

Council Meeting

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General Report - Meeting Date: 02/09/2015

Public -

Item Number:	ORD12
Subject:	PLANNING PROPOSAL: 75-81 AND 83-85 RAILWAY STREET ROCKDALE
File Number:	F14/362
Report by:	Acting Manager Urban & Environmental Strategy (David Dekel)
Community Engagement:	No
Financial Implications:	No

Precis

A planning proposal has been received from the owners of 75-81 Railway Street, Rockdale affecting 75-81 and 83-85 Railway Street, Rockdale. The site is located on the western side of Rockdale Railway Station, to the north of the current retail/commercial core. The properties are adjacent to the Guild Theatre and are immediately opposite the current bus interchange on Railway Street.

The recently gazetted amendments to the Rockdale Local Environmental Plan 2011 (made in June 2015), provide a building height of 22 metres. This planning proposal seeks to increase the building height to 28 metres while retaining the existing B2 Local Centre zoning on the site allowing "shop top housing". The increased height will enable an eight storey development over the site. The Planning Proposal also facilitates the creation of a laneway at the rear of the property, which links Walz and Parker Streets, and provides opportunities for additional parking spaces in the locality. This will be defined in a Voluntary Planning Agreement, currently being negotiated, and will be reported to Council separately during the Gateway Determination period.

The purpose of this report is to determine if the planning proposal has sufficient merit to be recommended to the Department of Planning and Environment for Gateway Determination.

A presentation on the subject was made at the Councillor Information Session on 12 August 2015.

Council Resolution

NOTE:

Councillors Bezic and Kalligas arrived at the conclusion of this item at 7.01 pm.

Mr Giovanni Cirillo addressed the Council.

MOTION moved by Councillors Nagi and P Sedrak

1 That Council supports the planning proposal for submission to the Department of Planning and Environment for Gateway Determination, subject to minor amendments outlined in this report.

2 That Council publicly exhibits the planning proposal in accordance with the Department of Planning and Environment's Gateway Determination.

3 That Council notes that the particular design solutions shown in the applicant's supporting information are illustrative only and that any development on the site will require assessment through a separate development approval process.

4 That Council notes that a Voluntary Planning Agreement (VPA) is being negotiated with the applicant and that a separate report will be submitted for Council's consideration during the Gateway Determination process, recommending that, if approved, the draft VPA be exhibited concurrently with the Planning Proposal.

5 That the Land Reservations Acquisitions Map Sheet (LRA 004) in RLEP 2011 be amended to reflect a reservation on lots 75-

85 Railway Street for the provision of an easement for the purpose of a through road and on street parking.

DIVISION

DIVISION on the MOTION called for by Councillors Nagi and P Sedrak

FOR THE MOTION

Councillors O'Brien, Macdonald, P Sedrak, Awada, Barlow, Nagi, Mickovski, Ibrahim, Hanna, Tsounis and Poulos

AGAINST THE MOTION

Nil

The MOTION was ADOPTED 11 votes to 0.

RECOMMENDATIONS

Officer Recommendation

That voting on this matter be by way of a Division.

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3 That Council notes that the particular design solutions shown in the applicant's supporting information are illustrative only and that any development on the site will require assessment through a separate development approval process.

4 That Council notes that a Voluntary Planning Agreement (VPA) is being negotiated with the applicant and that a separate report will be submitted for Council's consideration during the Gateway Determination process, recommending that, if approved, the draft VPA be exhibited concurrently with the Planning Proposal.

5 That the Land Reservations Acquisitions Map Sheet (LRA 004) in RLEP 2011 be amended to reflect a reservation on lots 75-85 Railway Street for the provision of an easement for the purpose of a through road and on street parking.

Report Background

Applicant: Planning Lab

Land Owner 75-81 Railway Street: Zoe Holdings Rockdale Pty Ltd

Directors: Hassan Harb and Annette Harb

Council received a planning proposal from the owners of 75-81 Railway Street Rockdale on 4 May 2015 affecting 75-81 and 83-85 Railway Street Rockdale ("the site") (refer to **Attachment 1**). The decision by the applicant to prepare a planning proposal across both sites occurred following initial discussions with, and advice from Council officers. The rationale behind this advice and the subsequent Planning Proposal was to ensure that an integrated and cohesive site development outcome could be achieved. The purpose of including both sites was also to facilitate public benefit opportunities to improve pedestrian and vehicle amenity, as well as possible "at grade" additional parking opportunities, by connecting Walz and Parker Streets.

