

Planning Proposal

75 – 85 Railway Street, Rockdale



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1.0 Introduction

Planning Lab acts on behalf of Zoe Holdings Rockdale Pty Ltd in preparing this Planning Proposal for 75-85 Railway Street, Rockdale (referred to as 'the site').

This Planning Proposal has been prepared in accordance with the Department of Planning and Environment's (DP&E) Gateway process and provides justification for the amendment of *Rockdale Local Environmental Plan 2011* (LEP 2011).

The site is located in Rockdale town centre. The Rockdale Town Centre Masterplan (Rockdale Town Centre Masterplan) envisages significant transit oriented urban renewal growth within the centre.

The purpose of this Planning Proposal is to respond to the predicted growth of the immediate station environs by seeking an increase in building height on the site that would allow for an additional two storeys greater than those envisaged by draft Rockdale Town Centre Planning Proposal LEP (which amends Rockdale LEP 2011).

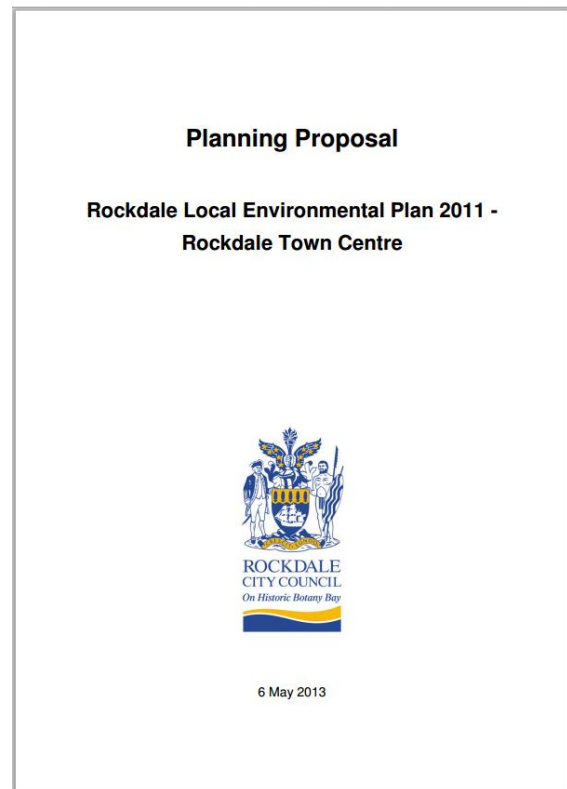
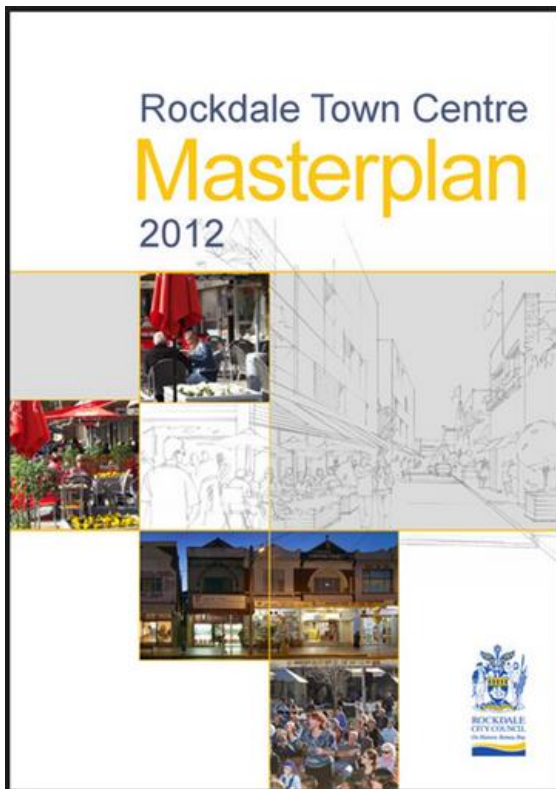
The site is located at a prominent corner of a future north-western gateway to the newly planned Rockdale town centre.

This 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 the immediate Rockdale Railway Station interchange area. The increased height will enable an 8 storey corner element to reinforce the focal corner gateway site into the centre.

It is anticipated that future development of the site would comprise mixed uses including a residential flat building above ground level.

2.0 Background

On 5 December 2012, Rockdale City Council adopted the Rockdale Town Centre Masterplan. The masterplan sets out the vision and strategies for the growth and revitalisation of the Centre. In order to support the significant growth envisaged in the town centre, Rockdale Council submitted a Planning Proposal for the relevant zone changes and increased density in the city centre.



As part of this Planning Proposal, the amendments included an increase in height to 22m for buildings permissible on the subject site. This Planning Proposal was supported by Council and was the subject of a Gateway Determination on 6 May 2014.

The applicant for this Planning Proposal which amends Rockdale LEP 2011 is the owner of 75-81 Railway Street, Rockdale. This planning proposal has been drafted in consultation with Rockdale City Council.

3.0 The Site

3.1 Description

The site is described as 75 – 85 Railway Street, Rockdale as shown in the site identification diagram below. The northern portion of the site (75 – 81 Railway Street) comprises 4 allotments under common ownership by Zoe Holdings, being Lot 101 DP771165, Lot 3 DP 82942, Lot 1 DP455421 and Lot 1 DP912313. The additional fourth lot is legally described as Lot 1 DP3560 and is owned by a separate and unrelated party.



Figure 1 : Site Location (Source: Six Viewer Map)

The site has an area of approximately 3,227sqm, with about 85m frontage to Railway Street, and 37m 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.

