and waste efficiently</i></p> <p>The planning proposal is generally consistent with this priority as its location adjacent to the bus interchange and rail station promotes the use of public transport and reduced private vehicle trips.</p> <p>A <b>Gateway Condition</b> is included requiring the planning proposal to address all relevant matters in the Bayside LSPS.</p>							
Bayside Community Strategic Plan 2018-2030	<p>The Bayside Community Strategic Plan sets the strategic direction for Council's Delivery Program and Operational Plans. The proposal is consistent with Plan, including the following relevant strategic directions:</p> <ul style="list-style-type: none"> <li>• The proposal is consistent with Strategic Direction 'Our Places are people-focussed' as it seeks to facilitate an activated ground floor outcome with improved connectivity.</li> <li>• The proposal is consistent with Strategic Direction 'Our Places Connect People' as it will facilitate the opportunity for a mix of uses in close proximity to services and facilities within walking distance in the Rockdale Town Centre.</li> <li>• The proposal is consistent with Strategic Direction 'Local Housing, employment and business opportunities are generated' as it will facilitate additional housing and employment opportunities.</li> </ul>							
Rockdale Town Centre Masterplan	<p>The design of the proposal delivers on elements of the Rockdale Town Centre Masterplan which specifies a number of elements that should be incorporated into the future redevelopment of the Interchange Precinct.</p> <table border="1" data-bbox="464 1189 1430 1870"> <thead> <tr> <th data-bbox="464 1189 927 1290">Rockdale Master Plan Structure Plan Elements</th> <th data-bbox="927 1189 1430 1290">Concept Design Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="464 1290 927 1671">High-quality mixed-use development consisting of a podium containing retail uses on the ground and first floor, which fronts the Pacific Highway and the new improved pedestrian linkages, and residential towers above, designed to achieve high levels of amenity and provide modern apartment living in the heart of the Centre.</td> <td data-bbox="927 1290 1430 1671">The concept design, facilitated through the draft DCP, provides for an enlarged through site link and widened footpaths to improve pedestrian linkages.  It includes a 6 storey podium along Princes Highway, a 3 storey podium along Greeves Avenue and Tramway Arcade with upper level setbacks.</td> </tr> <tr> <td data-bbox="464 1671 927 1870">The development will become a landmark at the Seven Ways intersection which presents a positive image of the centre to passing motorists and rail users.</td> <td data-bbox="927 1671 1430 1870">The concept design includes two landmark 12 storey towers. It is highly likely that the incentives clause will be activated requiring the concept to meet design excellence requirements.</td> </tr> </tbody> </table>		Rockdale Master Plan Structure Plan Elements	Concept Design Response	High-quality mixed-use development consisting of a podium containing retail uses on the ground and first floor, which fronts the Pacific Highway and the new improved pedestrian linkages, and residential towers above, designed to achieve high levels of amenity and provide modern apartment living in the heart of the Centre.	The concept design, facilitated through the draft DCP, provides for an enlarged through site link and widened footpaths to improve pedestrian linkages.  It includes a 6 storey podium along Princes Highway, a 3 storey podium along Greeves Avenue and Tramway Arcade with upper level setbacks.	The development will become a landmark at the Seven Ways intersection which presents a positive image of the centre to passing motorists and rail users.	The concept design includes two landmark 12 storey towers. It is highly likely that the incentives clause will be activated requiring the concept to meet design excellence requirements.
Rockdale Master Plan Structure Plan Elements	Concept Design Response							
High-quality mixed-use development consisting of a podium containing retail uses on the ground and first floor, which fronts the Pacific Highway and the new improved pedestrian linkages, and residential towers above, designed to achieve high levels of amenity and provide modern apartment living in the heart of the Centre.	The concept design, facilitated through the draft DCP, provides for an enlarged through site link and widened footpaths to improve pedestrian linkages.  It includes a 6 storey podium along Princes Highway, a 3 storey podium along Greeves Avenue and Tramway Arcade with upper level setbacks.							
The development will become a landmark at the Seven Ways intersection which presents a positive image of the centre to passing motorists and rail users.	The concept design includes two landmark 12 storey towers. It is highly likely that the incentives clause will be activated requiring the concept to meet design excellence requirements.							