The Planning Proposal is supported by an Urban Design Analysis which illustrates potential development scenarios based on development of the all or part of the site (refer to **Attachment 2**). The planning proposal is supported by consultant reports covering urban design, acoustic, electrical, hydraulics, traffic and wind.

The Planning Proposal seeks to increase the building height of buildings permissible on the site from 22m to 28m in order to provide a prominent and contextually appropriate built form which responds to the 'inner-town-centre' context and maximises the site's development potential in proximity to the immediate Rockdale Railway Station interchange area.

SITE AND CONTEXT

The site is described as 75 – 85 Railway Street, Rockdale as shown in the site identification diagram below.

- 1) The Northern portion of the site (75 – 81 Railway Street) comprises 4 allotments being Lot 101 DP771165, Lot 3 DP 82942, Lot 1 DP455421 and Lot 1 DP912313, under common ownership by Zoe Holdings
- 2) The balance of the site is Lot 1 DP3560

The site has an area of approximately 3,519 sqm, with about 85 metre frontage to Railway Street, and 37 metre frontage to Parker Street. The northern portion of the site is currently occupied by a three storey commercial building with a basement and rooftop parking. Currently, vehicle access to the site is via Hesten Lane.

Lot 1 DP3560 ('the southern lot') of the site is occupied by a two storey mixed use building. On-site parking is provided via a laneway connecting Walz Street.

Figure 1 below shows an aerial photo of the site and nearby surrounds.



Figure 1 - Aerial photo of the Site

The subject site is located within the 'Walz and Frederick Streets Precinct' of the Rockdale Town Centre. The precinct is currently dominated by two storey buildings although the permitted building height is up to 22 metres (six storeys). Uses surrounding the site include railway lines to the east, Rockdale Station to the south east (100m), low density residential to the north (maximum height 8.5m), and the Walz commercial precinct to the west and south (maximum building height of 22m).

The Planning Proposal notes that the centre has visibly declined in recent years as a vibrant local retail hub as a consequence of competition from nearby major centres at Kogarah and Hurstville, but is in the process of an urban renewal led transformation, with the assistance of the Rockdale Town Centre Master Plan. The new direction proposed for the centre reflects the community's desires and aspirations as well as Council's own strategic land use, integrated transportation planning, urban design, and economic development principles.

Current Planning Controls

The current planning controls for the site as per *Rockdale Local Environmental Plan 2011* ("RLEP 2011") are:

- **Zone:** B2 Local Centre

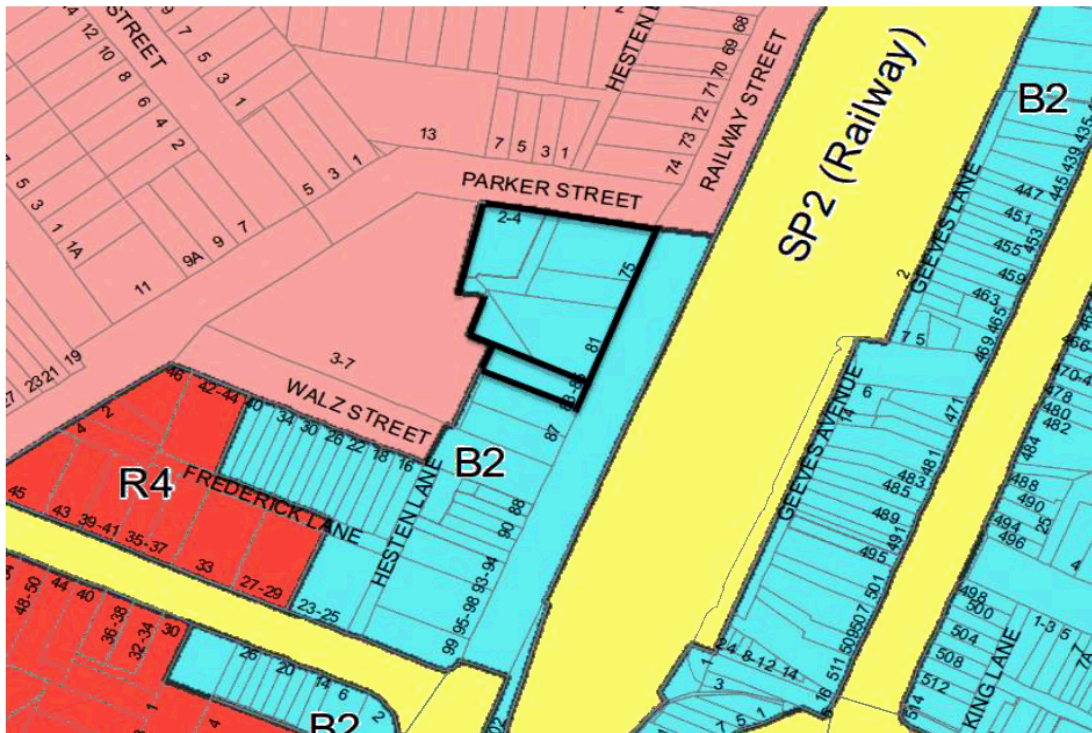


Figure 2 - Land Zoning Map extract from RLEP 2011

- **Height of Building:** 22 metres

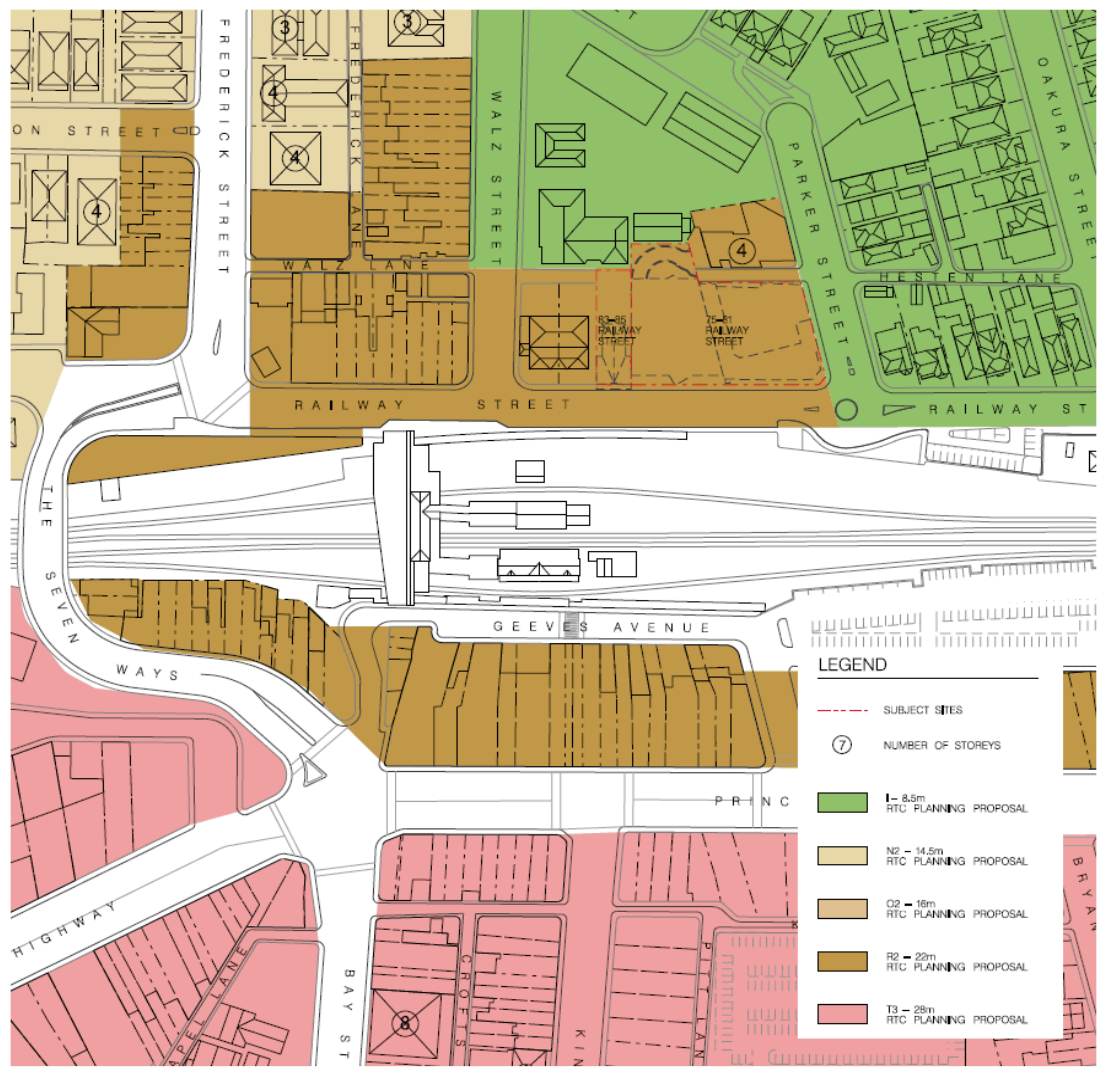


Figure 3 Height of Building Map extract from Candalepas and Associates Urban Design Report May 2015

The sites do not have FSR controls.