3.2 Surrounding Context

The site is situated within the Rockdale town centre. 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.

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.

As identified in the Rockdale Town Centre Masterplan, the town centre core area is divided into precincts. The site is located within the 'Walz and Frederick Streets Precinct'. The precinct is currently dominated by two storey buildings; however the permitted building height is up to 22m.

Uses surrounding the site include railway lines to the east, Rockdale Station to the southeast (100m), low density residential to the north and the Walz commercial precinct to the west and south. The following panoramic photos illustrate the existing uses on the site as viewed from Railway Street Rockdale.



Figure 2 : Photograph of 75-81 Railway Street, Rockdale (Source: G Cirillo)



Figure 3 : Photograph of 75-81 Railway Street, Rockdale (Source: G Cirillo)

3.3 Rockdale Local Environmental Plan 2011

The site is zoned B2 Local Centre under the Rockdale Local Environmental Plan 2011 (LEP 2011).

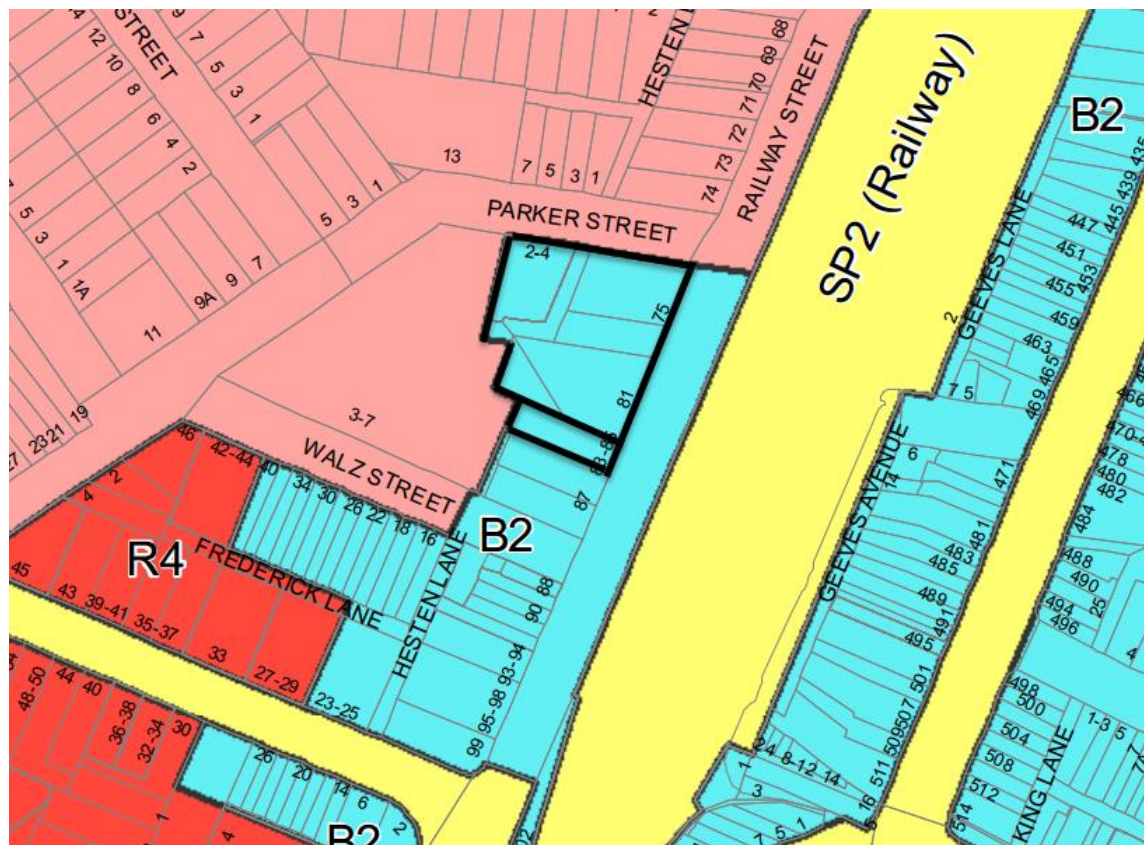


Figure 4 : Zoning Map Extract from Rockdale LEP 2011 (Source: AUSTLII)

The objectives of the zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To encourage residential development where it is complementary to and does not detract from the commercial focus of the Rockdale town centre.

Development permitted with consent in the B2 zone includes:

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Group homes; Hostels; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4.

The maximum permitted building height for the site is currently 22m. Land directly opposite the railway line, between Greeves Avenue and Princes Highway allow a maximum building height of 22m with the opportunity to increase the building height an additional 12m if the lot area is at least 1,500sqm.

As discussed in Section 1.1, Council's Planning Proposal is currently underway to increase the building height controls for the Rockdale town centre. That adopted Planning Proposal specifically seeks to increase the site from 22 to 28m.

Council's Planning Proposal also seeks to include an additional area, 471-511 Princes Highway, 6 and 14 Greeves Ave and 2 -16 and 5 Tramway Arcade, to permit buildings to exceed the current 22m building height if the lot area is at least 3,000sqm (identified as Area F).

The permitted variation in height is currently being determined in consultation with Sydney Airport Corporation Limited (SACL). Council's Planning Proposal proposed maximum building heights are shown below.