Local Strategies	Justification											
	<p>Provide an improved and enlarged through site pedestrian link which connects the bus interchange with the Princes Highway at the pedestrian traffic signals.</p>	<p>The concept design provides for a 12m wide through site pedestrian link connecting the interchange and the Princes Highway.</p>										
	<p>Facilitate the upgrade and expansion of the bus interchange, and provide a setback to Geeves Avenue to achieve the required space.</p>	<p>The concept design includes an additional 2.5m setback from Geeves Avenue to facilitate the upgrade of the bus interchange.</p>										
	<p>Direct level access for pedestrians provided from the railway station concourse into the redevelopment, which connects to the Seven Ways intersection and the improved through site pedestrian link. All this will be activated by retail uses.</p>	<p>The planning proposal documentation states that Council does not consider a pedestrian bridge is required. It is understood this is based on concerns that a pedestrian bridge would have a detrimental impact on street level activation and interaction with ground floor retail and commercial uses. A through site pedestrian link is intended to be provided at ground level.</p>										
<p>Draft Bayside Local Housing Strategy</p>	<p>The draft Bayside Local Housing Strategy was adopted by Council on 10 March 2021, and at the time of writing this report, is being considered for endorsement by the Department (the draft Bayside LHS).</p> <p>The draft Bayside LHS sets a 20 year vision for housing supply, which targets the provision of 26,021 additional dwellings between 2016 and 2036, being:</p> <table border="1" data-bbox="464 1267 1428 1603"> <thead> <tr> <th data-bbox="464 1267 948 1335">Timeframe</th> <th data-bbox="948 1267 1428 1335">Dwelling Target</th> </tr> </thead> <tbody> <tr> <td data-bbox="464 1335 948 1402">2016 – 2021</td> <td data-bbox="948 1335 1428 1402">10,150</td> </tr> <tr> <td data-bbox="464 1402 948 1469">2021 - 2026</td> <td data-bbox="948 1402 1428 1469">7,720</td> </tr> <tr> <td data-bbox="464 1469 948 1536">2026 - 2036</td> <td data-bbox="948 1469 1428 1536">8,151</td> </tr> <tr> <td data-bbox="464 1536 948 1603">Total 2016 - 2036</td> <td data-bbox="948 1536 1428 1603">26,021</td> </tr> </tbody> </table> <p>One of the key principles of the draft Bayside LHS is that growth should occur in centres with good access to public transport and proximity to facilities and services, such as Rockdale.</p> <p>The draft Bayside LHS found that Rockdale is one of the most appropriate centres in the LGA for additional housing intensification as it is near the T8 Line and land available for redevelopment.</p>		Timeframe	Dwelling Target	2016 – 2021	10,150	2021 - 2026	7,720	2026 - 2036	8,151	Total 2016 - 2036	26,021
Timeframe	Dwelling Target											
2016 – 2021	10,150											
2021 - 2026	7,720											
2026 - 2036	8,151											
Total 2016 - 2036	26,021											



## 4.3 Council and Local planning panel (LPP) recommendation

### Bayside Local Planning Panel

On 15 August 2019, the planning proposal was considered by the Bayside Local Planning Panel (the Panel). The Panel supported the planning proposal and related draft DCP and requested a heritage assessment be prepared prior to referral of the plan to the Department.

The reasons for the Panel recommendation were:

- the site is within a key strategic location for Rockdale and that it is desirable for development controls to be brought into line with those applying to other key sites within the area.
- the public benefit of formalising and enhancing the pedestrian link from Rockdale Station to the Princes Highway was seen as important aspect of the proposal.
- the heritage assessment was seen as necessary to inform the proposal prior to Gateway consideration.

### Council Meeting

On 13 November 2019, Council resolved the following:

*That Council acknowledges the recommendations of the Independent Planning Consultant and the Panel, and supports the draft planning proposal subject to the proponent:*

- *updating the planning proposal report to the satisfaction of the Independent Planning Consultant and Council staff prior to referral of the draft planning proposal to the Department for a Gateway determination;*
- *amending the Draft DCP to the satisfaction of the Independent Planning Consultant and Council staff prior to referral of the draft planning proposal to the Department for a Gateway determination;*
- *preparing a Heritage Assessment of buildings 471-477 Princes Highway and 6-14 Geeves Avenue, Rockdale to the satisfaction of the Independent Planning Consultant and Council staff prior to referral of the draft planning proposal to the Department for a Gateway determination;*
- *That Council note that a draft letter of offer for a Voluntary Planning Agreement has not been submitted to Council by the proponent.*

Council states that since this resolution, Council staff have been working with the proponent to satisfy the requirements of the resolution. Council states that the updated and additional documents have now been supplied and are included with the Gateway request.

## 4.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

**Table 7: Section 9.1 Ministerial Direction assessment**

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency

1.1 Business and Industrial Zones	Yes	<p>This Direction aims to encourage employment growth in suitable locations, protect employment land in business zones, and support the viability of identified centres.</p> <p>There will be no change to the existing zoning that applies to the site and there will be no reduction in total potential floor space for employment uses. Ground level commercial uses will be encouraged as shop top housing is the only form of residential development permissible with consent. The proposed high-density mixed employment and residential development seeks to enhance the viability of the Rockdale centre.</p> <p>The planning proposal states that it is estimated that the site once developed will have the following economic impacts on an annual basis:</p> <ul style="list-style-type: none"> <li>- \$111.6 million in output.</li> <li>- \$58.7 million contribution to Gross Regional Product.</li> <li>- \$35 million in incomes and salaries.</li> <li>- 446 full time equivalent jobs, including 196 direct jobs.</li> </ul>
2.3 Heritage Conservation	Yes	<p>The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>The heritage assessment study found that the buildings on the site do not meet the criteria for heritage listing. As the site is located in close proximity to the State heritage listed Rockdale railway station, it is recommended that consultation occur with Heritage NSW.</p>
2.6 Remediation of Contaminated Land	Yes	<p>The objective of this Direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</p> <p>The zoning of the land is not changing and remains B2 Local Centre which allows uses such as commercial, retail and shop top housing. The Direction only requires detailed consideration of contamination where a zoning change would permit a change of land use. As such the Direction does not need to be considered further and contamination matters will be considered further as part of any future development application.</p>

