

# Planning Report Planning Proposal



152 - 206 Rocky Point Road, Rockdale

## Planning Proposal

Submitted to Rockdale City Council  
On Behalf of Land and Portfolio Pty Ltd

Volume 1 of 1

August 2013 ■ 12740

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Date 21/08/13

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## 1.0 Background

152-206 Rocky Point Road was previously home to the Darrell Lea Chocolate Factory prior to the company falling into voluntary administration in July 2012. The existing facilities and buildings are now being used by VIP Petfoods who acquired the Darrell Lea confectionery business in 2012 and they currently have approximately 80 people employed at the site. VIP Petfood's occupation of the site is however a temporary situation as they are presently building a new purpose built factory at another site in western Sydney, and once complete it is their intention to relocate this operation to the new site. This is expected to occur sometime in 2014.

Land and Portfolio Pty Ltd who are the owners of the site, and a company held by the Lea family, have therefore been investigating the future re-use of the site and have sought professional advice with regards to the possible use of the site following the departure of VIP Petfoods. Independent professional advice that was acquired by the Lea family highlighted that the future leasing prospects are unfavourable given the current soft state of the market, the condition of the site and the purpose built nature of the existing facilities. The advice also confirmed that the future sale of the site would be difficult without any considerable monetary and terms incentives to secure a buyer, largely due to the antiquated state of the buildings and the costs associated with demolition and redevelopment.

Land and Portfolio Pty Ltd have since held a number of meetings with the Rockdale Council and the Department of Planning and Infrastructure (DP&I) to discuss the potential rezoning and redevelopment of the site, and this has subsequently led to the preparation of this Planning Proposal.

### 1.1 Introduction

This Planning Proposal is submitted to Rockdale City Council to request the land described as Lot 22 DP 620329, Lot 2 DP 838198, Lot 1 DP 599502, Lot 1 DP 1144981, Lot 1 DP 666138, Lot 2 DP 405531 located at 152-206 Rocky Point Road, Rockdale to be rezoned to permit development for a mix of commercial and residential purposes under the current Rockdale Local Environmental Plan (LEP) 2011.

JBA Planning has prepared this Planning Proposal on behalf of the landowner and proponent Land and Portfolio Pty Ltd, being a company owned by the Lea Family, who were also the former owners of Darrell Lea Chocolates and the current owners of the site.

This Planning Proposal has been prepared for the purpose of section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the guidelines prepared by the Department of Planning dated July 2009 entitled "A guide to preparing Planning Proposals". In particular, this Planning Proposal addresses the following specific matters in the guideline:

- Objectives and intended outcomes;
- Explanation of provisions;
- Justification;
  - Need for the Planning Proposal;
  - Relationship to strategic planning framework;
  - Environmental, social and economic impact;
  - State and Commonwealth interests; and
- Community consultation.

The Rockdale LEP 2011 was gazetted in December 2011 and largely translated the former LEP into the State Government's Standard LEP Template land use zones and provisions. Accordingly, this Planning Proposal seeks to amend Rockdale LEP 2011 to introduce a B6 Business Enterprise and R4 Residential Zone over the site together with associated height and FSR controls.

This Planning Proposal provides certainty by retaining a non-residential employment generating zone over a large part of the site, while also facilitating the release of the remainder of the site for housing supply. The Planning Proposal will allow for the timely redevelopment of the site and will mitigate the financial risk to the proponent who would otherwise be forced to hold onto untenable and financially unviable industrially zoned land. In this context, the proponent has briefed Rockdale City Council and Department of Planning & Infrastructure (DP&I) officers, and received in-principle support to lodge this Planning Proposal for formal consideration.

We request that Council forward this Planning Proposal to the Minister for Planning for a 'gateway determination' in accordance with section 56 of the EP&A Act.

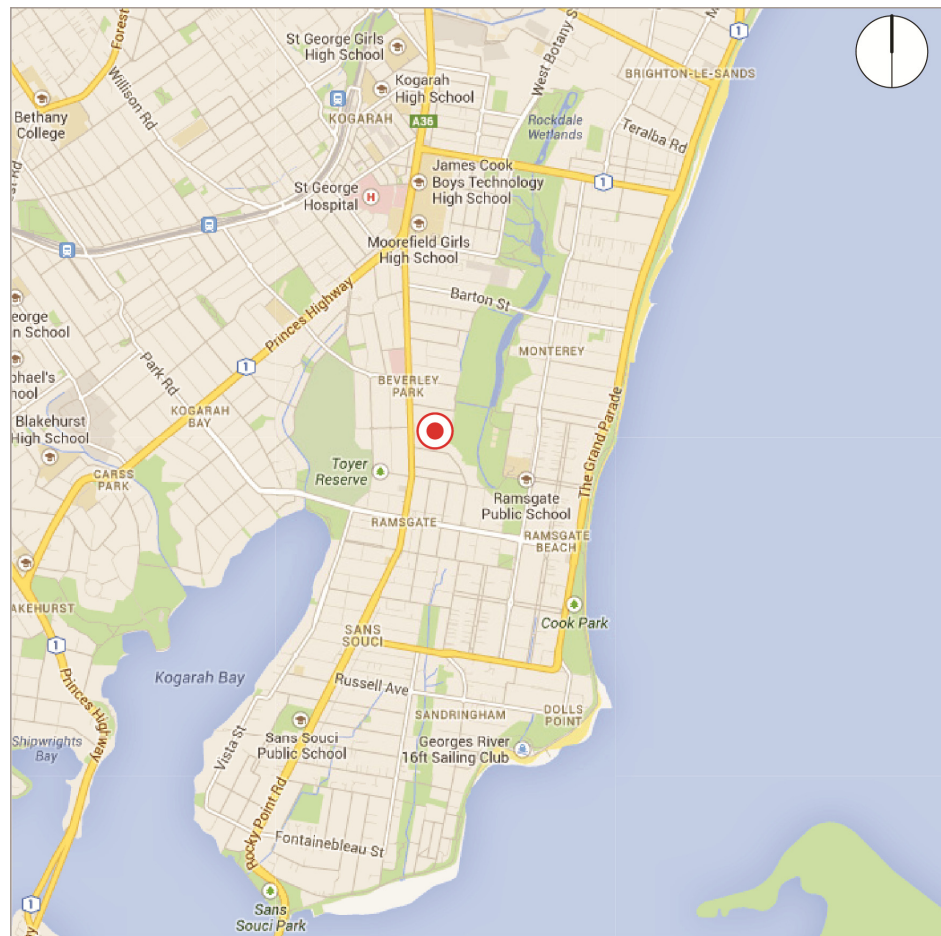
## 2.0 Site Description

### 2.1 Location and Context

The former Darrell Lea Factory site (DLF Site) is located at 152-206 Rocky Point Road, Rockdale. The DLF Site is approximately 15km south of the Sydney CBD, 5km south-west of Kingsford Smith Airport, 1.4km south of Kogarah town centre and 1km west of Ramsgate Beach. The site location and context is shown in **Figure 1**.

The urban and subregional context of the DLF Site is characterised by the following:

- a relatively central location within the Sydney metropolitan urban region with a good level of accessibility to transport, jobs and services;
- excellent road access with Rocky Point Road providing fast and efficient access to the south and the Princes Highway providing access to the M5 freeway. Direct access to the local main roads of Ramsgate Road, Princes Highway (southbound) and the Grand Parade is also available;
- a good level of public transport accessibility with regular bus services running along Rocky Point Road and providing links to Kogarah Railway Station and Central Sydney;
- a high level of accessibility to Sydney Domestic and International Airports and Port Botany;
- adjacent to low-medium density residential areas to the north and east;
- adjacent to a large area of open space in Leo Smith Reserve;
- located in close proximity to school facilities including Ramsgate Public School, Carlton South Public School, St Patrick's Primary School, Moorefield Girls High School and Blakehurst High School; and
- located in close proximity to St George Hospital.



● The Site

**Figure 1** – Site Locality Plan

## 2.2 Description

The site comprises six separate allotments (Lot 22 DP 620329, Lot 2 DP 838198, Lot 1 DP 599502, Lot 1 DP 1144981, Lot 1 DP 666138, and Lot 2 DP 405531) with a combined total area of 33,100m<sup>2</sup>. It is broadly rectangular in shape with a western frontage of 210m to Rocky Point Road and an eastern frontage of 140m to Production Lane. A Survey of the site has been prepared by Denny Linker and Co and is located at **Appendix A**.

The site is presently occupied by a number of one to three storey industrial buildings and a select few residential dwellings that front onto Rocky Point Road. The eastern half of the site is covered by surface level car parking, driveways and grassed landscaped areas (**Figure 2**).

Road access is currently available to the site directly off Rocky Point Road and Production Lane.

Vegetation is limited to a select number of trees scattered throughout the site and small landscaped gardens along the Rocky Point Road frontage.

The site was previously home to the Darrell Lea Chocolate Factory prior to the company falling into voluntary administration in July 2012. The existing facilities and buildings are now being used by VIP Petfoods who acquired the Darrell Lea confectionery business and currently have circa 80 people employed at the site. This however is a temporary situation as VIP Petfoods are presently building a new purpose built factory at another site in Western Sydney, and once complete it



is their intention to relocate this operation to the new site. This is expected to occur sometime in 2014.



Figure 2 – Site Context

## 2.3 Surrounding Land Uses

Land uses surrounding the site are shown above in **Figure 2** and influence the suitability of the site for different land uses and scales of development.

### To the north

Adjoining the site's boundary to the north is a mixture of light industrial and commercial uses including motor vehicle repair businesses and warehouse showrooms such as Carpet Court and FGA Granite and Marble. These types of uses continue to the north along Phillips Road. Production Avenue and Phillips Road are one way streets heading east and west respectively.

### To the east

To the east of the site on the opposite side of Production Lane is Leo Smith Reserve, which is a large open space area comprising sporting and recreation playing fields. Leo Smith Reserve is bounded by a creek to the east which flows through the Hawthorne Street Reserve and runs downstream to the Rockdale Wetlands and Bicentennial Park. This Hawthorne Street Reserve includes patches of densely planted vegetation and is bounded on the eastern side by the suburb of Monterey. Further east on the opposite side of Leo Smith Reserve is the residential suburb of Monterey which comprises predominantly detached residential dwellings but also has areas zoned for future higher density housing.

### To the south

To the site's south is a low density area comprising detached dwellings along Margate Street and Clarkes Road. Further south along Rocky Point Road is the Ramsgate local centre.

### To the west

To the site's west on the opposite side of Rocky Point Road are two four storey residential flat buildings. Detached dwellings are located along Carroll Street and Burgess Street, while further to the west is the Beverley Park Golf Club. Rocky Point Road represents the administration boundary between Rockdale and Kogarah Local Government Areas (LGA), accordingly land to the west of Rocky Point Road is located in the Kogarah LGA.

## 2.4 Land Use Capability

Our analysis of the capability of the physical attributes and context of the DLF Site to support redevelopment for the purposes of a mix of residential and commercial uses is summarised in **Table 1**.

**Table 1** – Land Use Capability

Site Attributes	Capability for Rezoning for Mixed Residential and Commercial Development
<b>Urban and subregional context</b>	The urban and subregional context of the DLF Site is suitable for residential and commercial uses at a medium to high density of development.
<b>Surrounding properties</b>	Subject to an appropriate urban design response, the proposed use and density is compatible with the established residential and commercial uses surrounding the site.
<b>Land size and topography</b>	The site is sufficiently large and capable of supporting residential and commercial uses at a medium to high density scale of development.
<b>Existing vegetation</b>	Minimal vegetation is located on the Site at present. New vegetation that will be provided as part of any new mixed residential and commercial development will be above and beyond that which presently exists.
<b>Existing buildings and infrastructure</b>	The existing industrial buildings are not capable of accommodating new residential and commercial uses, and will therefore need to be demolished. Existing infrastructure is available to service new uses and development, further investigations will be undertaken post 'Gateway Determination' to identify if any upgrades are required.
<b>Access and Transport</b>	Public transport is available in the form of a bus corridor along Rocky Point Road. Subject to certain road intersection upgrade works the road network is capable of supporting future residential and commercial uses at a medium to high density and scale.
<b>Heritage Significance</b>	No items of heritage significance are located on or adjacent to the DLF Site, and there are no heritage constraints to new residential, retail and commercial development.
<b>Contamination</b>	The DLF Site contains relatively low level contaminants that can be remediated and made suitable for the proposed mixed use development.
<b>Stormwater and flood risk</b>	The DLF Site is capable of being designed to achieve the required flood free levels and will be able to accommodate the necessary stormwater management system to service the needs of future development.

In light of the above the physical context and attributes of the land, the DLF Site is capable of supporting residential and commercial uses at a medium to high density and scale of development.