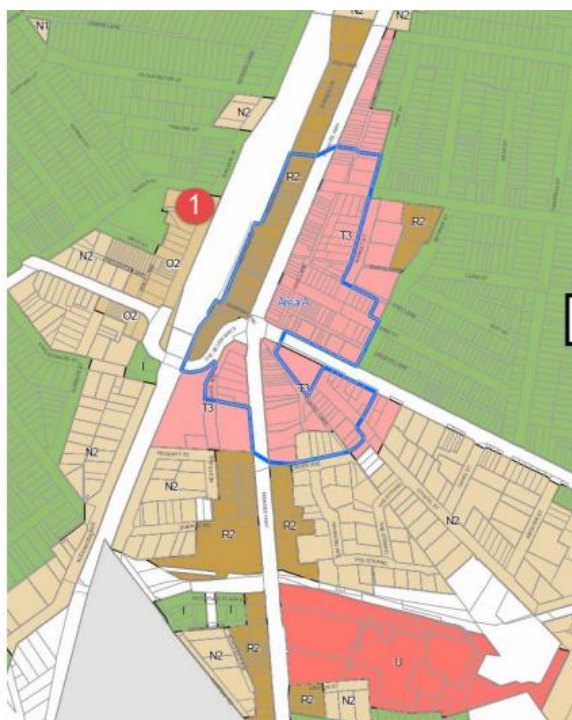


Figure 4 – Current maximum building height controls

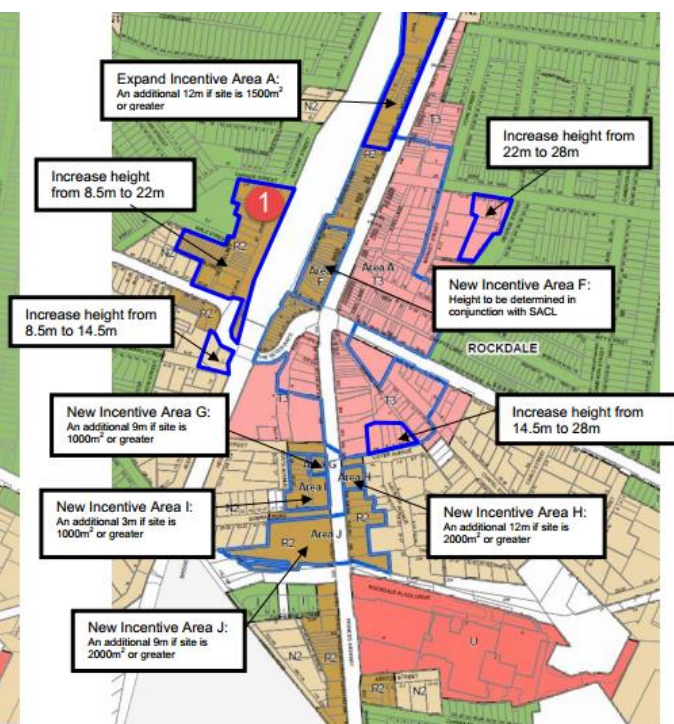


Figure 5 – Proposed maximum building height controls

Figure 5 : Subject Site Marked 1 in Rockdale LEP 2011 and Draft Town Centre Planning Proposal.
Source: Rockdale City Council 2014/2015.

4.0 Supporting Documents

An Urban Design Study has been carried out by Candalepas and Associates in accordance with the requirements of the NSW Department of Planning & Environment and addressing the detailed checklist issued by Rockdale City Council for planning proposals. The study analyses the subject site and have determined appropriate size, bulk, scale and form options for future development, and include more detailed architectural concept drawings for 75 – 81 Railway Street, Rockdale (**Refer: Annexure 1**).

4.1 Urban Design Study

The *Urban Design Study* by Candalepas and Associates demonstrates that a suitable and appropriate built form of 8 storeys can be achieved on the site and is considered necessary to initiate the revitalisation of the area with an appropriate density and mass. The Urban Design Study is generally consistent with the strategic vision for an urban renewal led revitalisation of the Rockdale Town Centre and Masterplan.

It is also noted that the site has been identified by Rockdale City Council as being suitable for a through-site-link in the rear of the subject site, which links to the Council car park at the rear of the Council owned Guild Theatre site.

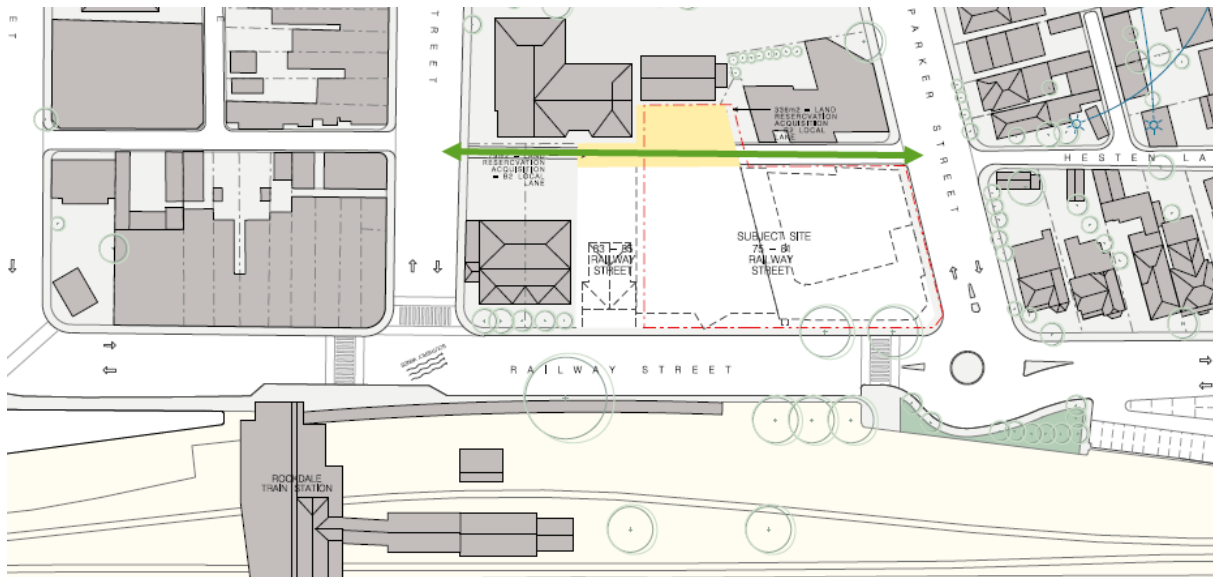


Figure 6 – Through Site Link Proposed Across the Rear of the Subject Site(s)