3.1 Residential zones	Yes	<p>This Direction aims to encourage housing choice, make efficient use of infrastructure and services and minimise the impact of residential development on environment and resource lands.</p> <p>The planning proposal seeks to allow for additional residential floor space that will assist in broadening housing choice opportunities.</p> <p>The location is in close proximity to a range of services and existing infrastructure in the Rockdale town centre, particularly the bus interchange and rail station. Therefore, the proposal will make efficient use of the existing infrastructure and services.</p>
3.4 Integrating land use and Transport	Yes	<p>Under this Direction, a planning proposal must consider improving access to housing, jobs and services by walking, cycling and public transport and reducing reliance on cars.</p> <p>The planning proposal is located adjacent to the Rockdale rail station and bus interchange and in close proximity to existing services and facilities in Rockdale Town Centre. The site is also located close to employment opportunities associated with Sydney Airport and other employment hubs including Hurstville and Sydney CBD. Widened building setbacks and an improved through site link will enhance pedestrian activity.</p>
3.5 Development near Regulated Airports and Defence Airfields	No	<p>The objectives of this direction are to ensure: effective and safe operation of aerodromes; that their operation is not compromised by development; and residential development on land within the 20 and 25 Australian Noise Exposure Forecast (ANEF) incorporates appropriate mitigation measures for aircraft noise.</p> <p><u>Height</u></p> <p>The site is subject to an Obstacle Limitation Surface (OLS) - Inner Horizontal Surface of 51m Australian Height Datum (AHD) and Air Navigation Services - Aircraft Operations Surface (PANS-OPS) of 54.9m AHD. The planning proposal seeks to amend the building height control to allow for a maximum height of RL54.9 (or 39m). The concept scheme as detailed in the Urban Design Report assumes utilisation of this additional height and proposes a mixed-use building height of 38.9m (or RL54.87). As such the proposal exceeds the OLS by 3.9m.</p> <p>The planning proposal considers the height is acceptable as there are a number of proposed residential developments within the Rockdale Town Centre that have penetrated the OLS and are of a similar height to the proposal. The proposal states that permission is required from Sydney Airport, and that the airport will be consulted as part of the statutory exhibition.</p> <p>Section 5(d) of Direction 3.5 requires permission to be granted from the relevant department of the Commonwealth prior to undertaking community consultation where a planning proposal</p>

		<p>seeks to allow penetration of the OLS, or other controlled activities defined in the <i>Airports Act 1996</i>.</p> <p>The existence of other buildings that breach the OLS does not provide full justification for the proposal. In order to meet the requirements of Direction 3.5 a Gateway condition is recommended that requires Council to consult with Sydney Airport and the Commonwealth Department of Infrastructure, Regional Development and Cities prior to the commencement of community consultation.</p> <p>The planning proposal is to be updated to clearly address consistency with Direction 3.5 and the results of consultation.</p> <p><u>Noise</u></p> <p>Section 3.5(7) states that a planning proposal must include a provision to ensure that development meets <i>Australian Standard 2021-2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction</i> where a planning proposal seeks to increase residential densities in areas where the ANEF is between 20 and 25 which applies to this site.</p> <p>The planning proposal states that mitigation techniques can be addressed at the development application stage as required by clause 6.3 of the Rockdale LEP 2011 (also proposed to be carried forward in Bayside LEP 2021). This existing provision requires the consent authority to be satisfied that any future residential development meets applicable indoor design sound levels which satisfies the requirements of this direction.</p>
4.1 Acid Sulfate Soils	Yes.	<p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. The site is currently developed for urban purposes and is classified as being affected by Class 5 acid sulfate soils.</p> <p>Clause 6.1 Acid Sulphate Soils in MLEP 2011 is considered adequate to prevent environmental damage arising from exposure of acid sulphate soils. It is considered appropriate that this work be undertaken as part of any future development application stage given the likelihood of the presence of acid sulfate soils.</p> <p>As such, any inconsistency with this Direction is of minor significance.</p>

4.3 Flood Prone Land	Not applicable	<p>The objectives of this direction are to ensure that development of flood prone land is consistent the NSW Government’s Flood Prone Land Policy, and to ensure that provisions of an LEP are commensurate with flood hazard and considers flood impacts on and off the land.</p> <p>The direction does not strictly apply to the site as the site is not identified as being flood prone. Additionally, the planning proposal does not seek to rezone the land to introduce any additional uses.</p> <p>It is noted that the site does adjoin land around Rockdale rail station that is identified as a flood planning area in the Rockdale LEP. Therefore, access to the site may be impacted by flood prone land. This issue will need to be considered further as part of any future development application.</p>
6.3 Site Specific Provisions	Yes	<p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>The proposal does not alter the permitted uses on the site or apply any development standards in addition to those already contained in RLEP 2011. The incentive provision that enables a 12m height increase applies to a broader area than just the Interchange site, so this provision is not site specific.</p>