THE PLANNING PROPOSAL

The planning proposal has been prepared generally in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and all relevant planning proposal guidelines published by the Department of Planning and Environment (DP&E). The planning proposal report was prepared by Planning Lab and supported by the following documentation:

- Attachment 2- Urban Design Report prepared by *Candalepas Associates* dated May 2015 (discussed below).
- Attachment 3- Acoustic report by Renzo Tonin
- Attachment 4- Electrical Report by NPS
- Attachment 5- Hydraulic Report by AJ Whipps
- Attachment 6- *Traffic Report by ARUP*
- Attachment 7- *Wind Report by Windtech*

The table below summarises the applicant's proposed amendments as stipulated within the planning proposal:

Current controls – RLEP 2011	Proposed changes sought by the applicant
Building Height Map: • 22 metres	28 metres across the whole of the subject site

Table 1 - Proposed amendment

ASSESSMENT OF THE PLANNING PROPOSAL

Zoning:

The existing B2 Local Centre zone is to be retained unchanged. Zoning will allow ground level activation on the site, particularly on Railway Street, while allowing upper level residential apartment development. This is supported.

Building Height:

The Planning Proposal is seeking an increase in building height from 22 metres to 28 metres across the site.

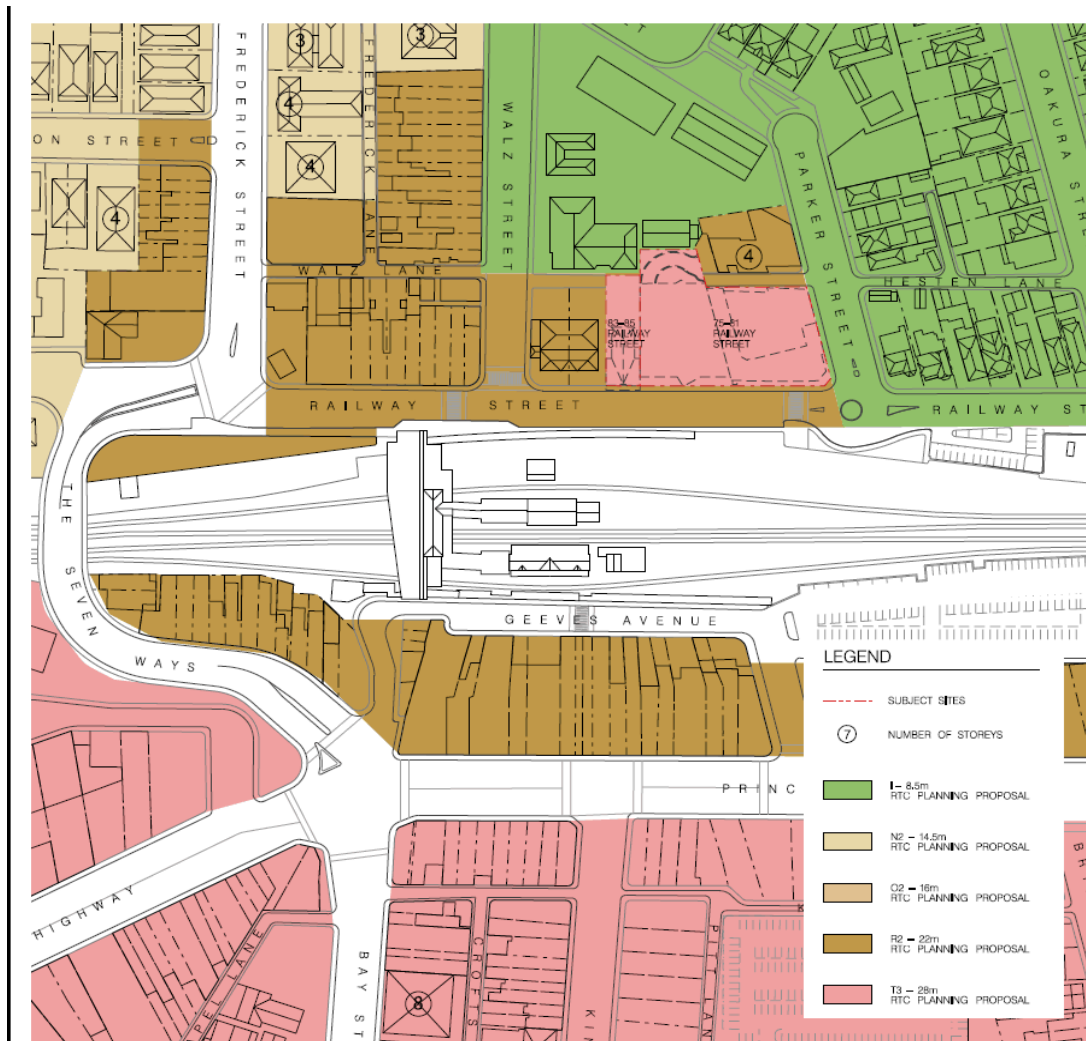


Figure 4 - Proposed Height Map (information extracted from applicant's planning proposal)

The recent amendment to the Rockdale Local Environment Plan 2011 (amendment #8) changed the building height controls to 22 metres. In some parts of the Town Centre, height incentives apply where land area consolidation greater than 1,500 sqm can be achieved.

The subject site has a combined land area that is greater than 1,500 sqm, a scenario that Council did not envisage in its feasibility modelling at the time of the development of the Rockdale Town Centre Master Plan LEP Amendment. Therefore, the site is not currently subject to benefit from additional height based on existing land size incentives.