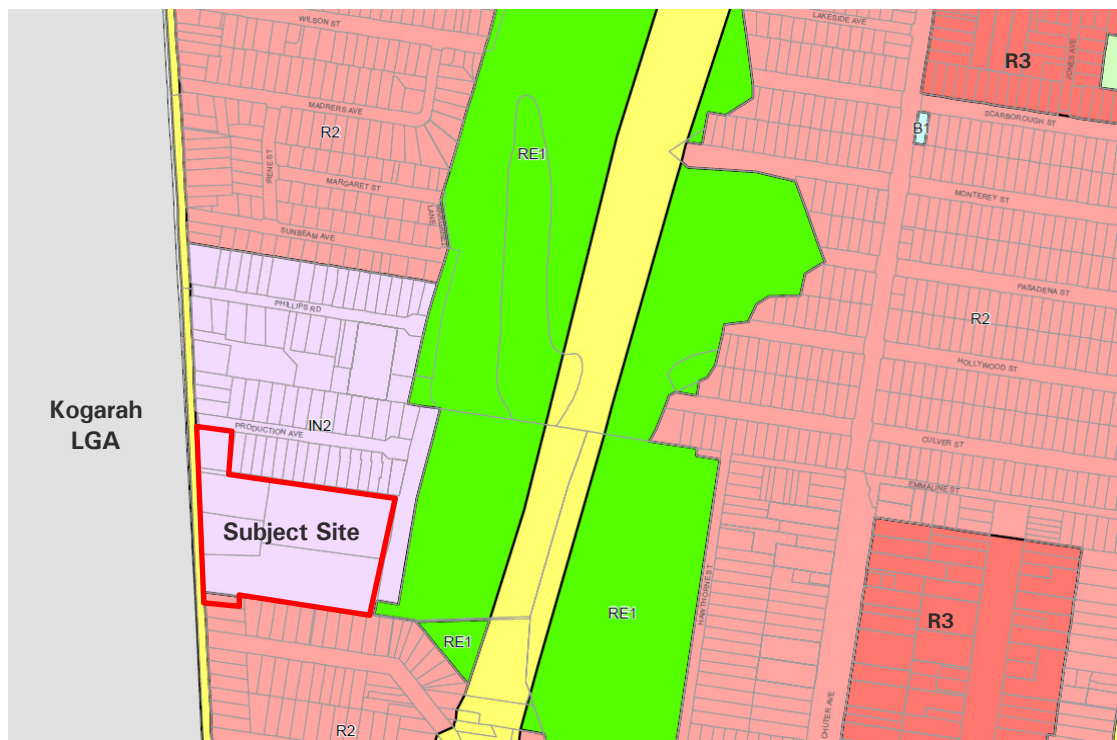
## 2.5 Current Zoning under Rockdale Local Environmental Plan 2011

The DLF Site is currently zoned IN2 Light Industrial with a maximum FSR of 1:1 under the Rockdale Local Environmental Plan (LEP) 2011. This zoning permits (with consent) a variety of industrial uses as well as other uses that support industrial development, including:

*“Depots; Industrial training facilities; Light industries; Neighbourhood shops; Take away food and drink premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4.”*

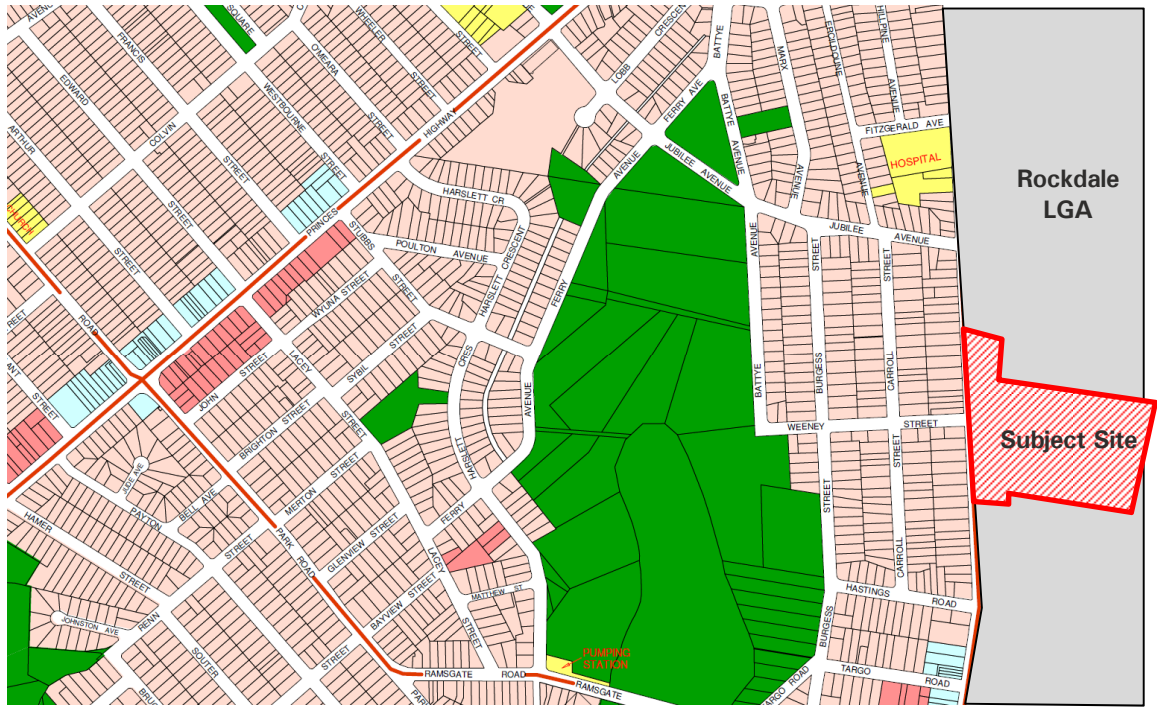
Residential, retail and commercial development are currently prohibited on the site.

The site forms part of a larger area of industrially zoned land (of approximately 10 ha) that is surrounded on all sides by large tracts of residential and/or recreational zoned land, which weaken its connection with Sydney’s other major employment land areas and effectively make it an isolated island of employment land (**Figure 3** and **4**).



**Figure 3 – Zoning Plan – Rockdale LEP 2011**

Kogarah Council LGA is located immediately to the west on the opposite side of Rocky Point Road. Review of the local planning framework for Kogarah shows that land to the west of the site is included in Zone 2(a) Low Density Residential under the Kogarah LEP 1998.



**Figure 4 – Zoning Plan – Kogarah LEP 1998**



## 3.0 Objectives and Intended Outcomes

The objectives and outcomes of the draft Planning Proposal are to:

- rezone 3.3 ha. of land at 152-206 Rocky Point Road to permit the development of a mix of commercial and residential uses under the current Rockdale LEP 2011;
- meet current and future housing demand with the potential addition of 350 to 450 dwellings;
- provide a variety of different housing typologies and products to meet the varying needs of the community, and improve housing affordability in the local area;
- meet increasing demand for additional commercial and warehouse floor space including up to 19,000m<sup>2</sup> of employment generating floor space in the area without undermining existing commercial centres in the subregion;
- provide approximately 400 new fulltime new job opportunities in employment sectors that more closely align with the skills and qualifications of the local workforce;
- provide the opportunity to increase employment densities on the site with commercial and warehouse/showroom uses;
- generate significant investment in the construction sector;
- generate no significant public infrastructure costs and no impacts on any environmentally sensitive land; and
- contribute to achieving important objectives and directions in Government planning strategies and policies including:
  - achieving housing targets within the Sydney South Subregion and Rockdale LGA in a location that is well serviced with infrastructure and accessible to the transport network and centres of employment, retailing and business services, recreational and entertainment opportunities;
  - increasing capacity for jobs growth and jobs diversity in Sydney South Subregion and Rockdale LGA; and
  - facilitate the re-use of industrially zoned land that is no longer fit for purpose and which has a low potential to be redeveloped for industrial purposes in the future.

## 4.0 Indicative Masterplan

Taking into consideration the site specific opportunities and constraints, a number of planning and design principles were established to guide and inform how the site might be redeveloped in the future. Specifically it was established that any future redevelopment of the site was to:

- Provide an increase in the number of permanent jobs provided on the site.
- Activate the site's frontage to Rocky Point Road;
- Contribute to the local housing stock in terms of dwelling mix, sizes and typologies.
- Provide a buffer of non-residential uses between Rocky Point Road and any future residential uses addressing the park.
- Incorporate buildings of varying form and heights that step away from the adjoining low scale residential to the south, with the taller buildings well screened from the existing residential areas.
- Be designed and sited to minimise visual, overshadowing and amenity impacts on the surrounding area, particularly the existing detached dwellings to the south along Margate Street.
- Incorporate landscaping and open space to maximise building separation and provide appropriate and effective landscape buffers, particularly to the detached dwellings to the south.
- Support the creation of a village atmosphere through effective use of the streets, open space, landscaping and built form.
- Improve the physical and visual access to the reserve from the residential areas to the west.

Using these principles as a base an Urban Design Study was undertaken by Lippman Partnership (**Appendix B**) and led to the preparation of an Indicative Masterplan for the site (**Figure 5**). The Indicative Masterplan sets out to achieve the aforementioned 'Objectives and Intended Outcomes' and illustrates how the site might be redeveloped in the future under the proposed new zoning, height and floor space ratio controls.



Figure 5 – Indicative Masterplan

The Indicative Masterplan also confirms that a high quality design outcome is able to be achieved that comfortably accommodates more intense forms of development with minimal environmental or amenity impacts on the surrounding area. To ensure a high quality outcome is achieved consistent with the Indicative Masterplan it is proposed that a future Development Control Plan (DCP) amendment be prepared to accompany the rezoning. This DCP amendment together with the proposed LEP amendments would set out specific controls for the site and provide potential development incentives (e.g. bonus floorspace) for achieving select criteria relating to a number of key design elements, for instance:

- Design excellence (urban, architectural and environmental sustainability);
- Urban residential amenity;
- Apartment sizes;
- Balcony sizes; and
- Open space and landscaping.

## 5.0 Explanation of Provisions

This section provides an explanation of the provisions proposed to apply to the subject land under the Rockdale LEP 2011.

### 5.1 Rockdale LEP 2011

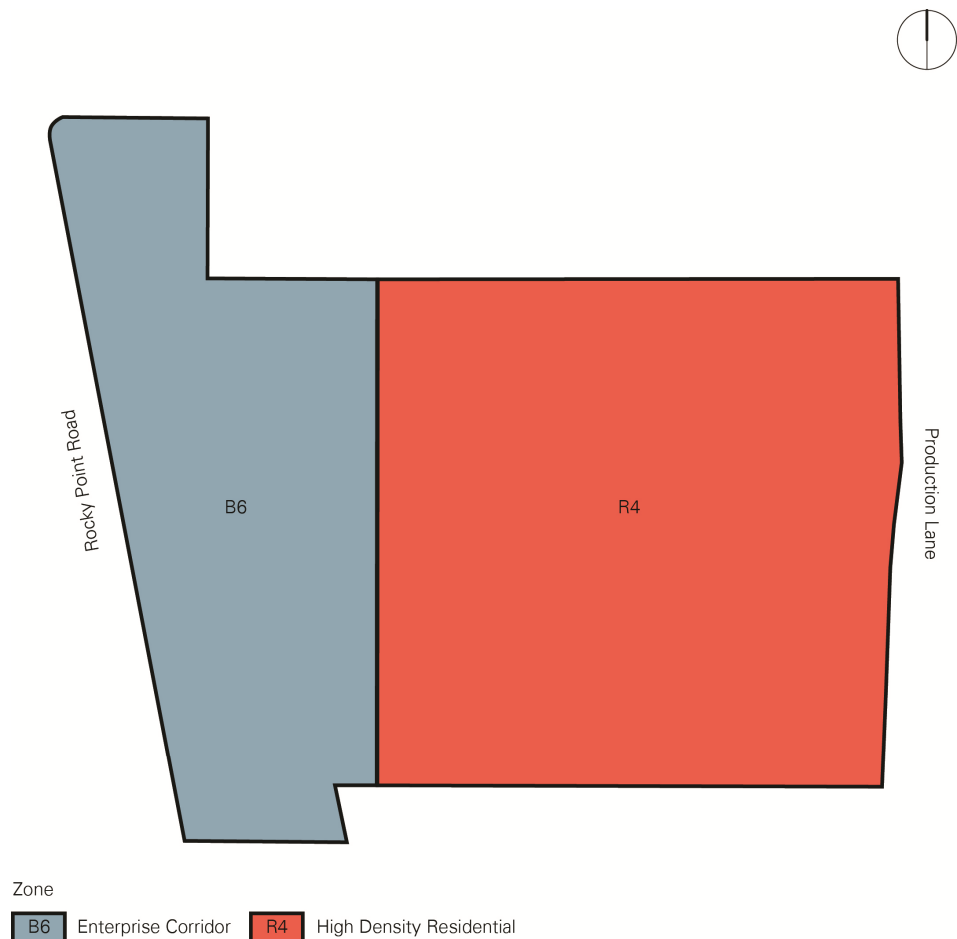
The following provisions are proposed to apply to the DLF Site in the Rockdale LEP 2011.