## 4.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

**Table 7 Assessment of planning proposal against relevant SEPPs**

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
65 Design Quality of Residential Apartment Development	Aims to improve the design quality of residential apartment development. The Provisions in the SEPP require that the design quality principles, the Apartment Design Guide (ADG) and advice from a design review panel (if any) be considered before a development application is determined by the relevant consent authority.	Yes	<p>The SEPP includes a number of design principles that are required to be considered as part of any future DA for a mixed-use development that has a residential component.</p> <p>The Urban Design Study and Indicative Concept Scheme demonstrates a concept scheme that may achieve compliance with the ADG requirements for building separation, communal open space and deep soil area.</p> <p>Further consideration against SEPP 65 and the Apartment Design Guide will be required as part of any future development application.</p>



SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP (Infrastructure) 2007	Aims to facilitate effective delivery of infrastructure. Identifies matters to be considered in the assessment of development adjacent to particular types of infrastructure.	Yes	<p>The proposal is traffic-generating development as per Clause 104 and Schedule 3 as the Princes Highway is a classified road and the proposal will introduce more than 75 residential dwellings. The site is located in close proximity to the railway line. Therefore, referral to TfNSW will be required at the development application stage.</p> <p>It is noted that TfNSW has provided comments during the preparation of this planning proposal which addresses a number of design matters associated with the concept design. This is discussed further under Section 4.1.</p> <p>A <b>Gateway Condition</b> is recommended that requires agency consultation with TfNSW.</p>

## 5 Site-specific assessment

### 5.1 Environmental

The following table provides an assessment of the potential environmental impacts with the planning proposal.

Environmental Impact	Assessment
Biodiversity	The site is fully built upon with retail and commercial buildings and hard surface car park. There are no significant biodiversity values on the site, it is not home to critical habitat, threatened species or ecological communities.

Environmental Impact	Assessment
Height, bulk and scale	<p>An Urban Design Study and Indicative Concept Scheme has been prepared and submitted in support of the planning proposal.</p> <p>The proposal includes a 6 storey podium along Princes Highway, a 3 storey podium along Geeves Avenue and Tramway Arcade, with upper level setbacks, and two 12 storey towers at the southern and northern end of the precinct. Building elements between the two towers are 5 and 6 storeys. <b>Figures 7 &amp; 8</b> show the site plan and building envelope.</p> <p>As discussed, the design of the proposal delivers on elements of the Rockdale Town Centre Masterplan which promotes the transport interchange as a good opportunity for a 'landmark' development. It specifies a number of elements that should be incorporated into the future redevelopment of the Interchange Precinct which has been considered with the accompanying concept scheme.</p> <p>The scale of the development (which essentially seeks an additional 5 metre permissibility) is consistent with the future character envisaged through the Masterplan.</p>
Overshadowing and solar access	<p>The Urban Design Concept and Indicative Concept Scheme has been submitted with shadow diagrams for 9am, 12pm and 3pm on June 21. These are shown at Figures 9, and 10.</p> <p><b>Solar access within the development</b></p> <p>The submitted information outlines that the proposed residential accommodation meets the Apartment Design Guide (ADG) criteria for solar access. Modelling indicates that 85% of the units will achieve at least two hours of direct sunlight at mid-winter.</p> <p><b>Overshadowing to neighbouring properties</b></p> <p>The shadow diagrams are indicative of the proposed development, where the highest towers are seeking to benefit from the maximum height of building control including the incentive i.e. 39m. The red line (<b>Figures 9 and 10</b>) shows the difference in overshadowing associated with the additional 5m in height provided through the Planning Proposal. The red line indicates the maximum building height of 34m without the additional 5m.</p> <p>The shadow diagrams show there will be minimal overshadowing impact. With the existing height shown by the red line it is evident the additional 5m in height will not create significant overshadowing when compared to the current height control.</p>
Pedestrian connectivity	<p>The Indicative Concept Scheme demonstrates improved pedestrian linkages with an enlarged through site link (<b>Figure 4</b>) and widened footpaths along Geeves Avenue and Tramway Arcade. This will provide greater accessibility between the station and the eastern end of the town centre through to the King Street mall, and will also accommodate planned improvements to the Geeves Street bus interchange.</p>

