



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

February 2015 ■ 12740

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1.0 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 was 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.

Following Pre-Gateway Approval by the Sydney East Joint Regional Planning Panel (JRPP) and the determination from the Department of Planning and Environment (DP&E) that “the proposal should proceed to Gateway determination stage”, we request that Council forward this updated Planning Proposal to the Minister for Planning for a ‘gateway determination’ in accordance with section 56 of the EP&A Act.

1.1 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 were then used by VIP Petfoods who acquired the Darrell Lea confectionery business in 2012. They then had approximately 80 people employed at the site. VIP Petfood's occupation of the site however ceased in early 2014 and they now operate at a new purpose built factory at another site in western Sydney. The Rocky Point Road facility is therefore no longer in use.

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.

Initial Planning Proposal

Following pre-lodgement discussions, presentations and a proponent initiated community consultation session, on 30 August 2013 the initial Planning Proposal was lodged with Rockdale Council seeking to change the zoning, FSR and height controls as they relate to the site. A preliminary assessment report on the Planning Proposal was reported to Council on the 20 November 2013 with the Council officer report recommending a reduction to the proposed height and FSR controls. At this meeting Council resolved to defer the matter until an on-site meeting was carried out. The on-site meeting occurred on 14 December 2013 and was attended by Councillors, Council officers, the proponent and members of the local community.

Further assessment was carried out by Council officers in early 2014, with a detailed assessment report submitted to Council in February 2014. In response to this report Council made the following resolution on 19th February 2014.

- 1) *That Council supports the planning proposal subject to the following amendments being made prior to the planning proposal's exhibition:*
 - a) *for the land proposed to be zoned B6 Enterprise Corridor:*
 - i. *that the height be reduced to 14.5 metres (4 storeys); and ii) the FSR be reduced to 1.5:1.*
 - b) *for the land proposed to be zoned R4 High Density:*
 - i. *it is noted that the site is not located within a major centre nor is it close to a transport node;*
 - ii. *it is also noted that there are no plans to improve transport infrastructure within the vicinity of the site;*
 - iii. *therefore the planning proposal should respect the low rise character of the locality and the height limits should be restricted to 2 storeys on the southern boundary and 4 storeys elsewhere;*
 - iv. *the instrument should contain provisions that mandate a Stage 1 Development Application for the entire residential site. The Stage 1 Development Application is to establish, as a minimum, building envelopes, traffic and access arrangements, and the arrangement of communal open space.*
 - v. *the FSR be set at 1:1.*

- c) technical amendments as itemised in Attachment 4 to this report.*
- 2) *A Planning Agreement be exhibited with the Planning Proposal. The Planning Agreement is to provide for a contribution into an internally restricted reserve to be used solely for the purpose of protecting and enhancing the natural environment in the Rockdale Local Government Area. The amount of the contribution is to be negotiated with the applicant and brought back to Council for adoption prior to exhibition.*
- 3) *Council write to the Minister for Planning and the Premier requesting that this proposal, being a local planning matter, is returned to the control of the local community.*

Pre-Gateway Review Request

On 18 December 2013 a Pre-Gateway Review request was lodged with the Department of Planning and Environment (formerly the Department of Planning and Infrastructure) on the basis that Rockdale Council were unable to make a decision on the Planning Proposal within the allocated timeframe.

Following a review of the Planning Proposal the DP&E prepared an Information Assessment and Recommendation Report (dated 21 March 2014) for JRPP's consideration. In their assessment of the Planning Proposal DP&E found that the proposal had strategic and site specific merit. The DP&E also highlighted a number of matters requiring further consideration including appropriateness of the height and density controls; traffic; site contamination and the need for a site specific DCP.

Sydney East Joint Regional Planning Panel

On 15 April 2014 the Sydney East Joint Regional Planning Panel (JRPP) were briefed on the above matter by the DP&E, Rockdale Council and the proponent's project team. Following these briefings and consideration of the relevant material the JRPP determined that further information was required prior for the Panel to make a recommendation to the Minister of Planning and Infrastructure on whether the Proposal should proceed to Gateway. In particular the JRPP required the following:

- A plan showing the outcome of applying Council's desired building heights and the building separations for those heights as set out in the RFDC.
- Written advice as to the resultant FSR achievable from the revised plan above. Should the FSR of the revised scheme be less than 2:1 then an explanation of how the desired 2:1 FSR could be achieved within a reasonable building envelope and in accordance with the requirements of the RFDC.
- More information on communal open space and deep soil planting provision, and demonstrable community benefits on and off the site.