Conclusion: The site's proximity to a significant transport interchange and railway station makes it an opportune site for consideration of building height increase, particularly given the site area. The site is also part of the Rockdale Town Centre. Therefore, the proposed height increase is supported, subject to some minor amendments to reflect reference and contextual documents more accurately.

Floor Space Ratio:

The Rockdale LEP 2011 has no Floor Space Ratio Controls for the subject site .

Urban Design Analysis and Report

The Planning Proposal is supported by an Urban Design analysis and report, that considers the surrounding built form context and how the proposed changes would deliver an improved and consistent outcome.

Development Scenarios

This proponent of this Planning Proposal represents the owners of 75-81 Railway Street Rockdale. As part of preliminary discussions with Council Officers, the applicant was advised to include the adjoining property (83-85 Railway Street Rockdale) as part of the Planning Proposal. The intent of this approach is to deliver an integrated and cohesive urban form outcome. As a result, the Urban Design Report provides the justification for the proposed changes to the RLEP 2011 across the whole site comprising 75-81 and 83-85 Railway Street Rockdale. It also provides outline detail on three separate development scenarios providing massing diagrams of potential development envelopes:

Scenario 1 (Figure 5): Development of 75-81 Railway Street, with separate development of 83-85 Railway Street under the current DA Approval (expires January 2016),

Note: this development scenario will not result in the public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.

Scenario 2 (Figure 6): Integrated development of 75-85 Railway Street

Note: this development scenario has the capacity to provide public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.

Scenario 3 (Figure 7): Separate cohesive development of 75-81 Railway Street and 83-85 Railway Street

Note: this development scenario requires agreement between all land owners/developers to ensure the provision of public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.