Environmental Impact	Assessment
Aircraft noise and operations	<p>Refer to Section 3.5 (Ministerial Direction 3.5) for a detailed assessment which concludes that Sydney Airport and the Commonwealth Department of Infrastructure, Regional Development and Cities will need to be consulted due to a height breach of the OLS, and that noise mitigation techniques can be addressed at the development application stage as required by clause 6.3 of the Rockdale LEP 2011.</p>
Heritage	<p>The site is not located in a heritage conservation area and does not contain any heritage items. However, due to the relatively intact older style commercial and retail buildings, the Bayside Local Planning Panel requested a heritage assessment be prepared to inform the planning proposal prior to Gateway consideration.</p> <p>A heritage assessment study has been provided of 471-477 Princes Highway and 6-14 Geeves Avenue. The assessment found that the commercial properties on the site were built between 1907 and 1939 and demonstrate the early growth and development of the Rockdale Town Centre.</p> <p>The study found:</p> <ul style="list-style-type: none"> <li>• the interiors have been substantially modified.</li> <li>• the buildings are neither rare, nor significant examples of their type.</li> <li>• the buildings are not associated with a particular designer or group and do not exhibit particular aesthetic or technical skill.</li> </ul> <p>The study concludes that the buildings do not meet the criteria for heritage listing under The Guidelines for Inclusion/Exclusion in the <i>Assessing Heritage Significance, NSW Heritage Manual Update</i>.</p> <p>The site is adjacent to the Rockdale Railway Station which is a State Heritage item. Given the proximity it is recommended that NSW Heritage be consulted.</p> <p>In addition, given the previous request of the Local Planning Panel, a condition is recommended to require the planning proposal be revised to specifically address heritage and describe the outcomes of the heritage study.</p>

Transport, Traffic  
and parking

### **Public Transport**

The site is well serviced by existing public transport services. Adjacent to the site is a high frequency bus interchange and access to the rail network at Rockdale railway station.

### **Pedestrian connectivity**

The Rockdale Masterplan recognises the role that the Transport Interchange Precinct plays in the overall development of Rockdale's sustainable transport infrastructure. The site makes up the central point of the proposed pedestrian spine envisaged to be developed in the future as shown in **Figure 11**.

A pedestrian walkway was identified that connects the King Street shared zone with Watkin Street in the west. It was intended that the pedestrian spine will run through the site and connect to an overhead pedestrian walkway at Rockdale Station via a pedestrian bridge. The planning proposal states that a street level walkway is now preferred as this better activates the ground level public space, rather than privatising the walkway through the first floor of a commercial mixed-use building.

### **Vehicular access**

The concept plan reflects a single (two-way) vehicular access point from Geeves Avenue to the northern end of the site. This access intends to connect through to a centralised loading dock and parking areas for all three sites.

The Transport study states this access point is located away from the bus interchange and therefore would not adversely impact the operation of the bus interchange. Consultation is required with TfNSW and it is anticipated this matter will require further resolution as part of any future development assessment.

### **Traffic implications**

The proposal is supported by a transport study and addendum letters (GTA) which indicate that the concept scheme is expected to generate up to 126 vehicle movements in AM peak hour and 117 vehicle movements in PM peak hour. The report states that these numbers are not expected to have a substantial impact on the operation of intersections, given that there are over 2000 vehicle movements per hour along the Princes Highway during the AM peak.

Modelling indicates that in the PM peak the intersection of Princes Highway/Geeves Avenue adjacent to the development will be operating near or at capacity in 2031. During the AM peak the intersection of Princes Highway/Bay Street/The Seven Ways/Tramway Arcade will be operating over capacity.

The report states that work on the F6 Extension Stage 1 is expected to improve travel times and ease congestion on the local road network, particularly on the Princes Highway through Rockdale. The report considers that it is expected that by 2031 traffic volumes on the Princes Highway will have reduced and therefore the road network surrounding the site will be improved from that projected in the modelling results. Consultation with TfNSW is recommended to check assumptions about the implications of the F6 Extension Stage 1.

The Transport Study suggests minor improvements to the lane configuration on the Geeves Avenue approach to the Princes Highway for efficient intersection operation. Changes to the parking and loading zones along Geeves Avenue are also proposed to improve the overall performance of the Geeves Avenue and Princes Highway intersection.