Subsequent to the above a revised Indicative Master Plan along with updated LEP Maps and additional assessment material was submitted on 26 May 2014 for consideration. This material responded to the points raised by the JRPP and included an analysis of some alternative options to demonstrate the outcome of applying Council's suggested amendments. A further response to this information was also submitted by Rockdale Council in June 2014 incorporating a submission from GMU on behalf of Council. JBA subsequently submitted an independent design assessment by Architectus which endorsed the master plan proposal.

In their consideration of this additional information the DP&E wrote to the JRPP on 8 August 2014 advising, amongst other things, that:

- Renewal of large sites such as this, should achieve a compatible built form with surrounding development while optimising urban renewal opportunities. The proposed options have addressed this through transitioning height and scale from lower density residential development and concentrating development within the site and adjoining the industrial development.
- It is considered that an FSR of up to 2:1 may be appropriate given the applicant has demonstrated compliance with the Residential Flat Design Code and appropriate transitioning from low density residential development.
- Additional height could be considered above Council's proposed height plane where buildings are appropriately set back from low density residential areas.
- The Department also considers it appropriate that commercial floor space (86 zoned area) identified in options 1(a) and 2(a) be retained to support ongoing employment within this locality.

Following consideration of all additional information and representations from the proponent, Council and DP&E, the JRPP resolved on the 28th August 2014 that:

- *The Panel is of the view that the proposal is suitable to proceed to Gateway.*
- *The Department should determine which of the Proponent's 4 schemes should proceed, although the panel is of the view that only 1(a) or 2(a) should be considered and that it may be appropriate to exhibit both schemes so that a full consideration of built form outcomes can be reviewed.*
- *That any exhibition should include sufficient documentation to ensure that accurate building height, footprints and FSR are shown and that a determination can be made as to the quantum and location of communal and private open space. Any written offer or draft VPA for these elements of public benefit should also be included as part of the exhibition.*

With the benefit of the independent advice from the JRPP on 16 October 2014 the DP&E issued a letter to the proponent advising of their determination that the Planning Proposal should proceed to Gateway determination and that the Planning Proposal should reflect the development controls proposed under Scheme 2(a) as submitted to the JRPP on 26 May 2014. The Indicative Master Plan that accompanies this Planning Proposal represents an updated version of Option 2(a) as requested by DP&E.

Realignment of Zone Boundary

On Friday 21st November 2014 a meeting was held between the proponent and their consultant team and the DP&E. At this meeting it was agreed that the boundary between the proposed B6 Business Enterprise Corridor Zone and the R4 High Density Residential Zone would be reconfigured so that it ran parallel to the alignment of Rocky Point Road. It was also agreed that the newly reconfigured boundary division should be positioned to ensure that the area of the proposed B6 and R4 Zones remains generally consistent with that of the original proposal. A comparison between the JRPP endorsed zone alignment and the realigned zone boundary is shown in **Figure 1**, with a comparison provided in **Table 1**.

Table 1 – Land Area

| Zone | Land Area | |
|------|-------------------------------------|--|
| | JRPP Endorsed Scheme Option 2(a) | Realigned Zone Boundary Updated Option 2(a) |

| Zone | Land Area | |
|-----------------------------|-------------------------------------|--|
| | JRPP Endorsed Scheme Option 2(a) | Realigned Zone Boundary Updated Option 2(a) |
| B6 Enterprise Corridor | 11,163m ² | 11,163m ² |
| R4 High Density Residential | 22,325m ² | 22,325m ² |