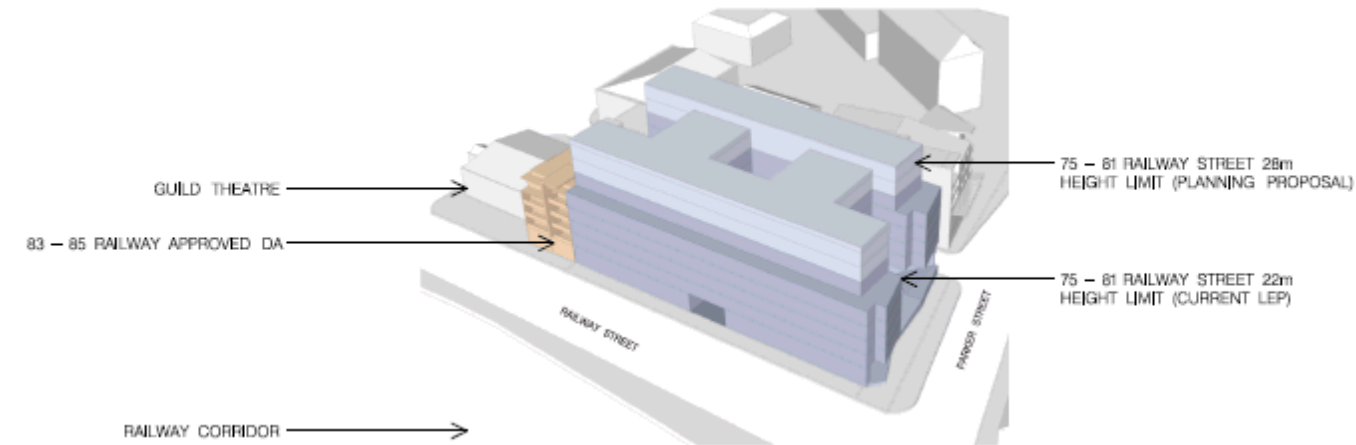


Figure 5 - Scenario 1

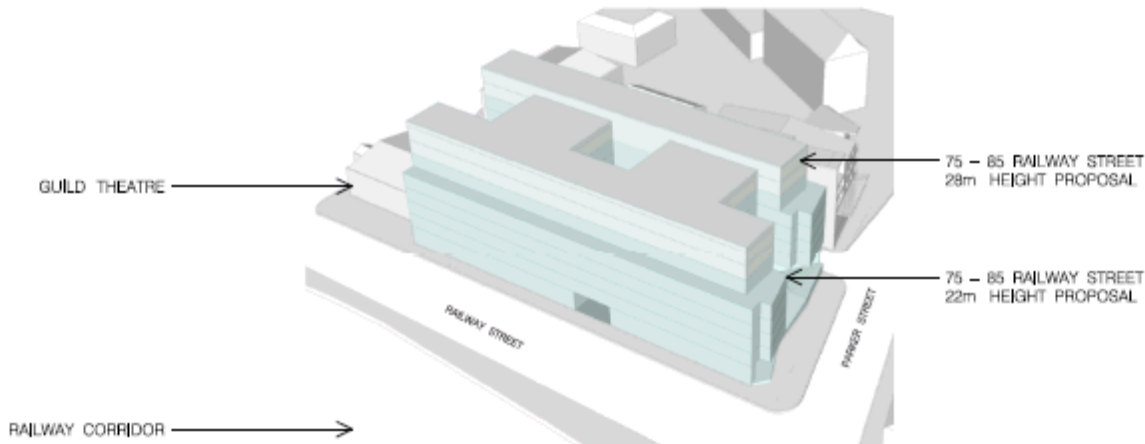


Figure 6 - Scenario 2

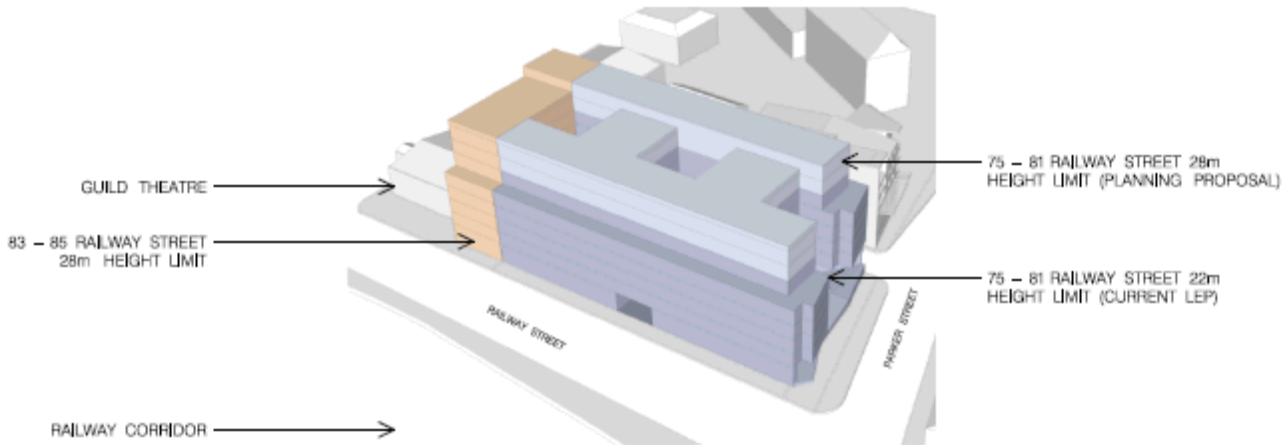


Figure 7 - Scenario 3

The development scenarios are an indication of the massing types that could be achieved on the site. They are not intended to suggest adherence to any specific development controls other than those proposed in the Planning Proposal. Issues such as setbacks, articulation zones, etc would be assessed through a Development Application (DA) process. This will also include assessment relating to SEPP 65 and the new Apartment Design Guide.