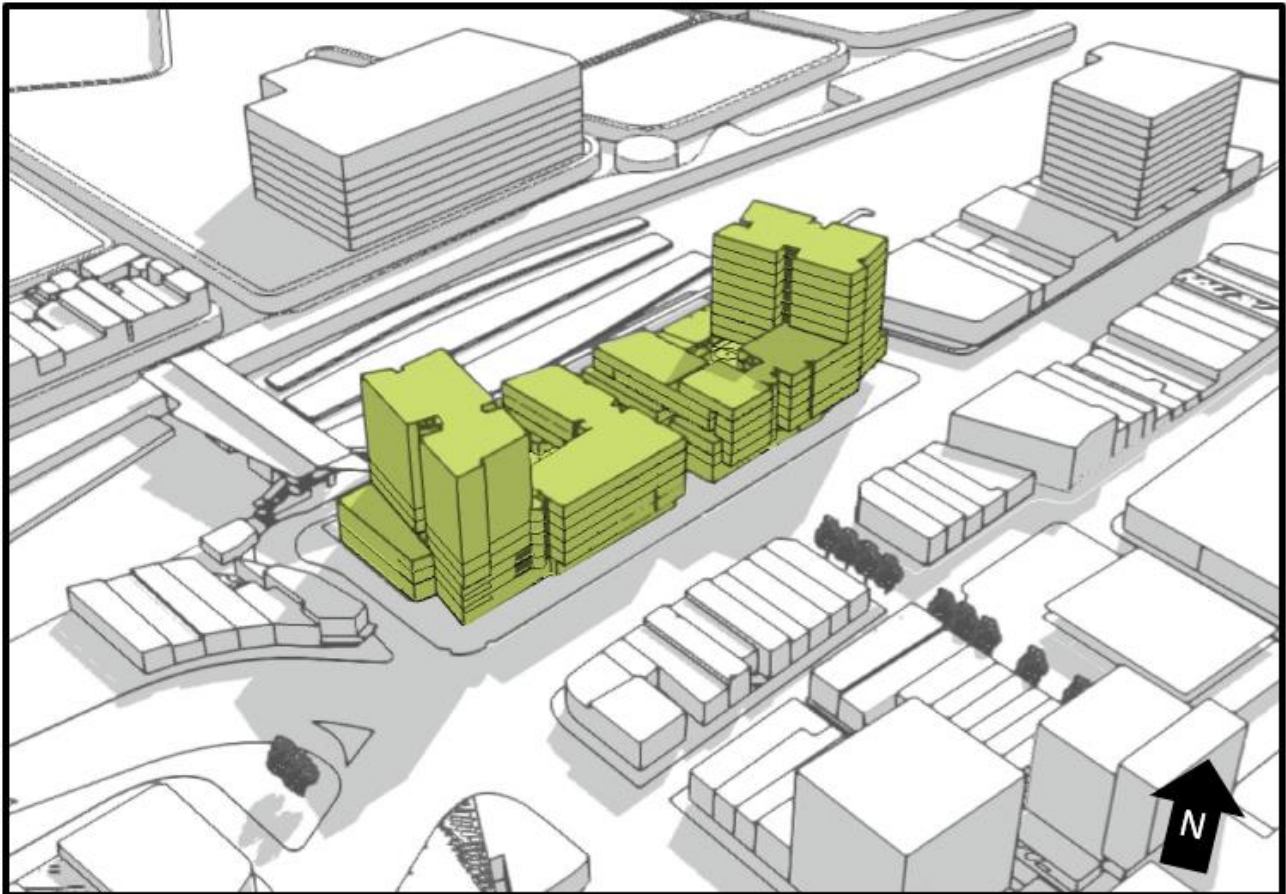
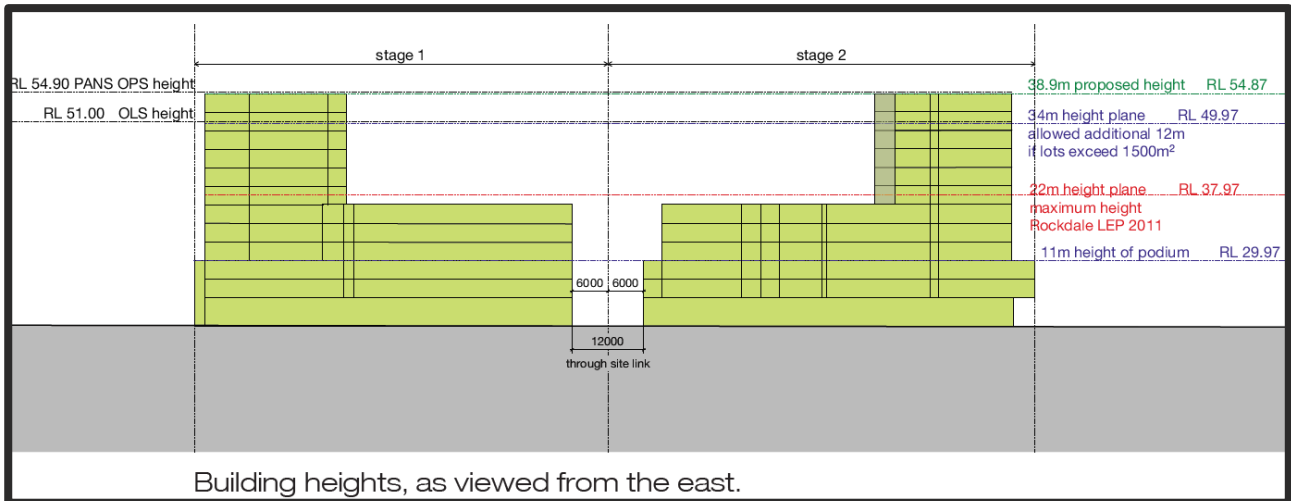


Figure 7: Proposed site plan (source: the planning proposal)



Building heights, as viewed from the east.