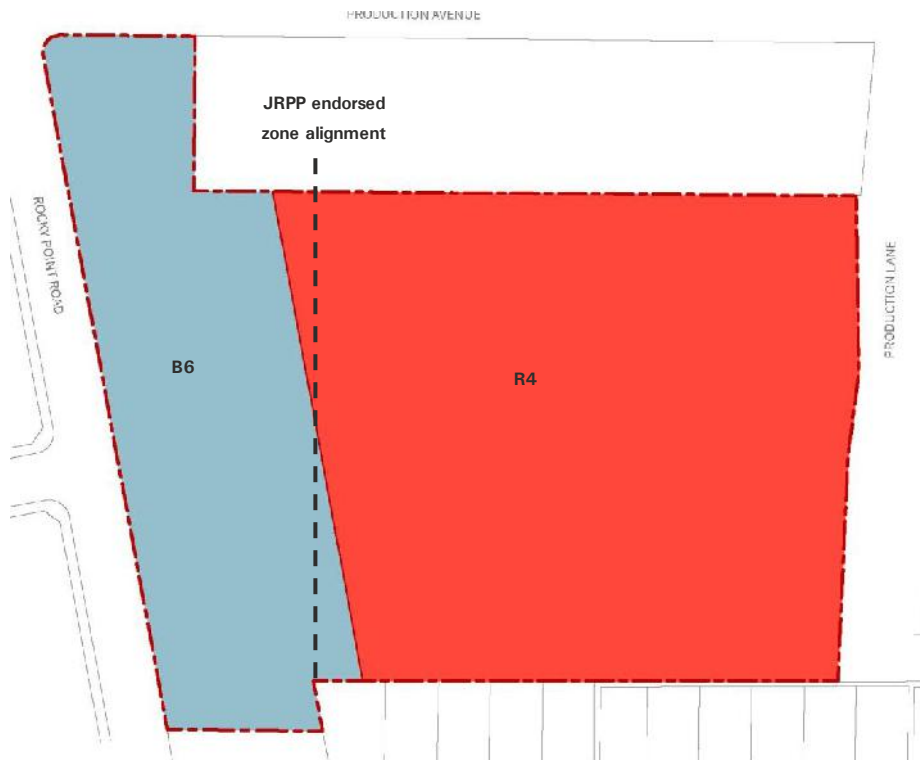


Figure 1 – Realigned Zone Boundary

Voluntary Planning Agreement

In correspondence dated 13 October 2014 DP&E advised that a written offer or draft Voluntary Planning Agreement should accompany the updated Planning Proposal submitted for Gateway Determination.

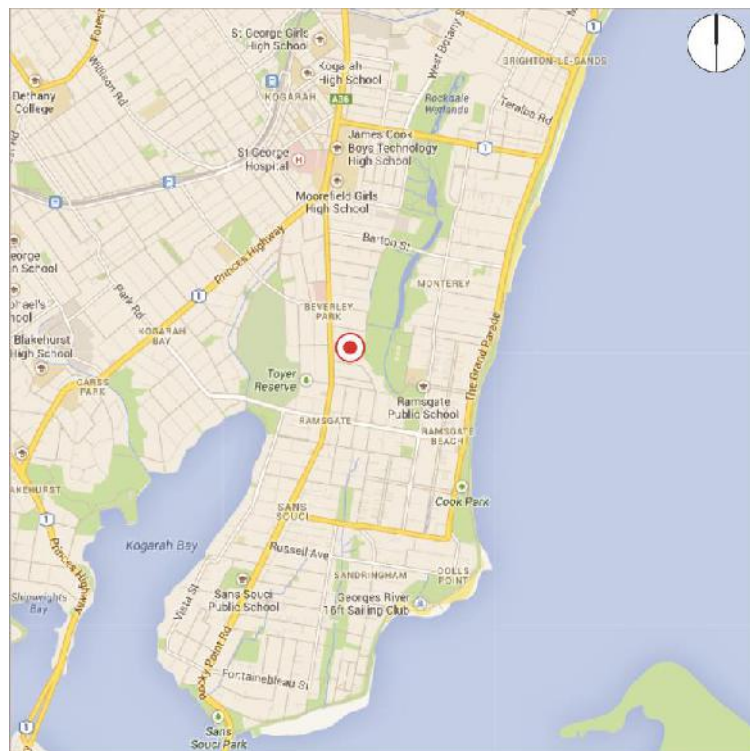
2.0 Site Description

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 2**.