#### Land to which the Plan will Apply

The Planning Proposal applies to the site known as 152-206 Rocky Point Road, Rockdale, and formerly described as Lot 22 DP 620329, Lot 2 DP 838198, Lot 1 DP 599502, Lot 1 DP 1144981, Lot 1 DP 666138, Lot 2 DP 405531.

#### Land Use Zoning

The DLF Site is proposed to be zoned part B6 Enterprise Corridor Zone and part R4 High Density Residential Zone as shown below in **Figure 6** below.

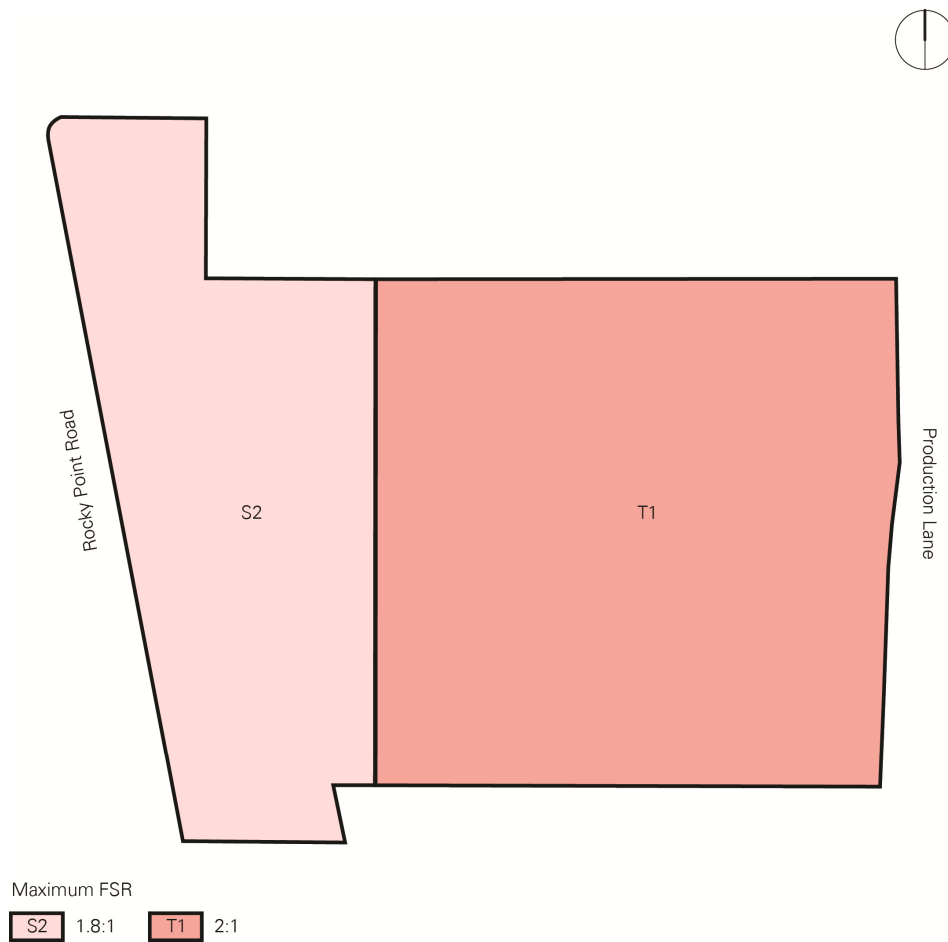


**Figure 6** – Proposed zoning map under Rockdale LEP 2011



## Maximum FSR

The Planning Proposal is to amend Rockdale LEP 2011 Floor Space Ratio Map to allow for land included in the B6 Enterprise Corridor Zone to have a maximum floor space ratio of 1.8:1, and land included in the R4 High Density Residential Zone to have a maximum floor space ratio of 2:1 (**Figure 7**).



**Figure 7** – Proposed floor space ratio map under Rockdale LEP 2011

## Maximum Building Height

The Planning Proposal is to amend the Rockdale LEP 2011 Building Height Map to allow for building heights up to 22m in the B6 Zone and 12m to 46m in the R4 Zone, as shown below in **Figure 8** below.



**Figure 8** – Proposed building height map under Rockdale LEP 2011

## 6.0 Justification

### 6.1 Need for the Planning Proposal

#### 6.1.1 Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is a result of a number of strategic planning and specialist studies that have been prepared by the Land and Portfolio Pty Ltd 's consultant project team as set out in **Table 2**.

**Table 2** – Supporting Studies

Document	Consultant	Appendix
Planning Proposal	JBA Planning	
Survey	Denny Linker and Co	<b>Appendix A</b>
Proposed Zoning, Floor Space Ratio and Height Maps	JBA Planning	<b>Appendix B</b>
Urban Design and Masterplanning	Lippman Partnership and JBA Planning	<b>Appendix C</b>
Land Economics and Demographic Assessment	JBA Planning	<b>Appendix D</b>
Alternative Options Report	Lippman Partnership	<b>Appendix E</b>
Assessment of Traffic and Transport Implications	Transport and Traffic Planning Associates	<b>Appendix F</b>
Phase 1 Contamination Report	Coffey	<b>Appendix G</b>

Together the consultant studies present a strong and compelling strategic planning case for this Planning Proposal on a number of grounds including the following:

- the former DLF land is not strategically significant industrial zoned land in the following respects:
  - it is not identified as a 'Key Employment Precinct' in the Rockdale City Council's Employment Lands Strategy (October 2007);
  - it is isolated from other industrial land at Rockdale and is physically separated from the larger more strategic industrial zones in the Sydney South Subregion including those around Port Botany and Marrickville;
  - it is adjacent to detached residential uses that would give rise to compatibility issues with future industrial uses;
- there is an adequate supply of industrial land in the subregion to meet demand into the foreseeable future without the former DLF Site, particularly for local services and trades;
- the location, context and attributes of the DLF Site are more suitable for a mix of residential and commercial uses, and there are no significant environmental constraints to such a mixed use development on the site;
- the DLF Site can support non-residential uses that are more employment intensive than the existing and historical industrial use;
- the DLF Site can support the development of up to approximately 18,000m<sup>2</sup> of employment generating floor space without unreasonable economic impacts on other existing commercial centres;
- the zoning of the DLF Site for a mix of residential and commercial uses is consistent with the aims and objectives of the Draft Sydney Metropolitan Strategy 2031;

- there are no environmentally sensitive areas, hazards or constraints of such significance as to preclude or constrain this Planning Proposal;
- the development of the DLF Site for mixed residential and commercial uses is better placed to contribute to achieving important objectives and directions in Government planning strategies and policies including:
  - delivering new job opportunities over and above the number currently generated by the site and which more closely align with the skills and requirements of the local workforce; and
  - achieving the ambitious housing targets that have been set for the Sydney South Subregion and Rockdale LGA;
  - delivering new high quality development in a location that is well serviced with infrastructure and accessible to the transport network and centres of employment, retailing and business services, recreational and entertainment opportunities.
- Subject to some select upgrades, the existing road network has sufficient capacity to accommodate the proposed rezoning and any subsequent development will not result in any unsatisfactory adverse traffic or parking implications.

### 6.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal to have the DLF site rezoned with specific development standards for maximum FSR and building heights and supplemented with a Draft DCP Amendment based on the Masterplan prepared by Lippman Partnership (**Appendix C**). This will ensure an outcome that is consistent with Government policy and which will facilitate the best means of achieving the stated objectives and intended outcomes.

### 6.1.3 Is there a net community benefit?

The Department of Planning and Infrastructure's Draft Centres Policy requires that new proposals for commercial and retail development that are inconsistent with the permitted uses in a zone should be subject to a Net Community Benefit Test.

The key criteria specified in the Draft Centres Policy for assessing the net community benefit are in bold italics below.

- (a) Will the rezoning be compatible with agreed State and regional strategic direction for development in the area (eg land release, strategic corridors, development within 800 metres of a transit node)?***

The Planning Proposal will contribute to achieving important objectives and directions in Government planning strategies and policies including:

- contributing to achieving housing targets within the Sydney South Subregion and Rockdale LGA through the provision of up to 450 dwellings in a location that is well serviced with infrastructure and accessible to the transport network and centres of employment, retailing and business services, recreational and entertainment opportunities;
- contributing to employment targets within the Sydney South Subregion and Rockdale LGA through the provision of up to 18,000 sqm of new non-residential floorspace and the creation of approximately 400 new full time jobs.
- creating new job opportunities that better align with the skills, experience and expertise of the local workforce, thereby encouraging a greater use of public transport and promoting shorter vehicle trips.

- achieving a density of development that can be appropriately accommodated on site, that maximizes the economic use of land, that responds to its urban context, and which maximizes the use of surrounding services and facilities including existing centres, public transport and civic facilities; and
- Delivering a housing mix that responds to the local community needs and which will improve housing affordability.

***(b) Is the subject site located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/Subregional strategy?***

The DLF site is located along Rocky Point Road and is also positioned adjacent to the planned F6 motorway corridor that is identified in the Draft Sydney South Subregional Strategy.

***(c) Is the rezoning likely to create a precedent or create or change the expectations of the landowner or other landholders?***

The rezoning of the DLF Site is unlikely to create a precedent or create expectations for other landowners to rezone industrial land given the following unique circumstances:

- It is a large consolidated parcel of under single ownership and which adjoins public open space to the east and an existing detached residential area to the south. These uses are highly compatible with the proposed uses.
- The site lends itself to being redeveloped in a comprehensive and coordinated manner and in this regard is distinct from the adjacent industrial land which comprises numerous small parcels of land under separate ownership.
- Its location and context and the existing on site facilities make redevelopment for industrial purposes unfeasible under the current zoning. Specifically the size of the site, the costs associated with redevelopment, low industrial values and the lack of market demand ensure that redevelopment under the current zoning is highly unlikely.
- Industrial land to the north of the site is comprised of smaller sites with fragmented ownership, and is therefore capable of accommodating small scale industrial development that responds to local market demand.

In light of the above the circumstances that surround the DLF Site are not equally applicable to the adjacent industrial land to the north.

***(d) Have the cumulative effects of other rezoning proposals in the locality been considered? What was the outcome of these considerations?***

Rezoning of industrial zoned DLF Site will result in a net decrease of 3.3ha of light industrial zoned land in the Rockdale LGA, taking the overall amount of pure industrial zoned land from 56.6ha to 53.3ha.

The term 'pure industrial zones' is used here to refer to industrial zones in which commercial premises are prohibited, in this case being the IN2 Light industrial Zone under the current Rockdale LEP 2011.

***(e) Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?***

The Planning Proposal is to zone the DLF Site for a mix of residential and commercial employment generating land uses including commercial premises, business premises, bulky goods and warehouse uses. In comparison to the existing industrial zoning, the proposed new zones allow a wider range of employment generating land uses that are more employment intensive and which suit a more diverse employment base. Retail uses will not be permissible under the zoning.

A Land Economics and Demographic Assessment has been prepared by JBA for the Planning Proposal and is located at **Appendix D**. This report identifies that the Rockdale LGA is projected to contribute significantly to new employment opportunities over the next 20 years, with the majority of these new opportunities projected to be in office and retail based employment, while manufacturing and industrial based jobs in the local area are expected to decrease.

The proposed rezoning would therefore facilitate new permanent employment generating activities that would directly respond to anticipated future jobs growth in the local area.

#### **Re-use Existing Buildings – Do Nothing Option**

As set out in the Alternative Options Report prepared by Lippman Partnership (**Appendix E**), a number of options were considered for the potential redevelopment of the site under the current IN2 industrial Zoning.

In the case of the “do nothing” option, VIP Petfoods, who currently occupy the site, will terminate their lease and relocate to a new purpose built facility in Western Sydney in 2014. The current operation employs approximately 80 people, many of whom commute from the western suburbs each day to work at the facility.

Discussions with the former and current operators of the facility indicate that the site is unlikely to ever realistically accommodate any more than 80 people using the current facilities. Initial market research has also confirmed that the site and buildings in their current form are highly unlikely to represent a feasible or realistic development strategy as:

- The location of the site is far removed from traditional centres of factory employment;
- Buildings are unsuitable for other industrial uses having been custom built for a specific purpose/user which means they are expensive to adapt or refurbish;
- The multi-level buildings are difficult to sub-divide for different users;
- Floor loadings of buildings (especially elevated factories) are unsuitable to many uses;
- The disposition of buildings is very restrictive for truck access and servicing;
- Visibility and exposure to many individual buildings from Rocky Point Road is poor; and
- Car parking in the north-eastern part of the site is isolated from the buildings.