Voluntary Planning Agreement - Laneway Activation

The Planning Proposal facilitates the creation of a laneway at the rear of the property, which links Walz and Parker Streets, and provides opportunities for additional parking spaces in the locality. This is being defined in a Voluntary Planning Agreement, currently being negotiated, and will be reported to Council separately during the Gateway Determination period.

Through Access and On-street Parking

Assessment:

1. There is currently no laneway or through access connecting Walz Street with Parker Street at the rear of 75-85 Railway Street.
2. The configuration of the existing laneway at the rear of 75-81 Railway Street requires two way traffic movement and, therefore, does not have on street parking capacity.
3. The provision of a laneway at the rear of the Guild Theatre and 75-85 Railway Street connecting Walz Street and Parker Street may have the capacity to allow one way traffic movement and on street parking for 15 cars. This scenario can also trigger the rationalisation of off-street parking at the rear of the Guild Theatre and provide a higher level of amenity and safety.

Conclusion:

1. Scenarios 2 and 3 (figures 6 and 7) have the capacity to provide public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.
2. It is appropriate that the Land Reservations Acquisitions Map Sheet (LRA 004) in Rockdale LEP 2011 be amended to reflect a reservation on lots 75-85 Railway Street for the provision of an easement for the purpose of a through road and on street parking (**Figure 8**). This can help trigger DA conditions for any future DA associated with 83-85 Railway Street Rockdale to facilitate a public benefit through the provision of a section of laneway.