Figure 8: Proposed building envelope (source: the planning proposal)



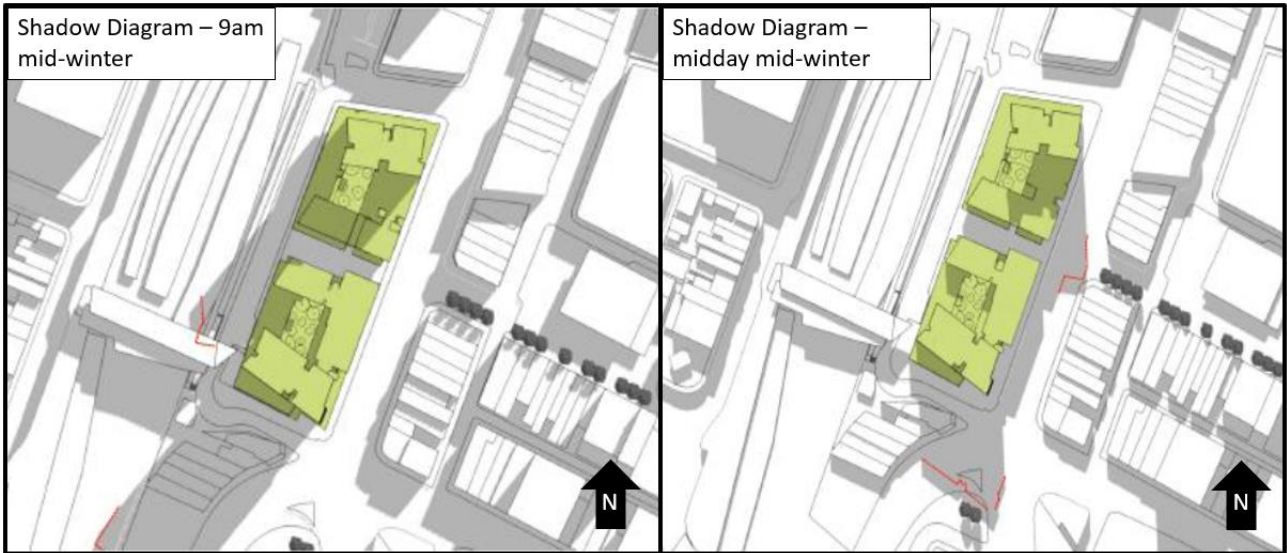


Figure 9: Shadow diagrams at 9am and 12pm on June 21 (source: the planning proposal)

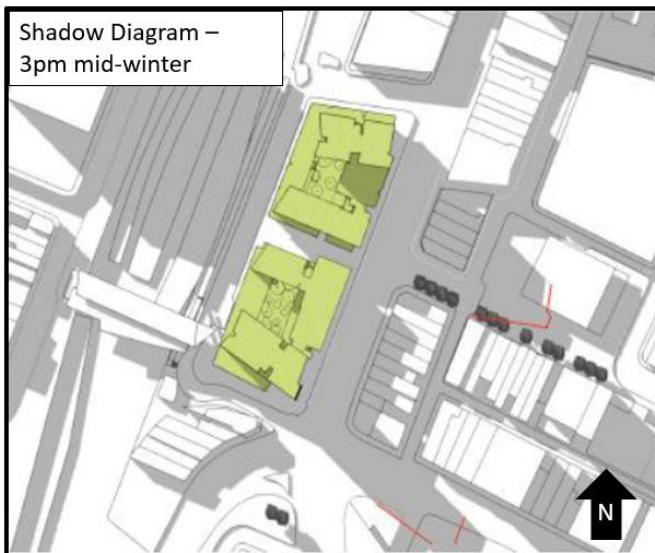


Figure 10: Shadow diagram 3pm June 21 (source: the planning proposal)



Figure 11: Masterplan Structure Plan showing pedestrian spine (Source Rockdale Town Centre Masterplan)

## 5.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the planning proposal.

Social and Economic Impact	Assessment
Social	<p>The planning proposal will promote social benefits through public domain improvements including wider footpaths, a larger pedestrian through link and ground level activation through retail activity, including the opportunity for cafes and restaurants.</p> <p>The potential for additional residents and shoppers will also contribute to improvements to the vitality and vibrancy of the Rockdale Town Centre. Having mixed use with residential will increase activity in the centre outside of standard business hours and increase surveillance of the precinct.</p>

Economic	<p>The proposal provides the potential to create new commercial floor space and opportunities for economic activity and local employment. The additional residential capacity generated by the proposal has the potential to support the commercial uses on the site and in the surrounding local area.</p> <p>The proposal is supported by an economic assessment by AEC. It states that once the development is established the precinct is expected to make an important contribution to the Bayside local economy. The proposal is estimated to make the following contribution (direct and flow-on) to the economy on an ongoing annual basis:</p> <ul style="list-style-type: none"> <li>- \$111.6 million in output.</li> <li>..- \$58.7 million contribution to Gross Regional Product.</li> <li>..- \$35 million in incomes and salaries.</li> <li>..- 446 full time equivalent jobs, including 196 direct jobs.</li> </ul> <p>The construction phase is expected to have the following direct and flow-on impacts to the Bayside LGA:</p> <ul style="list-style-type: none"> <li>..- \$121.5 million in additional output.</li> <li>- \$44.6 million in contribution to Gross Regional Product (GRP).</li> <li>..- \$27.6 million in incomes and salaries.</li> <li>..- 354 full time equivalent jobs, including 99 direct jobs</li> </ul>
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## 5.3 Infrastructure

The proposal is well located in terms of public transport infrastructure being adjacent to the Rockdale train station and bus interchange. This will provide frequent services to nearby centres and the broader network.