#### **Redevelopment under Current Industrial Zoning**

Comprehensive redevelopment of the DLF Site under the current IN2 Industrial Zone was also considered. This option involved demolition of the existing structures and redevelopment as a mixture of industrial and warehouse units of varying sizes, these being:

- Small and medium sized industrial units (150m<sup>2</sup> – 500m<sup>2</sup> GFA including mezzanines);
- Larger warehouse and factory sheds (860m<sup>2</sup>-1,500m<sup>2</sup> GFA); and
- One large multi storey industrial building (9700m<sup>2</sup> GFA).

Employment ratios as per Rockdale Council’s Section 94 Contribution Plan 2004 were then applied to the buildings to calculate the maximum number of jobs that could be achieved under the current industrial zoning. On this basis it is estimated that the DLF Site is capable of providing approximately 250 new jobs through a

comprehensive industrial scheme. While this number of jobs is theoretically possible, investigation undertaken by the project team has confirmed that industrial redevelopment of this nature on the site is highly unlikely as:

- The local area is not a recognized and popular large scale industrial area as it is influenced by difficult articulated vehicle movements, tight streets, lack of local potential factory employees and an undesirable impact on neighbouring residential uses.
- The commerciality of the site for traditional industrial usage is questionable due to the volume of space that would be provided by the site and market demand. The sheer volume of industrial property that would be delivered by this option would raise concerns with developers and financiers because of the slow take-up of such space.
- The value generated by such a development would be insufficient in off-setting the costs of development, and would therefore render the development unfeasible.

### **Redevelopment under Proposed Zoning**

#### Employment in the proposed B6 Business Enterprise Zone

The preferred option that is the subject of this planning proposal is expected to result in approximately 18,000m<sup>2</sup> of non-retail commercial uses once the DLF site has been redeveloped. Based on employment ratios as per Rockdale Council's Section 94 Contribution Plan 2004 this is likely to generate approximately 400 new full time jobs. In addition to generating this number of jobs the resultant commercial uses will also support a broader range of employment opportunities more suited to the skill sets of the local workforce.

#### Employment in the Proposed R4 Residential Zone

Employment in the form of home-based businesses will occur in the proposed R4 Residential Zone and can exist in several economic sectors including:

- Manufacturing – i.e. home industries such as a seamstress;
- Creative industry – painting, glass blowing, glass staining, dress making, pottery, fashion design, writing, architecture, etc;
- Professionals – including accountants, IT consultants, web designers, etc;
- Tele-working – or virtual offices as part of a larger corporation.

Tele-working should be viewed as a new form of corporate organisation. It has been the development of technology, social attitudes and managerial modernism that have now made distance working concepts a viable, if not universally applicable, organisational response to the management of corporate activity.

The reasons for the growth of home based employment are as follows:

- Primary and manufacturing industries have declined while service and high technology industries have grown.
- Globalisation has increased competition and put all business under pressure to minimise costs.
- Out-sourcing of non-core activities has become the most cost-effective means of accessing many types of specialist skills.
- Telecommunications technology has freed many jobs from centralised locations, and many new jobs are not tied to a place of production.
- Information technology employment has grown extensively.
- Increasing technological complexity and the need to access a wider range of skills has promoted the use of consultants rather than employees.

- Demand for highly specialist or knowledge based skills has grown.

In terms of regional employment, the key factor is that employment generation is no longer simply a matter of attracting large companies. One of the keys to employment growth has become that of attracting mobile workers who run their own businesses or subcontract their labour from home. In 1996, the ABS reported 5% of all households were being used to carry out a business (excluding people who occasionally work at home). In June 2000, a further ABS report found that these figures had risen dramatically to 7.7% of the workforce, equivalent to 692,600 people. In addition, another 135,000 people had a second job which they carried out from home. About 32% of 'own account' workers worked mainly from home.

In relation to Home Based Businesses (as opposed to the wider category of home based employment) an ABS report into the Characteristics of Small Businesses, in 1997, divided home based businesses into two classes:

- Businesses at home (e.g. consultants) and
- Businesses from home (e.g. Plumbers).

This 1997 data estimated that there were 846,300 home businesses operated by 1.3 million people. These figures meant that 12% of households hosted a home business. ABS found that "Property and Business Services" were the most frequent areas of home based employment (19.5% of employees) followed by "Education" (12%), "Construction" (10%) and light manufacturing. The research also found that a third of home based workers were professionals and one third was managers (although many of these were farmers). About a quarter worked in clerical occupations. It also found that the great majority of home based business people (78%) cited low overheads as the main reason they had decided to work from home, followed by lifestyle reasons. Finally it found that most people worked at home by choice.

Based on 350-450 dwellings we can therefore assume that a further 35 to 45 jobs would be generated on site accommodating home based businesses.

#### **Total Employment**

Based on the above analysis it is estimated that a total of up to 445 new jobs can be expected to be accommodated on the site under the proposed zoning, comprising:

- Approximately 400 jobs in commercial, high tech, warehouse, showroom operations; and
- Approximately 35-45 jobs in home based businesses.

Without rezoning the land the likely employment numbers will be around one fifth of this (80) based on current figures which represent the best use of the site. At the very most 250 jobs may be obtainable based on a theoretical pure industrial scheme, however such a scheme is very unlikely to materialise in the future as the site is unlikely to be redeveloped for industrial purposes.

#### ***(f) Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?***

The proposed zones allow a wide range of land uses including medium and high density residential, commercial/business premises, warehouse and showroom uses. The land uses likely to be developed on the site under the proposed zones will ultimately depend on the market conditions at the time of redevelopment and the highest and best use value of the land.

Based on initial market advice the highest land value for the site is derived from higher density residential uses, followed by medium density residential uses, and then commercial/non-residential uses. Given the size of the DLF Site and the



staging of future development, it is likely that a mix of uses will be developed that can be delivered simultaneously to meet different segments of the market. This would provide a more feasible development scenario with a shorter development program, lower land holding costs and finance charges, higher rate of return, and lower project risk.

The proposed rezoning of the DLF Site with maximum FSRs is anticipated to contribute between 350 to 450 dwellings on the 3.3ha site, the final number depending on the size of the dwellings and format of the residential buildings. This estimate is calculated on the basis of the indicative masterplan prepared by Lippman Partnership Architects.

The Draft South Subregional Strategy identifies a housing target of 42,000 additional dwellings for the Sydney South Subregion by 2031, with 7,000 of these to be delivered in the Rockdale LGA.

The potential for between 350 to 450 dwellings on the DLF Site will make a reasonable contribution to achieving these targets and would reduce the Council's reliance on the redevelopment and intensification of other land that is more highly constrained and less suitable for redevelopment and intensification. With the large majority of new housing in the Rockdale LGA presently focussed in the north (e.g. Wolli Creek) the proposed rezoning will also facilitate new housing opportunities in the south of the LGA, and in doing so provide a more balanced distribution to housing growth.

Overall, the additional dwellings delivered on the site will broaden the mix and availability of local housing stock, thereby improving both housing choice and affordability.

***(g) Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?***

### Utility Services Infrastructure

The full range of utility services – electricity, telecommunications, gas, water, sewer and stormwater drainage – are available on and adjacent to the DLF Site. The existing utility services support industrial use on the DLF Site, and will also support future development of the site for the proposed mix of residential, retail and commercial uses. Further investigations on utility services will be undertaken post gateway determination.

### Transport infrastructure

Transport and Traffic Planning Associates (TTPA) has prepared a Transport and Traffic Report for the Planning Proposal which is located at **Appendix F**. This report provides an analysis of the transport network and its capability to support a mixed use development on the DLF land. This is supported by traffic modelling undertaken by TTPA. The following is a summary of the findings.

#### Public transport

Local bus services are provided by Sydney Buses. There are bus stops on Rocky Point Road adjacent to the site, providing connections to the north and south. Bus routes available to the site include:

- 476: Rockdale to Sans Souci;
- 477: Rockdale to Miranda;

Both bus routes provide connections to Kogarah and Rockdale railway stations, which in turn provide direct access to Greater Sydney, including the CBD.

### **Walking and cycling**

The locality has an established pedestrian and cycling network that runs along Leo Smith Reserve and which will be well connected to the Planning Proposal as shown in the appended Indicative Masterplan.

### **Road network**

The road network in the vicinity of the site includes Rocky Point Road, Princes Highway, Chuter Avenue and The Grand Parade, all of which run in a north-south direction. Ramsgate Road, Jubilee Avenue and President Avenue intersect these north-south roads and provide links to the east and west.

Rocky Point Road is a four lane road (two ways in each direction) and provides a north-south road connection between Kogarah and Sutherland Shire. Parking is permitted along the road in the vicinity of the site. Intersections near the site are presently unsignalised, however more major intersections with Jubilee Avenue to the north and Ramsgate Road to the south are signalised. Bus stops are located along the site's frontage on both sides of the road and a 60 kilometre per hour speed limit is in place.

Princes Highway to the west also runs on a north-south axis and is the major road leading into Sydney from the southern areas of Wollongong and the Illawarra. The Princes Highway is predominantly a six lane road (three lanes in each direction) with additional turning lanes provided at key intersections. The Princes Highway intersects with all major east west connections and merges with Rocky Point Road to the north, adjacent to Kogarah town centre.

To the east is The Grand Parade, which runs along the Botany Bay coastline in parallel with Rocky Point Road. It provides connections to the coastal suburbs of Ramsgate Beach, Monterey and Brighton Le Sands and links with the M5 to the north, providing fast and direct access to Central Sydney.

Ramsgate Road to the south is a major road that runs in an east-west direction and intersects with and connects The Grand Parade in the east with Princes Highway in the west. It generally provides a four lane divided carriageway with two traffic lanes in each direction. Major intersections are all signalised, with additional lanes provided at key intersections for turning traffic.

Jubilee Avenue intersects with Rocky Point Road to the north and provides an east-west connection to Princes Highway and Railway Parade. Its location and connection to other major roads ensure that Jubilee Avenue is a busy local road with a single lane in each direction and cars parked on the side within the carriageway.

Further to the north President Avenue runs in an east-west direction and connects Princes Highway with The Grand Parade. It is a major thoroughfare providing with six lanes (three in each direction) and additional turning lanes at key intersections. A significant amount of traffic commuting from the Illawarra region use this road as a means of linking to The Grand Parade and the M5 to access central Sydney.

### **Road Network Capacity and Traffic Impact**

Using the Indicative Masterplan prepared by Lippman Partnership, TTPA undertook a review of existing local traffic conditions and determined the potential traffic impacts of the future development of the site under the proposed zoning.

As per the Indicative Masterplan future redevelopment of the site would achieve vehicle access via a new central roadway connecting with Rocky Point Road and located directly opposite Weeney Street. This new four-way intersection would be controlled by traffic signals to ensure safe and effective movement of traffic in and out of the site. Based on the outcomes of SIDRA modelling, this future

intersection has been determined as being capable of operating at a service level of 'A'.

Based on this analysis TTPA conclude that the site is capable of supporting future development for a mix of residential and commercial uses and that subject to the inclusion of a singalised intersection, will not result in any adverse or unsatisfactory traffic or parking implications.

Following consultation with the local community it was identified that residents along Margate Street are concerned with additional traffic that may be generated along this street as a result of the proposed development. Traffic counts along this street are yet to be undertaken, however further investigations into this matter will be carried out once the planning proposal has reached gateway determination.

***(h) Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?***

The Planning Proposal for a mix of residential and commercial uses would reduce travel demands by car in the following respects:

- it would increase employment densities close to existing public transport services;
- the site is serviced by buses along Rocky Point Road which connect frequently to nearby railway stations of Kogarah and Rockdale and therefore offer viable alternatives to travel by car;
- the proposed redevelopment for mixed residential and commercial uses presents good opportunities to maximize the use of the surrounding existing bicycle routes;
- co-locating complementary land uses reduces the need to travel;
- the opportunity to moderate demand for travel and distance travelled will be provided by the development, which will create new employment opportunities that more closely align with the skillsets of the local workforce. This represents an improvement on the existing factory use of the site, which sources the majority of its employees from western Sydney and will therefore reduce car distances travelled; and
- greater employment and residential densities in the area will provide more potential customers for the existing public transport services and hence support their efficient and viable operation and expansion.

***(i) Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?***

- The Planning Proposal facilitates development that will result in increased patronage and improved viability of government services including public transport infrastructure in the area, and the possible future F6 motorway.
- The Planning Proposal will result in development that maximises the use of infrastructure services that are available and which have capacity to accommodate the Proposal.

***(j) Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?***

There is no environmentally sensitive land or land with significant biodiversity value on or within close proximity to the DLF Site that will be affected by the Planning Proposal. There are also no environmental constraints or hazards of such significance as to preclude mixed use development on the DLF Site under the proposed zonings.

A Flood Advice Statement (**Appendix H**) has been obtained from Rockdale Council which has identified that the eastern end of the site is subject to some minor partial flooding, however this can be easily addressed as part of the detailed design of any future proposal.

The environmental considerations associated with the proposed development have been addressed in the specialist reports prepared by the project team. Further detailed reports will be prepared following Gateway determination.