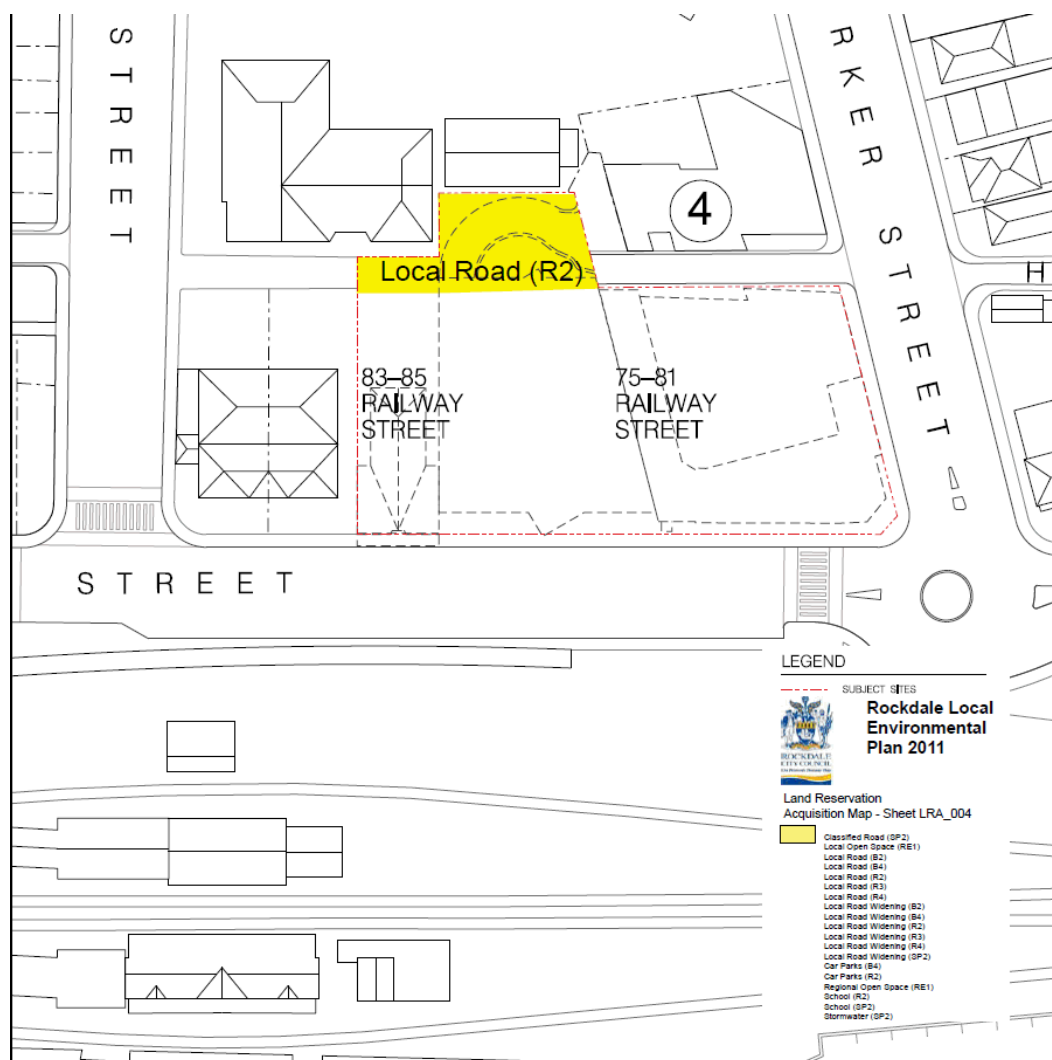


Figure 8 - Proposed Amendment to RLEP 2011 Land Reservation Acquisition Map - Sheet LRA_004

Traffic And Transport

The applicant has submitted a Traffic Report, prepared by Arup (see **Attachment 3**). This report identifies the findings of a SIDRA analysis that was conducted in relation to the site. The report concluded that there would be no adverse impact on levels of service

or traffic delays due to the development. The net traffic impact would be minimal.

Parking

While the applicant has provided an analysis of off-street parking that meets the Rockdale DCP requirements, the proponent states that the total number of car spaces may not be needed, given the proximity of the site to Rockdale Train Station and the Bus Interchange.

Conclusion:

The traffic and transport analysis is supported and any future consideration of parking numbers will be considered as part of a future DA.

Contamination

The Proposal did not submit any supporting contamination reports.

Conclusion: In light of the site's historical uses, it is considered appropriate to require a Stage 1 Preliminary Site Investigation (PSI) with the lodgement of any subsequent DA.

Heritage

The site is not recognised as containing any heritage significance. However, it is in the vicinity of three heritage items:

- Rockdale School of Arts (Guild Theatre) – Local significance. Lot DP3560 (83-85 Railway Street) shared boundary
- Rockdale Railway Station – State significance
- St Joseph's Convent – Local significance
-

Conclusion:

A heritage report will be required for any Development Application associated with the sites.

ADEQUACY OF THE PLANNING PROPOSAL AND SUPPORTING INFORMATION FOR EXHIBITION PURPOSES

The DP&E's guidelines says that Councils are responsible for the content of planning proposals. In this regard, the Planning Proposal is considered to be consistent with DP&E's guidelines and is supported subject to some minor amendments. The supporting documentation is also considered to be satisfactory for the purposes of this Planning Proposal.

CONCLUSION

It is recommended that this Planning Proposal be submitted for Gateway Determination.

Financial Implications

There are no financial implications applicable to this report.

Community Engagement

The issues raised in this report do not require community consultation under Council's Community Engagement Policy.

Rockdale City Plan

Outcome:	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.
Objective:	Objective 2.2 - Our City has a well managed and sustainable built environment, quality and diverse development with effective housing choice in liveable neighbourhoods
Strategy:	2.2.2 - Promote high quality, well designed and sustainable development and places that enhances the City
Delivery Program:	2.2.2.A - Demonstrate leadership and commitment in the management of development that enhances the City (DCPD)
Operational Plan:	2.2.2.A.3 - Manage proposals for major development to ensure growth is appropriately scaled and located and delivers communtiy benefits (MUES)

Additional Comments:



[Attachment 1 - Rockdale PP_Issue B.pdf](#)



[Attachment 2 - 15 43682 Urban Design Report 5724_150501_Planning Proposal_Issue B 5 Aug\).pdf](#)



[Attachment 3 - 5724_150311_PP_Acoustic.pdf](#)



[Attachment 4 - 5724_150318_PP_Electrical.pdf](#)



[Attachment 5 - 5724_150319_PP_Hydraulic.pdf](#)



[Attachment 6 - 5724_150324_PP_Traffic Report.pdf](#)



[Attachment 7 - 5724_150320_PP_Wind.pdf](#)