5.0 Objectives or Intended Outcome

The overarching objective of the proposed amendment to draft Rockdale Town Centre LEP 2011 is to facilitate a redevelopment of the site and provide a prominent corner element to reinforce the focal corner gateway to the Centre. The redevelopment will also capitalise on its immediate proximity to Rockdale Railway Station and bus interchange public transport.

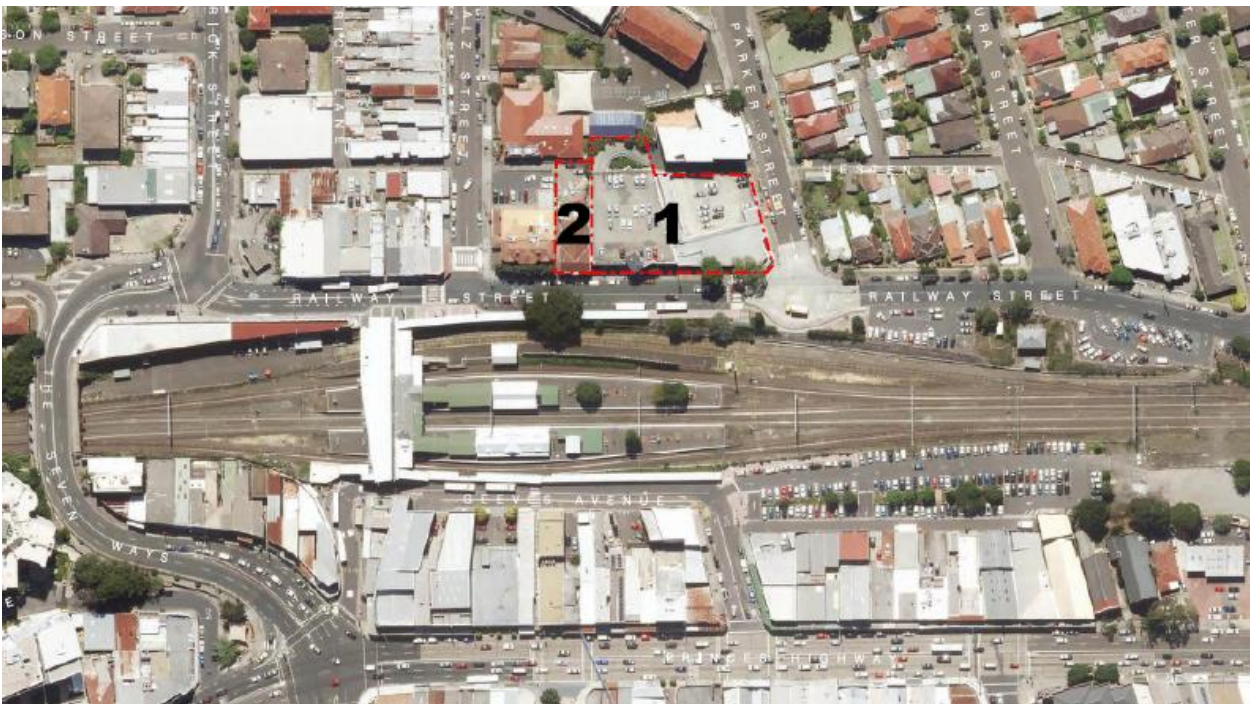


Figure 7 –Aerial Photographs of the Subject Site(s)

The intended outcome of this Planning Proposal is to provide for an opportunity to revitalise 75-85 Railway Street, Rockdale. This will necessitate an amendment draft LEP 2011, specifically increasing the maximum permitted building height to 28m.

It is noted that building height is proposed to be increased from 8.5m (as it currently exists) to 22m across the western side of Rockdale Station as shown on the attached Urban Design Study by Candalepas and Associates.

It is recommended that Council support the Planning Proposal which changes in the maximum allowable height on the subject site from 22m to 28m.

The amended maximum allowable height will recognise the unique position of the site in immediate proximity to Rockdale Railway Station, and its prominent corner location as a future north-western gateway to the newly planned Rockdale town centre.

The increased height will enable an 8 storey corner element to reinforce this focal corner gateway site.

An appropriate and well considered 8 storey form can be well managed through detailed design incorporating building articulation, façade modulation and a careful selection of external materials with a subsequent DA. The resultant built form can retain a ‘human scale’ whilst facilitating transformative urban renewal in the Rockdale town centre.

It is considered that there is substantive urban design merit in considering a 28m height limit on this site which would effectively balance the heights proposed on the eastern sector of the town centre, east of Rockdale Station.

The additional height on this site is considered appropriate from an urban design perspective and would define any future residential development as a local landmark, signalling one’s arrival at the Rockdale town centre from the north.

The built form will comprise a distinctive built form that would highlight the prominent position of the site and arrival into the new town centre.