***(k) Will the LEP be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?***

#### Surrounding land uses

The Planning Proposal is compatible and complementary with surrounding land uses as described below. The Indicative Masterplan for the Planning Proposal is intended to be further developed in the future developed as the basis for a site specific DCP..

#### Amenity of the locality and public domain

The amenity of the locality and public domain will be enhanced by the Planning Proposal for a mix of residential and commercial uses and public open spaces as proposed in the appended Indicative Masterplan.

At present, the DLF Site can be described as an inaccessible large underutilised industrial site that contains a large at-grade asphalt car park, buildings of various commercial and industrial forms and ages surrounded by security fencing and some established trees.

The Planning Proposal and accompanying Indicative Masterplan have been tailored to maximise compatibility with surrounding land uses while enhancing the amenity of the locality and public domain. The masterplanning principles to be used in the preparation of a future Draft DCP include the following:

- A mix of land uses including residential, commercial and warehouse uses set within pockets of open space.
- A mix of housing types and choices including affordable housing choices.
- Non-residential development accommodated at the site's western end to provide an active frontage to Rocky Point Road.
- Centrally located and accessible public open space that contributes to amenity, provides passive recreational use for future residents and which compliments the existing public open space network.
- Appropriate building scale, density and height that responds to site specific constraints and opportunities. Specifically, higher density and taller buildings located in the northern and western quadrants of the site adjacent to the existing light industrial uses; medium scale and height of buildings within the central parts of the site and along Rocky Point Road; and low scale and low rise buildings in the site's southern quadrant to minimise impacts on the adjacent residential buildings along Margate Street.
- Managed interface between the proposed residential and the non-residential uses located within the site, and incorporation of a landscaped buffer along the

sites southern boundary to mitigate impacts on existing residential dwellings to the south.

***(l) Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?***

- The Planning Proposal is anticipated to lead to the development of a mix of commercial, business and warehouse uses on the DLF Site which are permissible in the proposed B6 Business Enterprise Zone. The development of such uses on the site will increase supply, choice and competition for new high quality accommodation in the local area. Retail land use as defined under the Rockdale LEP 2011 does not form part of the planning proposal.

***(m) If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?***

- Given the site's location and proximity to established centre's such as Kogarah and the exclusion of retail uses, it is not envisaged that the proposal has the potential to develop into a centre in the future.

***(n) What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?***

**Public interest reasons for proceeding with Planning Proposal**

The Planning Proposal is in the public interest and provides a net community benefit according to the criteria in the Draft Centres Policy in the following respects:

- It will contribute to achieving important objectives and directions in Government planning strategies and policies including:
  - contributing to achieving housing targets within the Sydney South Subregion and Rockdale LGA through the provision of 350 to 450 new dwellings in a location that is accessible, serviced by public infrastructure, and which is located in close proximity to centres of employment, retailing and business services, recreational and entertainment opportunities;
  - achieving a mix and density of development that is appropriate for its urban location and context and which maximizes the use of a large consolidated brownfield site;
  - contributing to achieving employment targets within the Sydney South Subregion and Rockdale LGA with the creation of approximately 400 new permanent job opportunities.
- The DLF Site is a large consolidated parcel of land under single ownership, is occupied by out of date purpose built facilities, adjoins and existing detached residential area to the south, and is unfeasible to redevelop for industrial purposes. The site therefore lends itself to being able to be redeveloped in a comprehensive and coordinated manner and in this regard is distinct from the adjacent sites which comprise numerous smaller parcels of land under separate ownership and which are capable of accommodating smaller scale industrial uses in the future.
- The effect of the rezoning the DLF Site will take the overall amount of light industrial zoned land from 56.6ha to 53.3ha. Whilst the area of land zoned for industrial purposes decreases by this amount, the proposed B6 mixed use zone allows for a wider range of employment generating land uses that are more employment intensive with the potential to create 400 new jobs compared to the 80 that are currently located on the site.
- The Economic and Demographic Assessment prepared by JBA confirms that the jobs created as a result of the Planning Proposal will more closely align with

the emerging local workforce, and in this regard will better serve the employment needs of the local community.

- The site and locality has utility services infrastructure, public transport infrastructure and a main road network available to support new development under the Proposal.
- The future development for a mix of residential, commercial and warehouse uses would improve access and reduce travel demands by car by increasing employment densities close to existing public transport services; locating a mix of uses adjacent to a bus corridor; and by co-locating complementary land uses.
- There is no environmentally sensitive land or land with significant biodiversity value on or around the DLF Site that will be affected by the Planning Proposal. There are also no environmental constraints or hazards of such significance as to preclude mixed use development on the DLF land under the Proposal.
- Future redevelopment as contemplated in the masterplan will open up the site to the public domain and pedestrian and cycle connections through the site to Leo Smith Reserve.
- The proposed zones are compatible and complementary with surrounding land uses. Particularly if designed in accordance with the Indicative Masterplan and any related future DCP.
- The Planning Proposal is anticipated to lead to the development of additional commercial and warehouse uses that will increase business opportunities, choice and competition.
- The amenity of the locality and public domain will be enhanced by mixed use development under the Planning Proposal through the redevelopment of the site in a high quality comprehensive manner generally in accordance with the Indicative Masterplan.

### Implications of not proceeding

If the Planning Proposal does not proceed, the DLF Site is likely to remain vacant as redevelopment for industrial purposes is severely constrained by its location and context with adjacent residential and retail uses, its isolation from other industrial zoned land, limited demand for industrial uses of such a large scale, and the subsequent lack of development and market feasibility.

The location and urban context of the DLF Site is characterised by being adjacent to low density residential areas to the south and west, light industrial uses to the north and east, and open space (i.e. Leo Smith Reserve) to the east. It is physically isolated from other key industrial areas within Rockdale LGA, and the larger strategic industrial areas of Port Botany and Marrickville.

Even if the location and attributes of the DLF Site were suitable for light industrial uses, there is insufficient demand both now and in the foreseeable future to support redevelopment of the 3.3ha site for such purposes.

## 6.2 Relationship to Strategic Planning Framework

### 6.2.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional strategy?

#### Draft Metropolitan Plan 2031

The Draft Metropolitan Plan 2031 is a strategic document that sets out the planned growth strategy for Greater Sydney, and includes the Rockdale LGA within the Sydney South Subregion. The Metropolitan Plan identifies specific actions and targets relating to the location and form of future housing, employment uses (including industrial development), and the development of land in and around identified centres. It sets out to guide and drive the sustainable growth of Sydney to 2031 and beyond, and is built around the achievement of five key outcomes for Sydney. This Planning Proposal is consistent with the outcomes in the Metropolitan Plan as described below.

##### A. Balanced Growth

The Planning Proposal supports the Metropolitan Strategy key outcome of achieving balanced growth in Sydney as it will facilitate the effective re-use and renewal of a large urban infill site that is in close proximity to transport, jobs and services.

##### B. A Liveable City

The Planning Proposal will contribute to making Sydney a liveable city. The Metropolitan Strategy has set an ambitious housing target for Sydney South Subregion, which includes 7,000 new dwellings to be delivered in Rockdale by 2031. The 350-450 new dwellings that will be delivered through the redevelopment of the DLF Site will make a reasonable contribution to achieving this target and meeting the needs of Sydney's growing population.

Housing that will be delivered as a result of the Planning Proposal will comprise a mix of dwelling typologies and sizes that respond to local market needs, and will improve both housing affordability and accessibility. In addition it will result in the delivery of housing in the south of the Rockdale, which will help offset the significant housing growth planned in Wolli Creek and provide a more balanced pattern of growth for the LGA.

As the site is located directly adjacent to Leo Smith Reserve this will also encourage future residents to lead active healthy lifestyles whilst making greater use of this significant area of community open space.

##### C. Productivity and Prosperity

The strategy sets a target of delivering 625,000 new jobs across Sydney by 2031. This represents a substantial increase on previous strategies and is acknowledged in the strategy as being 'the most important element of driving Sydney's economic growth.'

The Planning Proposal will facilitate the reuse of the site for new high quality commercial development, and in doing so, will deliver up to 18,000m<sup>2</sup> of non-residential floorspace and create approximately 400 new permanent jobs. The number of jobs generated by the DLF Site and the diversity of these jobs will therefore significantly increase as a result of the Planning Proposal, and the types of jobs created will more closely align with the skills and expertise of the local labor force.



**Objective 13 – Provide a well located supply of industrial lands.**

Objective 13 of the Metropolitan Strategy sits under the key outcome of delivering Productivity and Prosperity, and notes that existing industrial lands, particularly those in established areas, are under pressure to be rezoned to other uses. To ensure proposals to rezone industrial land are thoroughly considered, the Draft Metropolitan Strategy sets out the 'Industrial Lands Strategic Assessment Checklist' which comprises six separate criteria that Planning Proposals must address. **Table 3** below provides an assessment of the proposal against these criteria.

**Table 3 – Industrial Lands Strategic Assessment Checklist**

Criteria	Response
Is the proposed rezoning consistent with State and/or council strategies on the future role of industrial lands?	<p>Yes, the planning proposal is consistent with relevant strategies, specifically we note that it will:</p> <ul style="list-style-type: none"> <li>▪ Make a significant contribution to achieving the ambitious housing targets set for the Sydney South Subregion;</li> <li>▪ Will increase housing choice and affordability in the local area by providing a mix of housing typologies, increasing housing supply and offering greater market competition;</li> <li>▪ Will facilitate the re-use of industrial zoned land that would otherwise remain vacant for the foreseeable future following the departure of VIP Petfoods;</li> <li>▪ Will provide increased employment opportunities for the local community, with the number of jobs generated by the site increasing from 80 to approximately 400 as a result of the proposal;</li> <li>▪ Will provide new job opportunities that better align with the skills and requirements of the local workforce and anticipated future jobs growth; and</li> <li>▪ Will deliver new housing and employment opportunities in a location that is serviced by public transport, located close to existing major road connections, and which is positioned adjacent to planned future key infrastructure (i.e. F6 Corridor).</li> <li>▪ It will deliver an outcome that is consistent with the Rockdale Employment Lands Strategy 2007, which does not identify the site as a Key Employment Precinct and which acknowledges that the changing format of industrial activities has resulted in manufacturing businesses seeking to move out of the area to other locations such as western Sydney.</li> </ul>
<p>Is the site:</p> <ul style="list-style-type: none"> <li>▪ near or within direct access to key economic infrastructure?</li> <li>▪ contributing to a significant industry cluster?</li> </ul>	<ul style="list-style-type: none"> <li>▪ The site is located near key economic infrastructure with Kogarah town centre, which is identified in the Sydney South Subregional Strategy as an office cluster, located approximately 1.5km to the north.</li> <li>▪ The site does not contribute to a significant industry cluster. It forms part of a small industrial area isolated from key industrial clusters of Port Botany and Marrickville/Alexandria.</li> </ul>
How would the proposed rezoning impact the industrial land stocks in the subregion or region and the ability to meet future demand for	<ul style="list-style-type: none"> <li>▪ The Sydney South Subregion as defined in the Draft Metropolitan Strategy 2031 comprises Rockdale, Canterbury, Hurstville, Kogarah and Sutherland Shire LGA's. Presently there is approximately 590ha of</li> </ul>



industrial land activity?	<p>employment land in this subregion. Rezoning of the 3.3ha DLF land would have a minimal and insignificant effect on the availability of employment land in the area.</p> <ul style="list-style-type: none"> <li>■ The proposed rezoning of the 3.3ha DLF site will take the overall amount of light industrial zoned land in the Rockdale LGA from 56.6ha to 53.3ha, representing a 5.8% reduction.</li> </ul>
How would the proposed rezoning impact on the achievement of the subregion/region and LGA employment capacity targets and employment objectives?	<ul style="list-style-type: none"> <li>■ The proposed rezoning will have a positive impact on the achievement of local employment targets and objectives as it will result in a significant increase in the number of jobs generated by the site (from 80 to approximately 400 jobs) and will provide new employment opportunities that respond to forecast future jobs growth.</li> <li>■ The current occupiers of the DLF Site (VIP Petfoods) source the large majority of their workforce from Western Sydney. The lack of local residents working at the factory is a clear indicator that manufacturing jobs do not align with the workforce needs of the local demographic. As a result VIP Petfood are presently building a purpose built factory in Western Sydney which they are due to relocate to in 2014.</li> <li>■ As demonstrated in the accompanying Demographic and Property Market Report, new job opportunities created as a result of the Planning Proposal would more closely align with the workforce, and in this regard will better serve the local community and provide an outcome that satisfies both employment targets and objectives.</li> </ul>
Is there a compelling argument that the industrial land cannot be used for an industrial purpose now or in the foreseeable future and what opportunities may exist to redevelop the land to support new forms of industrial land uses such as high-tech or creative industries?	<ul style="list-style-type: none"> <li>■ Various alternative redevelopment options for the site under the current IN2 Industrial Zoning were considered, including re-leasing the existing facility, partial redevelopment and complete redevelopment of the site to provide new high quality industrial uses. The analysis confirmed that reuse and/or redevelopment of the site under the current zoning was unfeasible and highly unlikely in the foreseeable future.</li> <li>■ Given the outcome of this analysis it is considered that there is a compelling argument that the land under the current IN2 Industrial Zoning is highly unlikely to be redeveloped now or in the foreseeable future.</li> </ul>
Is the site critical to meeting the need for land for an alternative purpose identified in other NSW Government or endorsed council planning strategies?	<ul style="list-style-type: none"> <li>■ No. The site is not identified as being critical to meeting the need for land for an alternative purpose identified in other NSW Government or endorsed council planning strategies.</li> <li>■ In addition to the above the site also not identified as a 'Key Employment Precinct' in the Rockdale Council's Employment Land Review 2007.</li> </ul>

#### D. Healthy and Resilient Environment

The Planning Proposal provides the opportunity to reuse existing industrial land to deliver a new high quality urban infill development that will be designed to meet relevant environmental sustainability standards and requirements. In this regard energy and water use will be more sustainable than the current arrangement and will result in a reduced potential for impacts on the adjacent Leo Smith Reserve.