The intended widening of the setback to Geeves Avenue could facilitate improvements to the bus interchange. The intended widening of footpaths and the through site link will also improve pedestrian accessibility.

The Rockdale Interchange Precinct is within an established urban area with good access to other physical and social infrastructure. To ensure infrastructure needs are adequately addressed, it is proposed that TfNSW and Sydney Water are consulted.

There is no voluntary planning agreement (VPA) proposed for infrastructure funding in relation to the redevelopment.

## 6 Consultation

### 6.1 Community

Council has not proposed a time period for a community consultation. A 28 day period for consultation is considered appropriate and forms the conditions of the Gateway determination.

### 6.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given at least 21 days to comment:

- Sydney Water;
- NSW Heritage;
- Transport for NSW;

- Sydney Airport;
- Commonwealth Department of Infrastructure, Regional Development and Cities (Should Council be advised that permission by the Commonwealth is required in accordance with (5)(d) of s9.1 Direction 3.5 and/or the *Airports Act 1996*, this permission must be granted prior to community consultation and written evidence of this permission must be submitted to the Department of Planning, Industry and Environment).

## 7 Timeframe

Council proposes a 9 month time frame to complete the LEP.

The Department recommends a time frame of 9 months to ensure it is completed in line with its commitment to reduce processing times. It is recommended that if the gateway is supported it also includes conditions requiring council to exhibit and report on the planning proposal by specified milestone dates.

A condition to the above effect is recommended in the Gateway determination.

## 8 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

The planning proposal is located within the Rockdale town centre which is subject to a further planning proposal that is being prepared by Council and is expected to be submitted for Gateway in June 2021. The additional planning proposal being prepared by Council will be supported by further urban design analysis and it is understood that it seeks to amend design excellence within the Rockdale Town Centre.

The Department should retain delegation as the plan making authority for this current planning proposal to ensure consistency across the proposals.

## 9 Assessment Summary

The planning proposal is supported to proceed with conditions for the following reasons:

- it is generally consistent with the relevant objectives and directions of the Greater Sydney Region Plan, the Eastern City District Plan and the section 9.1 Ministerial Directions (excluding 3.5);
- it contributes to the revitalisation of the Rockdale town centre in accordance with the Rockdale Town Centre Masterplan;
- it facilitates the potential for a future transit orientated development which integrates retail and housing with public transport;
- it facilitates a built form that is generally consistent with the Rockdale Town Centre Masterplan;
- it provides the opportunity to contribute to additional housing and jobs supply; and
- it facilitates improved pedestrian accessibility through and around the site with footpath widening and an enlarged through site link which connects the railway/bus interchange with Princes Highway and the eastern town centre.

## 10 Recommendation

It is recommended the delegate of the Secretary:

- Note that the consistency with section 9.1 Direction 3.5 Development near Licensed Aerodromes is unresolved and will require further consultation and justification.

- Note that the inconsistency with section 9.1 Direction 4.1 is minor and justified.
- Note proposal is consistent with other relevant section 9.1 Directions.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be amended to:
  - a) address consistency with Direction 3.5 *Development near Regulated Airports and Defence Airfields* and discuss the results of consultation required under Condition 2;
  - b) identify the lots and deposited plans of the site and provide the approximate site area;
  - c) address consistency with the Bayside Local Strategic Planning Statement (LSPS);
  - d) address heritage considerations including the outcomes of the accompanying heritage study;
  - e) include existing height of buildings and floor space ratio maps with the site clearly shown and a map legend, to provide an improved contextual understanding for the community;
  - f) include a legend with the proposed FSR map; and
  - g) identify the site on the proposed height of buildings map, and correct an error where a polygon on the southern corner of Parker Street and Railway Street is shown as R2, rather than the existing height category T3.
2. Prior to the commencement of community consultation, Council must consult with Sydney Airport and the Commonwealth Department of Infrastructure, Regional Development and Cities. Should Council be advised that permission is required in accordance with (5)(d) of s9.1 Direction 3.5 and/or the *Airports Act 1996*, this permission must be granted prior to the commencement of community consultation.
3. Prior to community consultation, the planning proposal is to be revised to address conditions 1 and 2 and forwarded to the Department for review and endorsement.
4. Consultation is required with the following public authorities:
  - Sydney Water;
  - NSW Heritage;
  - Transport for NSW; and
  - Sydney Airport.
5. The planning proposal should be made available for community consultation for a minimum of **28 days**.
6. The planning proposal must be reported to council for a final recommendation 8 months from the date of the Gateway determination.
7. The timeframe for completing the LEP is to be **9 months** from the date of the Gateway determination.
8. Given the nature of the proposal, Council should not be authorised as the local plan-making authority.



28/05/21

**Kris Walsh**  
**Manager, Eastern and South Districts**



2 June 2021

**Laura Locke**  
**Director, Eastern and South Districts**

Assessment officer

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