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;
- good public transport accessibility with regular bus services running along Rocky Point Road and linking to Kogarah Railway Station and Central Sydney;
- a high level of accessibility to Sydney 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 2 – 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 33,100m². 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 3**).

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 were being used by VIP Petfoods who acquired the Darrell Lea confectionery business and currently have circa 80 people employed at the site. VIP Petfoods have however vacated the site and relocated to another purpose built facility in Greater Sydney since lodgement of the initial Planning Proposal in August 2013. The Darrell Lea Factory therefore is presently unused and does not generate any employment.



 The Site

Figure 3 – Site Context

2.3 Surrounding Land Uses

Land uses surrounding the site are shown above in **Figure 3** 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 2**.

Table 2 – Land Use Capability

| Site Attributes | Capability for Rezoning for Mixed Residential and Commercial Development |
|-------------------------------|--|
| Urban and subregional context | The urban and subregional context of the DLF Site is suitable for residential and commercial uses at a medium to high density of development. |
| Surrounding properties | Subject to an appropriate urban design response, the proposed use and density is compatible with the established residential and commercial uses surrounding the site. |
| Land size and topography | The site is sufficiently large and capable of supporting residential and commercial uses at a medium to high density scale of development. |
| Existing vegetation | 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 |

| Site Attributes | Capability for Rezoning for Mixed Residential and Commercial Development |
|--|--|
| | beyond that which presently exists. |
| Existing buildings and infrastructure | 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. |
| Access and Transport | 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. |
| Heritage Significance | 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. |
| Contamination | The DLF Site contains relatively low level contaminants that can be remediated and made suitable for the proposed mixed use development. |
| Stormwater and flood risk | 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 4 and 5).

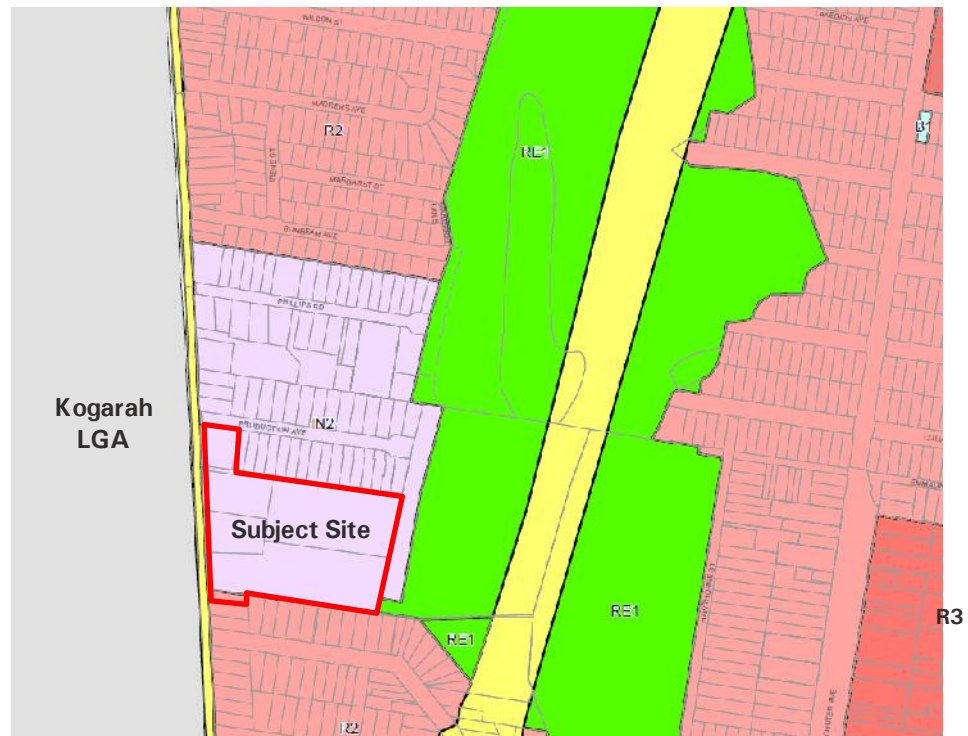


Figure 4 – Zoning Plan – Rockdale LEP 2011

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 R2 Low Density Residential under the Kogarah LEP 2012. While this is the case there are a number of existing recently constructed multi storey residential flat buildings located along the western side of Rocky Point Road.