The creation of new local employment opportunities within the Rockdale LGA and along a public bus line will also encourage more sustainable forms of transport and reduce dependence on the private motor vehicle.

Further to the above, redevelopment of the site will also provide the opportunity to address any contamination that has occurred from past uses.

#### **E. Accessibility and Connectivity**

The Planning Proposal is consistent with this key outcome as it will deliver new development in a location that is well positioned on the arterial road network and which is serviced by good public transport links. Specifically the Planning Proposal will enable redevelopment of the site for a new mixed use development that will maximise the use of public bus services along Rocky Point Road, and in doing so encourage a greater level of service to Rockdale LGA.

The site is also positioned adjacent to a number of existing and future main roads including the Princes Highway and the planned future F6 motorway corridor. It is therefore well positioned to capitalise on any increased accessibility that will be provided by any upgraded or new roadway infrastructure.

At the neighbourhood level the redevelopment of the site along the lines envisaged in the masterplan will improve connectivity between existing residential areas to the west and the public open space and recreation facilities to the east.

## **Draft Sydney South Subregional Strategy**

The Draft Sydney South Subregional Strategy (2013) sets the framework for planning and development in the Sydney South Subregion to the year 2031.

#### **Metropolitan Priorities**

The Draft Strategy outlines the Metropolitan Priorities for the subregion. A review of the proposal against these priorities is provided below:

***Enhance the subregion's role in housing and jobs delivery through urban renewal around Major Centres and accessible local centres, while maintaining the values of Sydney's fringing bushland, coast and waterways***

The Planning Proposal will result in the renewal of a large consolidated underutilised site in an urban and accessible location along Rocky Point Road and in close proximity to Kogarah town centre, public transport, community facilities and public open space. Once complete it will make a substantial contribution to the housing targets for the subregion with 350-450 new dwellings expected to be delivered on the site, and will also result in a significant increase in employment generation on the site from the current 80 employees to approximately 400 new jobs, representing a potential 500% increase in employment generation.

The urban location and surrounding context of the site ensures that the Planning Proposal maintains the values of Sydney's fringing bushland, coast and waterways.

***Facilitate re-development for more intense housing in appropriate existing areas, particularly in and around centres on the Strategic Transit Network which includes the Illawarra and Airport and East Hills Lines.***

The Planning Proposal will result in the future redevelopment of a large consolidated site for a more intense form of housing and will capitalise on the site's proximity to Central Sydney, the Sutherland Shire and Illawarra region, its links to key areas such as Kogarah town centre and its strategic location on Rocky Point Road. The size and consolidated nature of the site will also allow for a

comprehensive masterplanned solution that delivers more intense forms of housing while effectively managing interface issues and impacts on the surrounding area.

***Strengthen connections to the Illawarra, including expanding capacity on the M5, investigating the F6 corridor and improving rail capacity on the Illawarra Line.***

The DLF Site is strategically located along a major transport link between Central Sydney and the Shire and Illawarra Region to the south. It is also located adjacent to the proposed location for the future F6 motorway and in this regard is ideally positioned to take advantage of the increased accessibility provided by this key piece of infrastructure. The sites proximity to Kogarah and Carlton railway stations and existing bus stops will also assist in creating additional demand for rail and bus services in the area and improve viability of public transport.

***Emphasise cross-regional transit links from Hurstville to Bankstown and Parramatta***

The DLF Site is positioned to the east of Hurstville and is not expected to make any contribution or result in any impact on the need for cross-regional transit links from Hurstville to Bankstown and Parramatta.

***Protect the health and resilience of environmental assets, including internationally significant wetlands, national parks and the drinking water supply catchment.***

The DLF Site is not located adjacent to or near any internationally significant wetlands, national parks or drinking water supply catchments, and in this regard will ensure the ongoing health and resilience of these environmental assets.

**Kogarah Specialised Precinct**

The Draft Sydney South Subregional Strategy identifies Kogarah town centre as the 'Kogarah Specialised Precinct' and sets a number of overarching objectives for this area, these being:

- *support opportunities for hospital, medical, educational and finance related industries including a focus on St George Hospital as a catalyst for a medical/health precinct*
- *plan for more diversified office and retail growth as well as more intense housing*
- *provide capacity for at least 2,000 additional jobs to 2031.*

The Planning Proposal will deliver a significant amount of new housing in close proximity to the Kogarah Specialised Precinct, and will therefore support the achievement of these objectives. New employment opportunities will also be created by the development that will support the growth of Kogarah as a specialised precinct. The employment generating uses anticipated to occur on the DLF Site are not envisaged to be associated with hospital, medical, educational and finance related industries, and as such are not expected to compromise the realisation of the Subregional Strategy's vision or objectives for the Kogarah specialised precinct.

## 6.2.2 Is the Planning Proposal consistent with the local Council's strategic plan?

### Rockdale Community Strategic Plan 2013 - 2025

The Rockdale Community Strategic Plan 2013-2025 is a long term plan that identifies the community's needs, priorities and aspirations for the period up to 2025.

The strategic plan notes that Rockdale is expected to accommodate approximately 5,900 additional dwellings and 410,000m<sup>2</sup> of additional commercial floorspace in the next 10-15 years, with the large majority of new dwellings expected to be in the form of medium to high density housing. The Strategic Plan also notes that the majority of new jobs are expected to occur in existing centres and industrial areas.

The Strategic Plan sets a vision for the Rockdale Community being 'One Community, Many Cultures, Endless Opportunity. This vision is built around four strategic outcomes, these being:

- *"Rockdale is a welcoming and creative City with active, healthy and safe communities.*
- *Rockdale is a City with a high quality of 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.*
- *Rockdale is a City with a thriving economy that provides jobs for local people and opportunities for lifelong learning.*
- *Rockdale is a City with engaged communities, effective leadership and access to decision making."*

The Planning Proposal to rezone the DLF Site will facilitate an outcome that is consistent with the vision and strategic outcomes set for Rockdale. Redevelopment of the site would be undertaken in a comprehensive and masterplanned manner thereby ensuring an outcome that will help reinforce Rockdale LGA as an active, healthy and safe community. The site's proximity to existing bus stops and nearby railway stations will ensure that future development has good transport links. While accessibility is expected to improve once the future F6 motorway is delivered by the State Government.

The Planning Proposal will also result in the creation of a significant number of new jobs in the local area and in this regard will provide local jobs for local people, make a positive contribution to local business and help reinforce and stimulate the local economy.

In light of the above the Planning Proposal is considered to deliver an outcome that positively contributes to the achievement and realisation of the long term vision and strategic outcomes for Rockdale.

### 6.2.3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The State Environmental Planning Policies directly applicable to the Planning Proposal are addressed in **Table 4** below.

**Table 4** – Applicable State Environmental Planning Policies

Planning Instrument	Provisions
State Environmental Planning Policy No. 55 – Remediation of Land	<p>SEPP 55 requires a planning authority to consider whether land is contaminated, and if so whether it is, or can be made, suitable for the proposed use.</p> <p>A Preliminary Environmental Site Assessment has been prepared for the site by Coffey Engineers and is located at <b>Appendix G</b>. Following a review of the site history the report concludes that the site there is a moderate to high potential for contamination of the subsurface in some parts of the site, and recommends that further targeted soil and groundwater assessment needs to be carried out as a condition of the rezoning.</p>

Planning Instrument	Provisions
State Environmental Planning Policy No. 65 – Residential	While this SEPP does not strictly apply at this planning (rezoning) stage, nothing in this Planning Proposal and the Indicative Masterplan precludes the objectives, aims or principles of the SEPP being achieved. Detailed assessment against this SEPP will be carried out at future stages, particularly at the DA stage.
State Environmental Planning Policy No. 32 – Urban Consolidation	Clause 6 of SEPP 32 requires the Minister and Council to consider whether land no longer used for its zoned purpose is suitable for multi-unit housing and whether action should be taken to make the land available for such redevelopment.

## 6.2.4 Is the Planning Proposal consistent with applicable S.117 Ministerial Directions?

The following Section 117 Directions are relevant to the Planning Proposal and addressed further below:

- 1.1 – Business and Industrial Zones;
- 3.4 – Integrating Land Use and Transport;
- 5.1 – Implementation of Regional Strategies; and
- 6.3 – Site Specific Provisions.

### Section 117 Direction - 1.1 Business and Industrial Zones

#### ***“Objectives***

*(1) The objectives of this direction are to:*

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified strategic centres.*

#### ***Where this direction applies***

*(2) This direction applies to all relevant planning authorities.*

#### ***When this direction applies***

*(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).*

#### ***What a relevant planning authority must do if this direction applies***

*(4) A planning proposal must:*

- (a) give effect to the objectives of this direction,*
- (b) retain the areas and locations of existing business and industrial zones,*
- (c) not reduce the total potential floor space area for employment uses and related public services in business zones,*
- (d) not reduce the total potential floor space area for industrial uses in industrial zones, and*
- (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.*

#### ***Consistency***

*(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

*(a) justified by a strategy which:*

*(i) gives consideration to the objective of this direction, and*

*(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*

*(iii) is approved by the Director-General of the Department of Planning, or*

*(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or*

*(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*

*(d) of minor significance.*

*Note: In this direction, “identified strategic centre” means a centre that has been identified as a strategic centre in a regional strategy, sub-regional strategy, or another strategy approved by the Director General.”*

#### **Response**

The Planning Proposal is consistent with the objectives of the above S.117 Direction 1.1 Business and Industrial Zones in the following respects:

- it permits employment generating uses including commercial premises, bulky goods premise, business premises and neighbourhood shops;
- it increases the amount of floor space permissible on the site, and includes more intensive employment generating commercial uses than an industrial zoning;
- it will not compromise the future viability of Kogarah or Rockdale town centre and associated centre infrastructure; and
- it provides an outcome that is consistent with the Draft Metropolitan Strategy as it will deliver a significant amount of new housing and increased employment opportunities on the site;

The Planning Proposal is consistent with the specific directions in Clauses 4(a) and 4(c) of this S.117 Direction quoted above, but may be considered inconsistent with the directions specified in Clauses 4(b), (d) and (e).

In accordance with Clause 5(a) and (b) of the S.117 Direction, the Planning Proposal may be inconsistent with Clause 4 if it is justified by a strategy or study. This Planning Proposal is justified by its consistency with the overarching objectives and policies of the Draft Metropolitan Strategy, the Sydney South Subregional Strategy, the Rockdale Community Strategic Plan and Employment Lands Study 2007. In addition this Planning Proposal together with the accompanying supporting documentation further justifies how the proposed rezoning will meet the overarching strategic objectives for Rockdale and deliver significant benefits to the local community.

## **Section 117 Direction - 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.*

**Where this direction applies**

- (2) *This direction applies to all relevant planning authorities.*

**When this direction applies**

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:*
  - (a) *an existing or proposed residential zone (including the alteration of any existing residential zone boundary),*
  - (b) *any other zone in which significant residential development is permitted or proposed to be permitted.*

**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 relevant planning authority, or other appropriate authority, have been made to service it), and*
  - (b) *not contain provisions which will reduce the permissible residential density of land.*

**Consistency**

- (6) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
  - (a) *justified by a strategy which:*
    - (i) *gives consideration to the objective of this direction, and*
    - (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
    - (iii) *is approved by the Director-General of the Department of Planning, or*
  - (b) *justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
  - (c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
  - (d) *of minor significance.*

**Response**



The Planning Proposal is consistent with clauses 4 and 5 of the S.117 Direction 3.1 Residential Zones in the following respects:

- it will deliver new housing in a comprehensive and coordinated manner on a single large consolidated site;
- it will broaden the choice of housing types and locations available in the Rockdale LGA;
- it will improve housing affordability in the local area through increased supply and competition;
- it will make more efficient use of existing infrastructure and services;
- it will reduce the consumption of land for housing and associated urban development on the urban fringe;
- it will be of high quality urban design subject to a future site-specific DCP Amendment and LEP amendments as foreshadowed earlier in this report;
- it will include a utility services infrastructure report to ensure the site is adequately serviced (or arrangements satisfactory to the relevant planning authority, or other appropriate authority, have been made to service it); and
- it increases the permissible residential density in the locality.