This additional height would not impact upon views enjoyed from north from the neighbouring development on Parker Street.

Further, solar access would be required to comply with SEPP 65 and the Residential Flat Design Code. A preliminary shadow analysis has been prepared Candalepas and Associates and it accompanies this Planning Proposal. In any case, these and other particular related design considerations are also to be assessed in full through a future DA.

A 28 metre building height would an appropriate addition to the existing streetscape and it is recommended that the maximum height control be amended accordingly.

6.0 Explanation of Provisions

The provisions to be included in Rockdale LEP 2011 are outlined below, in accordance with Section 55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

6.1 Rockdale Local Environmental Plan 2011 (Amendment No. 8)

Name of Plan

This plan is Rockdale Local Environmental Plan 2011 (Amendment No. 8)

Aims of the plan

This plan aims to:

- *Amend the Height of Buildings Map to reflect a maximum permissible building height of 28m for the site, and*

Land to which this plan applies

This plan applies to the land shown on the accompanying maps.

7.0 Justification

7.1 Section A – Need for the Planning Proposal

7.1.1 Is the Planning Proposal a result of a study or report?

This Planning Proposal relies heavily upon the transit-oriented urban renewal foundations of the Rockdale Town Centre Masterplan and separate independent urban planning analysis by Planning Lab with detailed urban design and architectural analysis by Candalepas and Associates. The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved. Part of the design strategy for the town centre is to increase residential densities in appropriate locations close the public transport, which involves an increase in maximum building height and a provision to remove FSR controls.

This Planning Proposal responds to the vision of the Masterplan, facilitating an increased density on the site to help revitalise the area.

7.1.2 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 the most appropriate and feasible mechanism to achieve revitalisation and redevelopment of the site, whilst also providing significant public domain benefits. More specifically, the current height controls do not provide sufficient incentive for redevelopment if Council also now wishes for a large section of the site to be dedicated for the purpose of a through site link. As the site is identified within the Rockdale Town Centre Masterplan as being on a prominent corner as a future north-western gateway to the newly planned Rockdale town centre, a compliant development would not achieve the desired entrance statement activation or revitalisation of the area.

An appropriate and well considered eight story built form can facilitate the urban renewal to help revitalise the town centre. The built form can be well managed through detailed design incorporating building articulation and facade modulation to ensure a 'human scale' can be retained.

7.2 Section B – Relationship to Strategic Planning Framework

7.2.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

A Plan for Growing Sydney

A Plan for Growing Sydney is an action plan to meet the vision of Sydney as a strong global city and a great place to live.

This Planning Proposal is consistent with the Plan, in particular Direction 2.2: Accelerate urban renewal across Sydney, providing homes closer to jobs. This direction specifies urban renewal in transport corridors, directly in line with this Planning Proposal. The Planning Proposal is to facilitate urban renewal adjacent to Rockdale Station and bus interchange and within the town centre.

Draft South Subregional Strategy

The site is located within the South Subregion of the Plan for Growing Sydney. The Department of Planning and Environment is currently preparing the South Subregional Growth Plan.

The Plan for Growing Sydney provides priorities for the south subregion. This Planning Proposal is consistent with these priorities, in particular the goal: *Accelerate housing supply, choice and affordability and build great places to live.*

The actions of the goal are to work with councils to identify suitable locations for housing intensification and urban renewal, particularly around key transport corridors.

This Planning Proposal supports this priority, seeking increased density for urban renewal within the town centre in immediate proximity to Rockdale Station.

7.2.2 Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Rockdale City Community Strategic Plan 2013-2015

The Community Strategic Plan 2013-2025 is part of the Rockdale City Plan 2013-2025. The Community Strategic Plan identifies the long term aspirations the communities of Rockdale want to see delivered.

The vision is built around four strategic community outcomes of:

- 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 following table discusses the consistency of the proposal in relation to the relevant actions contained within the Community Strategic Plan.

Table 1 Relevant Objectives of Community Strategic Plan 2013-2025

Objective	Strategy	Comment
Outcome 2		
2.2 Our City has a well -managed and sustainable built environment, quality and diverse development with effective housing choice	2.2.2 Promote high quality, well designed and sustainable development and places that enhances the City	The Planning Proposal would assist in promoting high quality, sustainable development in the Rockdale town centre.
Outcome 3		
3.3 Our City has vibrant town centres that provide a range of services and experiences for our residents, workers and visitors	3.3.1 Ensure Town Centres are improved on a rolling program	The Planning Proposal will revitalise the town centre to create a vibrant space for residents and employees.

Rockdale Town Centre Masterplan

The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved, not just how it looks and functions, but also what role it will play economically and culturally.

Design Strategy	Objective	Comment
Community vision and design strategy		
Design Strategy 3: Increase the vitality and lifestyle	The lifestyle of the Centre will be improved by encouraging elements in the Town Centre with a social or public focus: open spaces, dining, entertainment, markets, community services	The Planning Proposal would assist in developing a viable mixed use development, encouraging the revitalisation of the town centre and improving local amenity.
	Vibrancy and activity in the Centre will be generated through increased residential densities	The Planning Proposal promotes an increase in residential density within the Rockdale town centre.
Design Strategy 4: Improve the pedestrian experience	The different precincts of the centre will be connected by laneways and a pedestrian network making the Centre easy to explore for visitors and enjoyable for residents	A through-site-link is proposed through the site, incorporating 415sqm of land to form part of a VPA, and to form part of a VPA accompanying the Planning Proposal. This will enhance the permeability of site and improve the pedestrian experience envisaged by Council.