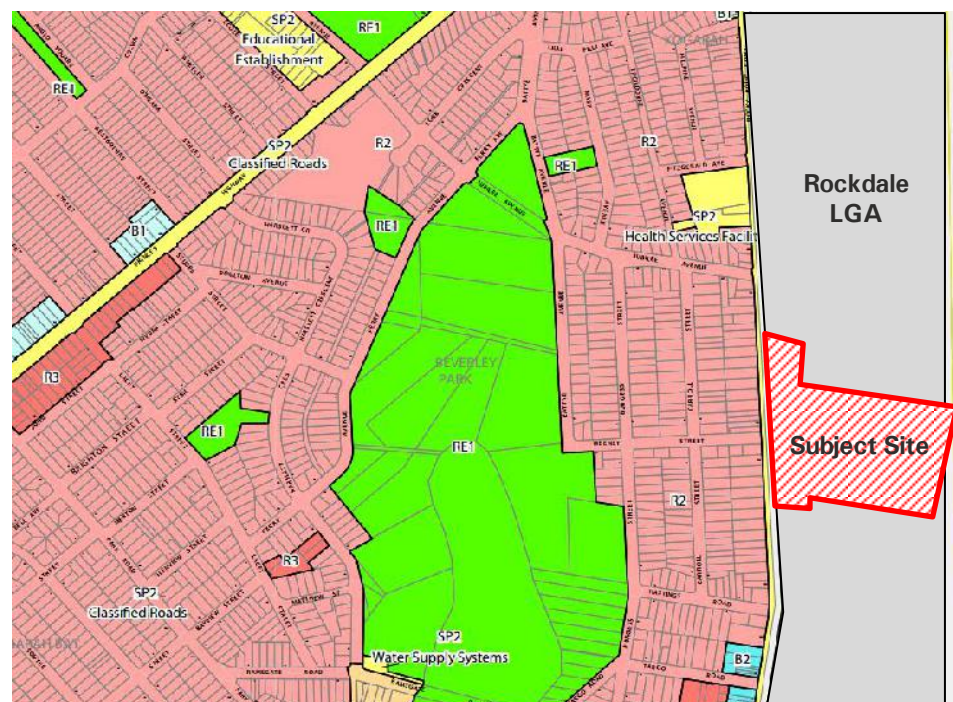


Figure 5 – Zoning Plan – Kogarah LEP 1998

3.0 Objectives and Intended Outcomes

The objectives and outcomes of the draft Planning Proposal is 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 approximately 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 19,000m² of employment generating floor space in the area without undermining existing commercial centres in the subregion;
- provide approximately 400 new fulltime 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:
 - contributing to the achievement of 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;
 - 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; and
 - maximising re-use of brownfield land and minimising need for new greenfield development.

4.0 Explanation of Provisions

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

4.1 Rockdale LEP 2011

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

4.1.1 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.

4.1.2 Land Use Zoning

The Planning Proposal is to amend the Rockdale LEP 2011 Land Zoning Map as follows:

- **Current** - part R2 Low Density Residential and part Zone IN2 – Light Industrial (Figure 10).
- **Proposed** - part B6 Enterprise Corridor Zone and part R4 High Density Residential Zone (Figure 11).

4.1.3 Minimum Lot Size

The Planning Proposal is to amend Rockdale LEP 2011 Minimum Lot Size Map as follows:

- **Current** – A minimum lot size of 840m² currently applies to land within the IN2 Light Industrial Area, and 150m² for land in the R2 Low Density Residential Area (Figure 12).
- **Proposed** – It is proposed to remove the minimum lot size requirements from the site. This will provide an outcome consistent with other land in the LGA that is located in the B6 Enterprise Corridor Zone and R4 High Density Residential Zone (Figure 13).

4.1.4 Maximum FSR

The Planning Proposal is to amend Rockdale LEP 2011 Floor Space Ratio Map as follows:

- **Current** – A floor space ratio of 1:1 currently applies to land within the IN2 Light Industrial Area, and 0.5:1 for land in the R2 Low Density Residential Area (Figure 14).
- **Proposed** – A floor space ratio of 1.8:1 is proposed to apply for land in the proposed B6 Enterprise Corridor Zone and 2:1 in the proposed R4 High Density Residential Zone (Figure 15).