## Section 117 Direction - 3.4 Integrating Land Use and Transport

### ***“Objective***

*(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:*

- (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*
- (e) providing for the efficient movement of freight.*

### ***Where this direction applies***

*(2) This direction applies to all relevant planning authorities.*

### ***When this direction applies***

*(3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.*

### ***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).*

### **Consistency**

*(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*

*(a) justified by a strategy which:*

- (i) gives consideration to the objective of this direction, and*
- (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
- (iii) is approved by the Director-General of the Department of Planning, or*

*(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*

*(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*

*(d) of minor significance.”*

### **Response**

The Planning Proposal is consistent with the relevant aims, objectives and provisions of Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001) referred to in the above S.117 Direction as demonstrated below.

### **Improving Transport Choice – Guidelines for Planning and Development**

Part 1 of the Guidelines provides ten principles to be used in land use planning decisions and processes to encourage and support development that is highly accessible by walking, cycling, and public transport, and moderate the demand for travel. The ten principles are:

- Concentrate in centres;
- Mix uses in centres;
- Align centres within corridors;
- Link public transport with land use strategies;
- Connect streets;
- Improve pedestrian access;
- Improve cycle access;
- Manage parking supply;
- Improve road management; and
- Implement good urban design.

The Planning Proposal is consistent with the above principles relating to the location of mixed use development as follows:

- it proposes a concentrated mix of new commercial and residential development in a location that is in close proximity to Kogarah town centre and Ramsgate local centre;

- the site is located along an the existing bus transport corridor in Rocky Point Road, and is in 30 minutes walking distance to Carlton and Kogarah railway stations;
- the Planning Proposal will result in provision of a mix of uses in close proximity to jobs and places of interest and will therefore improve pedestrian and cycle access and minimise dependence on the private motor vehicle;
- sufficient parking is able to be provided on site in accordance with the relevant Council parking requirements.
- the Planning Proposal will provide a new street that will dissect the site and increase permeability and pedestrian access to Leo Smith Reserve from the west; and
- the site is of a sufficient size to be developed in accordance with a site specific DCP amendment based on the Indicative Masterplan prepared by Lippman Partnership. This will help ensure the achievement of a high quality urban design outcome that responds to its surrounding context.

Principles 5 to 10 relate to the detailed planning and design of mixed use development that will be addressed in further detail in a Draft DCP Masterplan and future DAs.

Part 3 of the Guidelines provide the following best practice location principles for commercial and housing uses:

#### *“COMMERCIAL*

##### ***Location***

*Commercial activity generates a lot of transport demand through the travel of clients, customers, service providers and employees. The collocation of these in accessible centres, or higher density corridors, provides transport advantages. Trips are focused to areas with public transport infrastructure, making public transport services more viable and maximising the potential for multi-purpose trips.*

- *Land uses with a high density of employment, such as offices, should be concentrated in centres that are accessible by high frequency rail or trunk bus services. Low density office parks are typically car dependent and difficult to service with viable and frequent public transport services. They should be discouraged unless measures are committed to significantly improve transport choice,*
- *The scale and density of development should match accessibility levels. For example, high rise offices should be located in larger centres with good links to the regional public transport network,*
- *Smaller businesses with more localised markets should be clustered in or adjoining lower order centres with relatively frequent bus services, retailing and higher density housing.”*

#### *“HOUSING*

##### ***Location***

*The proximity of housing to transport services is an important determinant in improving transport choice and managing travel demand in urban areas. In general:*

- *households should be within an 800–1000 metres walk of an existing or programmed metropolitan railway station or equivalent mass transit node, served at least every 15 minutes, or within a 400 metre walk of a bus route,*
- *accessing a metropolitan railway station, or equivalent mass transit node, served at least every 20–30 minutes — in denser urban areas with higher frequency services, the walking catchment may be 600–800 metres*

- *the highest appropriate housing densities should be located close to major public transport stops and corridors, such as railway stations and high frequency bus routes*
- *higher density housing should be encouraged to mix in centres with offices, services and retail developments.*
- *New residential areas should:*
  - *adjoin or be within the existing urban footprint or located on new public transport corridors — pockets of development should not be isolated, except in the short-term — this includes staged release areas*
  - *be substantially within five kilometres of an existing or programmed railway station or equivalent mass transit node, such as a transitway stop, served at least every 15 minutes in the peak hour, and conform to the accessibility criteria outlined above.”*

#### **Response**

The Planning Proposal is consistent with the above location principles in that it concentrates a mix of commercial and residential uses along a busy transit route in Rocky Point Road, bus stops are located directly outside the site with services operating every 15 minutes and providing connections to Kogarah and Rockdale town centres. The site is also located within walking distance to Princes Highway with alternative bus services along this road operating at 10 minute intervals.

Carlton and Kogarah Railway Stations are located approximately 2km from the site, with bus services providing direct connections to Kogarah and Rockdale Railway Stations.

New commercial uses provided as part of this Planning Proposal will not be significantly high in density and will provide local employment opportunities that more closely align with the skills and expertise of the local workforce. It is therefore envisaged that this will reduce car dependency and encourage more sustainable forms of transport such as busses, walking and cycling. At present the existing factory uses on the site draw the large majority of their employees from western Sydney, with most of these getting to and from work via private motor vehicle. The proposed uses are therefore expected to provide an outcome that appropriately responds to the objectives of Section 117 Direction 3.4 – Integrating Land Use and Transport.

#### **The Right Place for Business and Services – Planning Policy**

The objectives of the The Right Place for Business and Services Planning Policy are stated as follows:

##### *“Objectives*

*The planning objectives of the policy are to:*

- *Locate trip-generating development which provides important services in places that:*
  - *help reduce reliance on cars and moderate the demand for car travel*
  - *encourage multi-purpose trips*
  - *encourage people to travel on public transport, walk or cycle*
  - *provide people with equitable and efficient access*
- *minimise dispersed trip-generating development that can only be accessed by cars*

- *ensure that a network of viable, mixed use centres closely aligned with the public transport system accommodates and creates opportunities for business growth and service delivery*
- *protect and maximise community investment in centres, and ensure that they are well designed managed and maintained*
- *foster growth, competition, innovation and investment confidence in centres especially in the retail and entertainment sectors, through consistent and responsive decision making."*

The Planning Proposal is consistent with the above objectives of the Policy in the following respects:

- it locates trip-generating development in a location that is able to be accessed by public transport and which will generate employment opportunities that more closely align with the needs of the local workforce; and
- it collocates residential and commercial uses within walking distance, and thereby minimises dispersed trips and demand for car travel.

### Objectives of S.117 Direction 3.4 – Integrating Land Use and Transport

The Planning Proposal is consistent with the objectives of the Section 117 Direction - 3.4 Integrating Land Use and Transport as it will:

- improve access between housing, jobs and services by walking, cycling and public transport;
- increase the choice of available transport and reducing dependence on cars;
- reduce travel demand including the number of trips generated by development and the distances travelled, especially by car; and
- supports the efficient and viable operation of the existing public buses transport services and road network.

### Section 117 Direction 3.5 - Development Near Licensed Aerodromes

#### **Objectives**

- (1) *The objectives of this direction are:*
- (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.*

#### **Where this direction applies**

- (2) *This direction applies to all relevant planning authorities.*

#### **When this direction applies**

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.*

**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,*
  - (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.*

**Consistency**

- (7) *A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:*
- (a) *justified by a strategy which:*
    - (i) *gives consideration to the objectives of this direction, and*
    - (ii) *identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and*
    - (iii) *is approved by the Director-General of the Department of Planning, or*
  - (b) *justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
  - (c) *in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or*
  - (d) *of minor significance.*

**Response**

The 2009 Sydney Airport Master Plan identifies:

- 2023/24 and 2029 ANEF (Airport Noise Exposure Forecast) contours which have implications for rezoning land for residential purposes; and
- OLS (Obstacle Limitation Surfaces) contours which limit building heights.

**ANEF contours**

The DLF site is outside the 2023/24 and 2029 ANEF contours, and airport noise is therefore not a constraint to the development for any land use including residential or commercial uses.

**Obstacle limitation surface**

The DLF site is not subject to an OLS building height limit.

## 7.0 Environmental Assessment

### 7.1 Environmental, Social & Economic Impact

#### 7.1.1 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?

There is no critical habitat or threatened species, populations or ecological communities, or their habitats on or around the DLF site that will be affected by the Planning Proposal.

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

The environmental considerations associated with the Planning Proposal are addressed in the following appended documents:

**Table 5 – Supporting Studies**

Document	Consultant	Appendix
Planning Proposal	JBA Planning	
Survey	Denny Linker and Co	<b>Appendix A</b>
Proposed Zoning, Floor Space Ratio and Height Maps	JBA Planning	<b>Appendix B</b>
Urban Design and Masterplanning	Lippman Partnership and JBA Planning	<b>Appendix C</b>
Land Economics and Demographic Assessment	JBA Planning	<b>Appendix D</b>
Alternative Options Report	Lippman Partnership	<b>Appendix E</b>
Assessment of Traffic and Transport Implications	Transport and Traffic Planning Associates	<b>Appendix F</b>
Phase 1 Contamination Report	Coffey	<b>Appendix G</b>

The environmental issues associated with the detailed design and construction of development envisaged in this Planning Proposal would need to be addressed in detail in the site-specific DCP Masterplan and subsequent development applications.

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

##### Social Impact

The considerations relating to the potential social impact of the Planning Proposal are set out below. In reviewing the potential impacts of the proposed rezoning JBA has considered a number of key issues and impacts such as:

- Housing Supply, Housing Mix, and Housing Affordability;
- Homes close to jobs and services;
- Amenity, Safety and Security;



- Accessibility;
- Promotion of social cohesion;
- Job generation; and
- Future resident and workers' needs.

To assist with this analysis the Planning Proposal is supported by a Land Economics and Demographic Assessment (**Appendix D**) has been prepared by JBA which seeks to:

- Identify the key population and residential market characteristics that inform the demand analysis for residential typologies in Rockdale;
- Analyse the likely future housing supply in Rockdale, and ability for the future known projects to cater for future demand and targets;
- Support and inform the residential dwelling typology mix proposed for the site;
- Identify the key working population characteristics of Rockdale; and
- Identify suitable employment typologies for the site to ensure the future employment floor space caters for the local workforce.

Based on the findings of this report together with a broader consideration of social impacts, it is concluded that rezoning and redevelopment of the DLF Site for a mix of residential and commercial uses will have a positive overall social impact. It will facilitate the efficient and effective use of a well located urban site for a mix of uses. Implementation of a draft Masterplan / DCP will enable adoption of best practice urban design principles which will result in the creation of a desirable and attractive community that supports principles of good social planning and contributes to the achievement of key state and local government policy objectives.

More specifically the key social benefits associated with the proposed rezoning and redevelopment of the DLF Site include:

- Support for the sustainable growth of the Rockdale LGA by providing 5%-6% of the LGA's housing target under the Sydney South Subregional Plan. The efficient use of land in the south of the Rockdale LGA is particularly important in light of the fact that the large majority of new housing growth appears to be planned for the northern parts of the LGA (e.g. Wolli Creek).
- Provision of a range of dwelling types and sizes to meet the changing lifestyle needs of Rockdale residents whilst encouraging a diverse and inclusive community.
- Provision of additional dwellings including 1 and 2 bedroom units that will increase housing choice and improve housing affordability in the local and subregional market, particularly for lower income households.
- Generation of a significant net increase in jobs and the creation of a broader mix of employment opportunities adding to the diversity of the local community.
- Delivery of housing and jobs in close proximity to existing retail services, public transport and job opportunities which in turn minimise the need to travel longer distances and create a more sustainable local live / work environment.
- Revitalisation and redevelopment of a large brownfield site in an integrated manner that will be comprehensively designed and planned to provide a living and working environment that responds to its surrounds and which encourages social cohesion, activity and vibrancy.

- Ability to open up the site to the wider community, increase permeability from Rocky Point Road to Leo Smith Reserve and enhance safety and security; and
- Inclusion commercial space that will encourage new and expanded business investment in the local area.