7.2.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

The proposal is consistent with all relevant state planning policies (SEPPs). The following SEPPs apply to the site.

State Environmental Planning Policy No. 65- Design Quality of Residential Flat Buildings

SEPP 65 aims to improve the design quality of residential flat development. The Policy recognises that the design quality of development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.

In accordance with the requirements of the SEPP, all matters for consideration under SEPP 65 would be addressed in full at the development application stage. The Urban Design Strategy by Candalepas and Associates demonstrates that the development of the site can comply with the requirements of SEPP 65. In this regard appropriate cross ventilation, solar access and residential amenity can be achieved.

State Environmental Planning Policy 55- Remediation of Land

SEPP 55 introduces planning controls for the remediation of contaminated land. The policy states that the planning authority must consider whether the land is contaminated, and if so that the land is suitable in its contaminated state for the permitted uses in the zone, or that the land requires remediation before the land is developed for that purpose.

No changes to the permissible uses of the site are proposed other than those envisaged by draft Rockdale LEP 2011 (and as amended for the Rockdale town centre). Site investigations would be carried out as part of any future development application for the redevelopment of the site. Any areas of contamination would be remediated prior to development of the land, in accordance with all relevant statutory requirements and policy guidelines.

7.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?

The relevant Section 117 Directions are considered in the table below.

Table 2 S117 Directions

Direction	Requirement	Comment
1.1 Business and Industrial Zones	This direction applies when a relevant planning authority prepares a Planning Proposal that would affect land within an existing or proposed business or industrial zone The objectives of this direction are to: 1. <i>encourage employment growth in suitable locations,</i> 2. <i>protect employment land in business and industrial zones, and</i> 3. <i>support the viability of identified strategic centres.</i> A Planning Proposal must: (a) <i>give effect to the objectives of this direction,</i> (b) <i>retain the areas and locations of existing business and industrial zones,</i> (c) <i>not reduce the total potential floor space area for employment uses and related public services in business zones,</i> (d) <i>not reduce the total potential floor space area for industrial uses in industrial zones, and</i> (e) <i>ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</i>	The Planning Proposal involves an increase in the height, but is not proposing any other change to the zoning provisions The Planning Proposal would still support business uses on the land.
3.1 Residential Zones	Objectives (1) The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	The Planning Proposal is consistent with the objectives of this direction. It would enable an intensification of residential development on the site in an area well-served by both road and public transport and with access to all necessary services.

Direction	Requirement	Comment
	What a relevant planning authority must do if this direction applies: (4) A planning proposal must include provisions that encourage the provision of housing that will: (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. (5) A planning proposal must, in relation to land to which this direction applies: (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land.	
3.4 Integrating land use and transport	Objectives (1) The objectives of this direction are: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and providing for the efficient movement of freight.	The site is well serviced by public transport. It is located about 100m from Rockdale Station and the associated rail/bus interchange.

Direction	Requirement	Comment
	What a relevant planning authority must do if this direction applies (4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) Improving Transport Choice –Guidelines for planning and development (DUAP 2001), and (b) The Right Place for Business and Services – Planning Policy (DUAP 2001).	
3.5 Development Near Licensed Aerodromes	Objective (a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. What a relevant planning authority must do if this direction applies (4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must: (a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome, (b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,	The Planning Proposal increases total building height to approximately RL 48. It is understood that the site is located within 25 ANEF contour of the ANEF 2033 map. The planning proposal may be required to be referred to Air Services Australia to determine whether any air navigation issues arise in relation to the Obstacle Limitation Surface of Sydney Airport. Any future development is to comply with the relevant airport and air navigation requirements.

Direction	Requirement	Comment
	(c) for land affected by the OLS: (i) prepare appropriate development standards, such as height, and (ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome (d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act. (5) A planning proposal must not rezone land: (a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or (b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or (c) for hotels, motels, offices or public buildings where the ANEF exceeds 30. (6) A planning proposal that rezones land: (a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or (b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or (c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.	

Direction	Requirement	Comment
4.1 Acid Sulfate Soils	Objective 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. What a relevant planning authority must do if this direction applies (4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present. (5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with: (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or (b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines. (6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act. (7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).	The site is identified as Class 5 Acid Sulfate Soils in LEP 2011. The need for an Acid Soils Management Plan will be determined at DA stage, as required by Clause 6.1 of LEP 2011.

Direction	Requirement	Comment
6.1 Approval and referral requirements	Objective (1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. What a relevant planning authority must do if this direction applies (4) A planning proposal must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.	This Planning Proposal does not include the provision to require concurrence, consultation or referral to a Minister or public authority; and is therefore it is consistent with the direction.
6.3 Site Specific Provisions	Objective The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. What a relevant planning authority must do if this direction applies	This Planning Proposal does not propose restrictive site-specific provisions but seeks to amend the LEP to increase the building height control.

Direction	Requirement	Comment
	(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.	In order to ensure a built form and scale that are appropriate in the context, an Urban Design Study has been prepared for the site (Refer Annexure 1). It is considered appropriate to include this information with the Planning Proposal as demonstration of the potential merits of the proposed LEP amendment.
7.1 Implementation of A Plan for Growing Sydney	Objective The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney. What a relevant planning authority must do if this direction applies Planning proposals shall be consistent with the NSW Government's A Plan for Growing Sydney published in December 2014.	The Planning Proposal is generally consistent with A Plan for Growing Sydney published in December 2014 as indicated in the discussion at Section 6.2.1.