4.1.5 Maximum Building Height

The Planning Proposal is to amend Rockdale LEP 2011 Building Height Map as follows:

- **Current** – A maximum building height of 8.5m currently applies to land contained in the R2 Low Density Residential Zone and 14.5m to land in the IN2 Light Industrial Zone (Figure 16).

- **Proposed** – A maximum building height of between 8.5m and 22m is to apply to land within the proposed B6 Enterprise Corridor Zone. A maximum building height of between 8.5m and 33m is to apply to land within the proposed R4 High Density Residential Zone (**Figure 17**).

4.1.6 Building Height Plane Provision

The Planning Proposal seeks to amend Clause 4.3 of the Rockdale Local Environmental Plan 2011 by adding the following sub-clause:

Clause 4.3 (3)

- (a) The height of a building on land zoned R4 High Density Residential at 152-206 Rocky Point Road is not to exceed the maximum height shown on the Building Height Map, except where the maximum height of the building is below the Building Height Plane.*
- (b) The Building Height Plane is measured as a perpendicular line between Point A south of the site's southern boundary and a corresponding Point B north of the sites southern boundary, and projects as a continuous plane where:*
 - Point A is taken at a height of 1.50 metres above natural ground level at a distance of 13.6 metres south of the southern property boundary of Lot 22 in DP620329.*
 - Point B is taken at a height of 11.70 metres above natural ground level at a distance of 18.0 metres north of the southern boundary of Lot 22 in DP620329.*

5.0 Indicative Master Plan

5.1 Overview

Taking into consideration the site specific opportunities and constraints, a number of planning and design principles were formed 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 site specific permanent jobs.
- 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 taller buildings screened from the existing residential areas.
- Incorporate buildings that are designed in response to the 'Building Height Plane' nominated by Rockdale City Council.
- 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.
- Be designed to comply with the Residential Flat Design Code, particularly with regard to building separation, landscape open space, deep soil planting, solar access, cross ventilation and apartments sizes.
- Be designed to ensure the physical separation of commercial and residential uses so as to minimise any impacts resulting from this land use interface.
- Incorporate landscaped 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 an Urban Design Study was undertaken by Lippmann Partnership and led to the preparation of an Indicative Master Plan for the site (**Appendix B & Figure 6**). Since originally being submitted to Council in August 2013 the Indicative Master Plan has been the subject of an extensive and iterative design review process in consultation with Council and the Department of Planning and Environment and sets out to achieve the aforementioned objectives and intended outcomes. It is important to note that the Indicative Master Plan illustrates how the site might be redeveloped in the future under the proposed new zoning, height and floor space ratio controls, but does not however represent the only possible solution for the site's future design.



Figure 6 – Indicative Master plan

Key aspects of the Indicative Master Plan include:

- New commercial uses at the site's western end fronting Rocky Point Road.
- Residential uses located on the eastern two thirds of the site.
- A central tree lined road that acts as a natural extension of Weeney Street and provides a direct connection between Rocky Point Road and Leo Smith Reserve.
- A new pocket park and landscaped open space that provides a point of focus and enhances the site's amenity for residents and the local community.
- A mix of building typologies including townhouses, medium rise apartment complexes and taller apartment buildings, providing a mix of one, two and three bed dwellings.
- Graduation of building heights from south to north in accordance with the 'Building Height Plane' nominated by Rockdale Council.

We discuss each of the proposed zones within the Indicative Master Plan in further detail below.

5.2 Land within B6 Enterprise Corridor Zone

Land located at the site's western end is proposed to be amended from the IN2 Light Industrial zone to the B6 Enterprise Corridor zone. As illustrated by the Indicative Master Plan (Figure 6) this zoning allows for the consolidation of the site's employment generating uses into a more condensed form along Rocky Point Road.

Future commercial buildings are proposed to front onto Rocky Point Road but will be accessed and serviced via a new rear laneway linking between Production Avenue and the proposed new central street. The commercial building in the site's south west corner will be accessed off the proposed new street. All direct

access/egress from Rocky Point Road is proposed to be removed under the Indicative Master Plan.