## Land Economics

Based on our review of key strategic documents and studies, the economic characteristics of the area and the nature of the Planning Proposal, it is considered that rezoning the DLF Site to a mix of residential and commercial will not have an adverse economic impact on Rockdale LGA as:

- the DLF Site is not identified as a 'Key Employment Precinct' in the Rockdale Employment Land Strategy 2007 and is therefore not recognised or identified by Rockdale Council as being critical or required for existing or future industrial functions.
- the location of the DLF Site and its proximity within the broader Sydney metropolitan industrial landscape means that it is isolated from other more significant industrial precincts such as Port Botany and Marrickville, and is therefore not envisaged by the market as being an appropriate strategic location for industrial uses.
- the DLF Site does not contain any infrastructure of strategic significance and its rezoning will not impact on the continued viability of the wider industrial zone, particularly as the industrial uses to the north comprise small businesses and have therefore historically had no synergy or direct relationship with the DLF Site.
- there is an adequate supply of industrial land in the subregion to meet demand into the foreseeable future without the DLF Site, particularly for local services and trades.
- the DLF Site can appropriately support commercial, business and warehouse/showroom uses that are more employment intensive than industrial use, and which will generate a net surplus of local jobs.
- the types of employment opportunities that will be created by the Planning Proposal more closely align with the skills and expertise of the local workforce, and will more appropriately respond to the forecast employment growth in the local area.
- the DLF Site is adjacent to low density detached residential dwellings which are not compatible with the industrial uses.
- the location, context and attributes of the DLF Site are more highly suitable for a mix of residential, commercial and warehouse/showroom uses, and there are no significant environmental constraints to such a mixed use development occurring on site.

In light of the above it is concluded that the Planning Proposal, once implemented, will have a positive economic effect on the local community through the creation of a significant number of temporary and permanent jobs, the encouragement of further business investment in the local area, and the provision of new high quality housing which will enable people to live and work in the local area.

## 7.2 State and Commonwealth Interests

### 7.2.1 Is there adequate public infrastructure for the Planning Proposal?

#### Utility Services Infrastructure

The full range of utility services – electricity, telecommunications, gas, water, sewer and stormwater drainage – are available on and adjacent to the DLF Site. The existing utility services support industrial use on the DLF Site, and will also support the proposed mix of residential and commercial uses. Upgrades may be required to certain infrastructure to service the development. A Utility Services Report will be prepared for the Planning Proposal post Gateway Determination.

#### Transport Infrastructure

Traffic and Transport Planning Associates (TTPA) have prepared an initial Transport and Traffic Assessment and this is located at **Appendix F**. The following is a summary of the findings of TTPA.

##### Public transport, walking and cycling

Local bus services are provided by the State Transit Authority. There are bus stops on either side of Rocky Point Road directly in front of the site. Buses also use Ramsgate Road, to the south and Princes Highway to the west. Bus services along Rocky Point Road include the 476 and 477 services, which provide connections to Kogarah and Rockdale town centre's to the north and Sans Souci and Miranda to the south. From the Rockdale and Kogarah fast access is available to Central Sydney via the train network.

Government objectives aim to ensure that urban structure, building forms, land use locations, development designs, subdivision locations and street layouts help achieve the following planning objectives:

- improving accessibility to housing, employment and services by walking, cycling, and public transport;
- improving the choice of transport and reducing dependence solely on cars for travel purposes;
- moderating growth in the demand for travel and the distances travelled, especially by car; and
- supporting the efficient and viable operation of public transport services.

The proposed rezoning the DLF Site and its subsequent future development for a mix of residential and commercial uses would satisfy these objectives as:

- it would increase employment densities close to existing public transport services;
- it presents good opportunities to extend the pedestrian and cycle network through the site, to connect Rocky Point Road with Leo Smith Reserve;
- the location of the site adjacent to bus services along Rocky Point Road will improve the choice of transport mode and reduce the use of cars for travel purposes;
- co-locating complementary land uses reduces the need to travel;
- the opportunity to moderate demand for travel and distance travelled will be provided by the development being close to existing residential populations and hence providing employment opportunities that match the local workforce within a short distance; and

- greater employment and residential densities in the area will increase the customer base for the public transport network and thus support its efficient operation and provide potential for expanded and/or more frequent services.

### Road network

The road network in the vicinity of the site includes Rocky Point Road, Princes Highway, Chuter Avenue and The Grand Parade, all of which run in a north-south direction. Ramsgate Road, Jubilee Avenue and President Avenue intersect these roads and provide links to the east and west.

Rocky Point Road is a four lane road (two ways in each direction) and provides a north-south road connection between Kogarah and The Shire. Parking is permitted along the road in the vicinity of the site. Intersections near the site are presently unsignalised, however more major intersections with Jubilee Avenue to the north and Ramsgate Road to the south are signalised. Bus stops are located along the site's frontage on both sides of the road and a 60 kilometre per hour speed limit is in place.

Using the Indicative Masterplan prepared by Lippman Partnership, TTPA undertook a review of existing local traffic conditions and determined the potential traffic impacts of the future development of the site under the proposed zoning.

As per the Indicative Masterplan future redevelopment of the site would achieve vehicle access via a new central roadway connecting with Rocky Point Road and located directly opposite Weeney Street. This new four-way intersection would be controlled by traffic signals to ensure safe and effective movement of traffic in and out of the site. Based on the outcomes of SIDRA modelling, TTPA have confirmed that this future intersection would be capable of operating at a service level of 'A'. Based on this analysis TTPA conclude that the site is capable of supporting future development for a mix of residential and commercial uses and that subject to the inclusion of a signalised intersection, will not result in any adverse or unsatisfactory traffic or parking implications.

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

The State authorities consulted to date include Department of Planning and Infrastructure and the NSW Roads and Maritime Services (RMS). Commonwealth public authorities have not been consulted. It is the intention that separate discussions will also be held with various utilities and services providers such as Ausgrid and Telstra to determine adequacy of existing and potential future connections.

Preliminary discussions with the DP&I have indicated that they have no objection in principle subject to the Planning Proposal providing an outcome that is consistent with the relevant Draft Metropolitan Strategy objectives and policies. The detailed views of RMS are not known at this stage, however RMS has agreed to allow public exhibition of the rezoning as soon as possible and to continue to work with Land and Portfolio Pty Ltd and its consultants to deliver appropriate traffic outcomes through to Council's delivery of a s68 report to the DoPI. It is at this stage RMS aims to have provided concurrence.

It is anticipated that further consultation will be carried out with relevant public authorities in the normal statutory process of notification and exhibition of this Planning Proposal.

## 8.0 Community Consultation

A half day community consultation event was held at Cavalry Hospital on Saturday 10<sup>th</sup> August 2013, with residents able to view plans, ask questions and make comments on the proposal.

Public notification of this event was undertaken through a letterbox drop with leaflets issued to approximately 350 households and businesses surrounding the site, including residents along Margate Street, Rocky Point Road, Weeney Street and Carrol Street, as well as businesses along Production Avenue, Production Lane and Philips Street. Notification was also given to the Rockdale Ratepayers Association.

Approximately 50 people attended the event with the majority of these being Margate Street residents. The response and feedback received on the day was positive overall, with some concerns raised about traffic and building heights. Key comments and observations included:

- The majority of people understood and agreed with the need to redevelop the site following the departure of the existing tenant, and thought that the proposal in principle represented a good concept and would generally make a positive contribution to the area.
- Residents liked and supported the idea of a new tree lined boulevard connection Rocky Point Road to Scarborough Park, and were encouraged by the concept of creating a village feel to the street.
- Traffic along Margate Street was identified as a key concern for residents, who advised that cars often rat run along Margate Street to get to Rocky Point Road from Ramsgate Road. This is due to the no-right turn at the Ramsgate Road - Rocky Point Road intersection for westbound traffic. Margate Street residents are concerned that the proposal for the Darrell Lea site will further exacerbate this existing situation.
- Residents agreed with the need for new traffic lights at the proposed intersection with Weeney Street. They specifically noted that it would provide a break in traffic and make it easier to turn onto Rocky Point Road from Margate Street, and that it would also provide for a safer pedestrian crossing.
- The proposed building heights were raised as a potential concern for residents. Whilst this was the case most residents understood and agreed with the principle of varying the heights and having buildings stepping down in height closer to Margate Street.
- Potential privacy impacts resulting from new residential uses was also raised as a concern.

As communicated to residents, many of these matters were issues that would be addressed as part of the preparation of a site specific DCP and the subsequent development application process.

In addition to the above residents were also particularly interested in ensuring that any future development proposal for the site achieved a high level of design quality. Having owned the site for some 50 years Land and Portfolio Pty Ltd (the Lea Family) also have an interest in ensuring that any future redevelopment achieves a high standard of design that is capable of setting a benchmark for new development in the area. With this in mind the incorporation of design excellence provisions in a site specific DCP amendment, which may include a bonus floorspace incentive, will also be explored as part of this Planning Proposal.

Further community consultation will be undertaken in accordance with the normal statutory process of notification and exhibition of the Planning Proposal once Gateway Determination is received. The proponent has also undertaken to update local residents throughout the process.

## 9.0 Conclusion

This draft Planning Proposal requests the rezoning of approximately 3.3ha. of land owned by Land and Portfolio Pty Ltd to permit development for a mix of residential and commercial purposes. It will facilitate the development of up to 18,000m<sup>2</sup> of non-residential floor space together with between 350 to 450 dwellings on the former DLF Site.

The Planning Proposal to rezone the underutilised industrial zoned land will allow for the vibrant urban renewal of the site and will provide a net community benefit through the delivery of a sustainable planning and development outcome for the region.

The proposal is considered to have planning merit as there is a strong and compelling strategic planning case for site to be rezoned from industrial to a mix of residential and non-residential uses. Specifically we note that:

- The urban and subregional context of the DLF Site is suitable for the development of a mix of residential and commercial uses with a medium to high density scale of development.
- It will contribute to achieving important objectives and directions in NSW Government planning strategies and policies including contributing to achieving housing targets in suitable locations and achieving a mix of uses and a density of development that is appropriate for its urban context.
- The DLF Site is not strategically significant industrial zoned land and the proposed rezoning will not have a significant impact on the viability of the industrial land supply at Rockdale and will only affect a single historic industrial operation.
- The proposed rezoning of the DLF Site will not create a precedent or expectation for other landowners in the locality to rezone industrial land given the unique circumstances of the site. Specifically it is a large consolidated parcel of land under single ownership, is located adjacent to single detached dwellings to the south, can be redeveloped in a comprehensive and coordinated manner, and the characteristics of the site and condition of the existing facilities make redevelopment under the current zoning unfeasible.
- The Planning Proposal has potential for the development of additional non-residential commercial and warehouse/showroom uses on the site that will encourage and increase business opportunities and activity in the local area.
- The proposed new zonings allow a wider range of employment generating land uses with higher employment densities resulting in approximately 400 new full time jobs compared to 80 provided under the current industrial zoning.
- The Proposal will deliver a broader range of employment opportunities that better align with the current and future forecast skills and expertise of the local workforce.
- The Proposal has potential to contribute 350 to 450 new dwellings to the supply of residential dwellings in the Rockdale LGA, Sydney South Subregion and Metropolitan Region, and provide a mix of dwelling choices.
- The additional housing that will be delivered as a result of the Proposal will significantly assist in improving housing accessibility and affordability in the local area.
- The DLF Site is serviced by public transport with bus services providing connections to and from the site to the surrounding area, including Kogarah and Rockdale train stations, which subsequently provide direct connections into Central Sydney.



- The DLF Site will make effective use of the pedestrian and cycling network in the locality, particularly within Leo Smith Reserve.
- Road access is excellent with direct access to the local main roads and links with the nearby Sydney arterial ring road which have capacity to accommodate the Planning Proposal. The site is also located directly adjacent to the proposed future F6 motorway and is therefore well positioned to take advantage of this key piece of infrastructure.
- The Proposal would improve access and reduce travel demands by car through increasing employment densities and locating a mix of uses close to existing public transport services, increasing residential densities adjacent to pedestrian and cycle network, and co-locating complementary land uses.
- The full range of utility services – electricity, telecommunications, gas, water, sewer and stormwater drainage – are available to the DLF land.
- There is no environmentally sensitive land or land with significant biodiversity value on or around the DLF Site that will be affected by the Planning Proposal, and no environmental constraints or hazards of such significance as to preclude the Proposal.
- The environmental planning issues associated with the Planning Proposal are addressed in documentation prepared by the consultant team in consultation with Council. Further details and the preparation of a site-specific DCP is to be undertaken following gateway determination.
- A range of planning and design measures will be incorporated in the DCP including those proposed to manage the interface and mitigate potential impacts between the proposed uses and the existing dwellings to the south and light industrial uses to the north.
- The site presents a unique, once in a lifetime opportunity to maximise the effective and efficient use of a large consolidated brownfield site to create a comprehensively planned high quality mixed use development. The implications of not proceeding that the DLF Site will remain a largely vacant underutilised and inaccessible industrial site for the foreseeable future.

Given the above strategic planning merit, we request that Council forward this Planning Proposal to the Minister for Planning for a 'gateway determination' in accordance with section 56 of the EP&A Act.