7.3 Section C – Environmental, Social & Economic Impact

7.3.1 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 currently developed with commercial buildings with no natural areas on site. There are no critical habitats or threatened species, populations or ecological communities, or their habitats that will be adversely affected by the Planning Proposal.

7.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Specialist reports accompany this Planning Proposal which directly address the environmental effects as a result of the Planning Proposal, specifically addressing considerations such as overshadowing and traffic related impacts.

7.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

The predominance of housing in this part of Rockdale is largely in the form of detached housing. Housing affordability pressures and an increase in population for those over 55 years of age, raises the demand for new housing types, including a mix of apartment sizes with ready access to shops, transport, recreational and open space facilities. The introduction of improved housing choice is consistent with one of the key principles from A Plan for Growing Sydney to increase housing choice around all centres through urban renewal in established areas. This Planning Proposal facilitates housing choice by providing additional residential units in an ideal location with easy access to retail facilities, public transport and local neighbourhood services.

It is also noted that the applicant proposes to make provision for a through-site-link, incorporating 415sqm of land to be acquired by Council and / or dedicated via a VPA to be negotiated and agreed prior to exhibition of the Planning Proposal.

It is not anticipated that the Planning Proposal will have any negative economic effects which need to be addressed as part of the proposal.

7.4 Section D – State & Commonwealth Interests

7.4.1 Is there adequate public infrastructure for the Planning Proposal?

The site is currently well serviced by Rockdale Train Station and the accompanying bus interchange.

In terms of adequacy of public infrastructure for the Planning Proposal, technical reports accompany this Planning Proposal addressing urban design, acoustics, electrical, hydraulic, traffic and wind impacts in the vicinity of the site:

Annexure 1: Urban Design Study – Candalepas and Associates

Annexure 2: Acoustic - Renzo Tonin

Annexure 3: Electrical - NPC

Annexure 4: Hydraulics - AJ Whipps

Annexure 5: Traffic - Arup

Annexure 6: Wind - Windtech

Any required upgrades to infrastructure arising from the redevelopment of the site will also be assessed at DA stage.

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

This would be determined following consultation with the State and Commonwealth Authorities identified in a Gateway Determination. Any issues raised by these authorities would be addressed as appropriate.

8.0 Mapping

The Planning Proposal seeks to modify the Height of Building Map for the site as set out below:

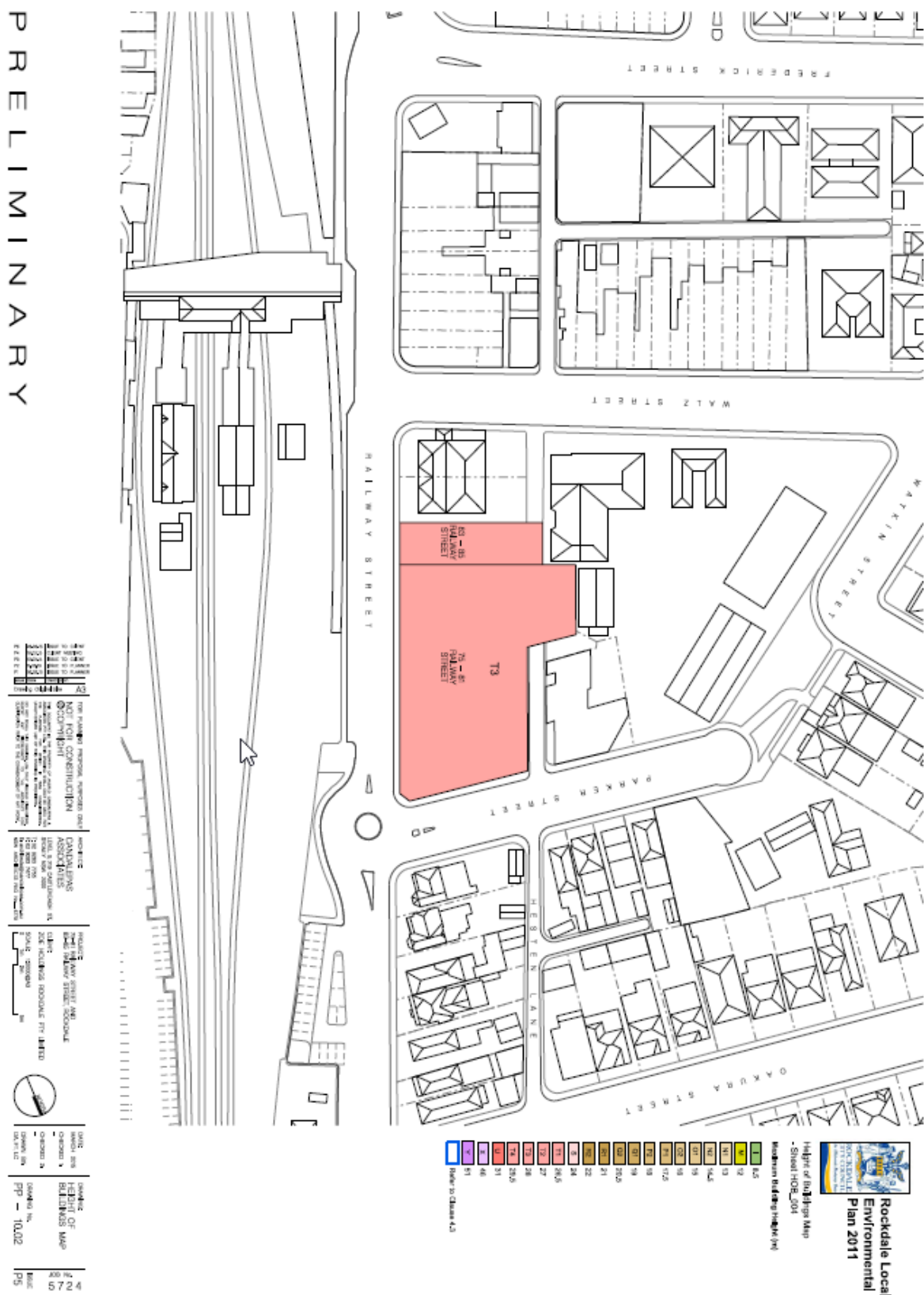


Figure 8 : Amendment to “Height of Buildings Map” Showing 28m Applicable to the Subject Site