Four new buildings are proposed in the B6 zone under the Indicative Master Plan, with the existing Harvey Norman building at 168 Rocky Point Road proposed to be retained. The new buildings are proposed to be four storeys in height, with the exception of the 'Commercial A' building, which is proposed as five storeys to respond to its corner setting.

To facilitate the Indicative Master Plan the planning proposal seeks to amend the site's height limit within this area from 14.5 metres (as per IN2 zone) to a range of heights, these being:

- 22m at No. 152 Rocky Point Rd (Lot 2, DP 405531). This is reflected by a 5 storey building in the Indicative Master Plan.
- 18m at No.s 168 Rocky Point Rd (Lot 1, DP 1144981), part of 200 Rocky Point Rd (all of Lot 1, DP 599502 and part of Lot 2, DP 838198). This is reflected as three 4 storey buildings, one of which is existing (the Harvey Norman Building); and
- 8.5m at 206 Rocky Point Road which will provide an outcome consistent with the existing control. The indicative Master plan shows this part of the site as being landscaped private open space.

In conjunction with the building height changes the floor space ratio over this part of the site is proposed to increase from 1:1 to 1.8:1, providing the potential for up to 20,093m² of non-residential floor space across the land within the proposed B6 Enterprise Corridor Zone. This compares to the 33,488m² that is achievable on the whole site under the current controls, and the 3,750m² of non-residential floor space that presently occupies the site.

Table 3 below provides a summary of the heights and floor area obtainable under the Indicative Master Plan.

Table 3 – Indicative Master Plan – Buildings in B6 Enterprise Zone

| Use | Address | Site Area | Height | Floor space |
|-----------------------------------|---------|----------------------|--------|----------------------|
| Commercial A | 152 | 1,499m ² | 22m | 4,802m ² |
| Commercial B | 176 | 1,044m ² | 18m | 3,050m ² |
| Commercial C | 176 | 3,774m ² | 18m | 8,583m ² |
| Warehouse Building | 200 | 990m ² | 10m | 1,414m ² |
| Harvey Norman Building (existing) | 168 | 1,121m ² | 18.40m | 2,244m ² |
| Roadway | 176 | 2,735m ² | - | - |
| Land in proposed B6 Zone | 152-206 | 11,163m ² | - | 20,090m ² |

The Indicative Master Plan has been prepared understanding that the site will be comprehensively redeveloped as a single development site. Under this scenario the blanket 1.8:1 FSR is used in conjunction with the proposed building heights to shape the form and scale of development. The use of variable building height controls and the dedication of land for public roadways result in FSR's for individual subsequent parcels of land that exceed 1.8:1, however the combined amount of development is within the maximum overall FSR of 1.8:1 for land proposed to be rezoned to B6 Enterprise Corridor.

5.3 Land within the R4 High Density Residential Zone

Land within the proposed R4 High Density Residential Zone has been the subject of an extensive design review process that has led to the updated Indicative Master Plan that accompanies this Planning Proposal. Key features include:

- A central tree lined boulevard street that runs through the centre of the R4 High Density Zone and a secondary parallel access street to the north servicing the residential towers on the northern half of the site;
- A variety of building typologies including townhouses, medium rise apartment buildings and taller residential towers;
- Buildings set within a landscaped setting to maximise residential amenity; and
- A number of vehicle access points providing access to basement car parks.

As shown in **Figure 6**, the eastern two thirds of the site are proposed to be amended from the IN2 Light Industrial Zone to the R4 High Density Residential Zone. In conjunction with the proposed re-zoning, the planning proposal seeks to increase the maximum allowable FSR from 1:1 to 2:1 and building heights from 14.5 metres to a range of heights, these being:

- 33m: over the northern most part of No. 160 Rocky Point Road (part of Lot 2, DP 838198). Drawing No.9 (**Appendix B**) to accommodate buildings up to 10 storeys.
- 29.5m: over part of No. 160 Rocky Point Road (part of Lot 2, DP 838198) and part of No.200 Rocky Point Road (part of Lot 22, DP 620329) to accommodate a range of buildings up to 9 storeys.
- 17.5m: over part of 200 Rocky Point Road (part of Lot 22, DP 620329) and part 206 Rocky Point Road to accommodate buildings up to 5 storeys.
- 8.5m at 206 Rocky Point Road to accommodate lower rise 2-3 storey townhouse buildings.