9.0 Voluntary Planning Agreements

A Voluntary Planning Agreement (VPA) is to be entered into between the owners of land which is the subject of this Planning Proposal, and is to be agreed in principle between the parties prior to exhibition of the Planning Proposal.

The VPA is to identify the change in the developable value of the land arising from this Planning Proposal in accordance with the Rockdale City Council Voluntary Planning Agreement Policy 2007 and the *“Methodology for valuing public benefits under a planning agreement”* cited in Section 2.13 of that policy having regard to the increase in the allowable height by 2 storeys and also to the reservation of land for a public purpose, being the through-site-link across the rear of the subject properties.

Council is required to ensure that a proposed planning agreement is publicly notified as part of, in the same manner as and, where practicable, at the same time as the application for instrument change or development application to which it relates. The planning agreement must therefore be negotiated and documented before it is publicly notified as required by the Act and Regulation. The Planning Proposal is to be concurrently exhibited with the draft VPA.

It is understood that Council will generally require a planning agreement to provide that the developer’s obligations under the agreement take effect when the first development consent operates in respect of development that is the subject of the agreement, and will operate progressively, in accordance with its terms, as the relevant development proceeds from the issue of the first construction certificate in respect of that development until the grant of the final occupation certificate.

10.0 Community Consultation

A Gateway Determination would specify community consultation to be undertaken, in accordance with Section 56 (2)(c) of the EP&A Act as part of the LEP amendment process.

Community consultation would be commenced by the placing of a public notice in the local newspaper and on the Rockdale Council website and/or the DP&E.

The DP&E's 'A guide to preparing local environmental plans' provides timeframes for the exhibition. It is considered this application is to undertake a 28 day exhibition period. Normal exhibition material would be made available by the relevant planning authority during the exhibition period. The community consultation process would be completed when the relevant planning authority has considered any submissions received concerning the proposed LEP amendment and has forwarded those reports to the DP&E for final consideration by the Minister.

11.0 Consequential Rockdale DCP Amendments

In parallel with the Planning Proposal, it is intended to make consequential changes to Rockdale DCP – Part 7.5 Rockdale Town Centre – Amendment 3 in so far as it relates to podium heights fronting streets and laneway frontages. It is intended to raise the podium height to 5 storeys both at Railway Street and the Hesten Lane frontages. These amendments are shown and justified in the Urban Design Study by Candalepas and Associates.

12.0 Project Timeline

The project timeline is outlined below.

Table 3 Project Timeline

Milestone	Proposed Date
Anticipated commencement date (date of Gateway determination)	May 2015
Anticipated timeframe for the completion of required technical information	July 2015
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	July 2015
Commencement and completion dates for public exhibition period	August 2015
Dates for public hearing (if required)	NA
Timeframe for consideration of submissions	September - October 2015
Timeframe for the consideration of a proposal post exhibition	November 2015
Date of submission to the department to finalise the LEP	December 2015
Anticipated date RPA will make the plan (if delegated)	February 2016
Anticipated date RPA will forward to the department for notification	February 2016

13.0 Conclusion

This report has considered the context of the area, the future vision of the Rockdale town centre, as well as the relevant site specific outcomes for the site.

In order to promote the revitalisation of the Rockdale Town Centre, this Planning Proposal facilitates the future development of 75 – 85 Railway Street. It aims to increase the maximum permitted height of a building in order to allow for a prominent and focal gateway into the town centre.

This Planning Proposal relies heavily upon the transit-oriented urban renewal foundations of the Rockdale Town Centre Masterplan and separate independent urban planning analysis by Planning Lab with detailed urban design and architectural analysis by Candalepas and Associates.

The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved. Part of the design strategy for the town centre is to increase residential densities in appropriate locations close the public transport, which involves an increase in maximum building height and a provision to remove FSR controls.

This Planning Proposal responds to the vision of the Masterplan, facilitating an increased density on the site to help revitalise the area.

The Planning Proposal is considered the most appropriate and feasible mechanism to achieve revitalisation and redevelopment of the site, whilst also providing significant public domain benefits. More specifically, the current height controls do not provide sufficient incentive for redevelopment if Council also now wishes for a large section of the site to be dedicated for the purpose of a through-site-link.

As the site is identified within the Rockdale Town Centre Masterplan as being on a prominent corner as a future north-western gateway to the newly planned Rockdale town centre, a compliant development would not achieve the desired entrance statement activation or revitalisation of the area.

An appropriate and well considered eight story built form can facilitate the urban renewal to help revitalise the town centre. The built form can be well managed through detailed design incorporating building articulation and facade modulation to ensure a 'human scale' can be retained.

This Planning Proposal has demonstrated that an increase in the permitted building height of this site is justified, appropriate and can be supported by Rockdale City Council.

Annexure 1: Urban Design Study – Candalepas and Associates

Annexure 2: Acoustic - Renzo Tonin

Annexure 3: Electrical - NPC

Annexure 4: Hydraulics - AJ Whipps

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