We note that building heights within the Indicative Master plan have been designed in response to the Building Height Plane nominated by Rockdale City Council in their resolution of 19th February 2014 (**Figure 7**). Through adopting this height plane Lippmann Partnership have been able to achieve an appropriate graduation of building heights that ensures that future redevelopment does not result in a built form that is overbearing or which has unacceptable amenity impacts on existing residents in Margate Street.

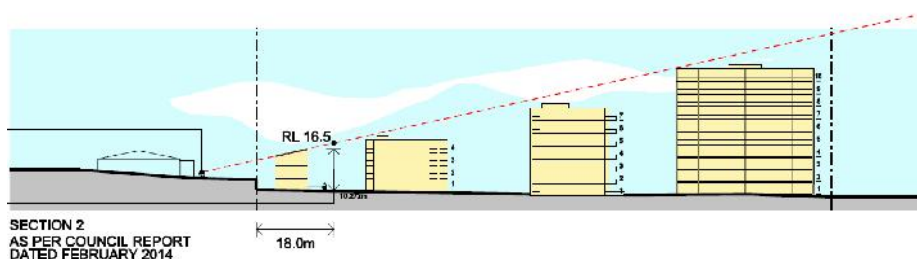


Figure 7 – Indicative Master plan

A numerical overview of the Indicative Master Plan for land in the R4 High Density Residential Zone is provided in **Table 4**.

Table 4 – Buildings in R4 Residential Zone

| Use | Address | Site Area | Height | Floor space | Apartments |
|-------------------|----------|----------------------------|------------|----------------------------|------------|
| Building A | 160 | 1,580m ² | 10 storeys | 5,196m ² | 54 |
| Building B | 160 | 1,549m ² | 10 storeys | 5,263m ² | 54 |
| Building C | 160 | 1,554m ² | 10 storeys | 5,196m ² | 54 |
| Building D | 160 | 1,502m ² | 10 storeys | 5,263m ² | 54 |
| Building E | 200 | 820m ² | 9 storeys | 4,204m ² | 42 |
| Building F | 200 | 820m ² | 8 storeys | 4,103m ² | 42 |
| Building G | 200 | 820m ² | 7 storeys | 3,529m ² | 36 |
| Building H | 200 | 845m ² | 8 storeys | 4,009m ² | 41 |
| Building I | 200 | 6,083m ² | 5 storeys | 1,736m ² | 19 |
| Building J | 200 | | 4 storeys | 1,391m ² | 14 |
| Building K | 200 | | 4 storeys | 1,365m ² | 14 |
| Building L | 200 | | 4 storeys | 1,391m ² | 14 |
| Building M | 200 | | 3 storeys | 2,049m ² | 15 |
| Roadway | 160, 200 | 4,388m ² | - | - | - |
| Public Open Space | 160, 200 | 2,367m ² | - | - | - |
| Total | | 22,325m² | | 44,695m² | 453 |

Residential Flat Design Code

Table 5 lists the relevant RFDC 'Rules of Thumb' and assesses the Indicative Master Plan's consistency with those standards. The assessment demonstrates that the Indicative Master Plan complies with the majority of the 'Rules of Thumb' and that scheme is capable of providing a high standard of amenity for future residents. Where departures are proposed to the 'Rules of Thumb' they are discussed in further detail below the table.

Table 5 – Assessment against the relevant 'Rules of Thumb' in the RFDC

| Rule of Thumb | Proposal |
|---|---|
| Deep Soil Zones | |
| A minimum of 25% of the open space area of a site should be a deep soil zone; more is desirable. Exceptions may be made in urban areas where sites are built out and there is no capacity for water infiltration. | ✓ 37% deep soil provided. Refer to Basement Plan in Indicative Master Plan (Appendix B) |
| Open Space | |
| The area of communal open space required should generally be at least between 25 and 30 percent of the site area. Where developments are unable to achieve the recommended communal open space, such as those in dense urban areas, they must demonstrate that residential amenity is provided in the form of increased private open space and / or in a contribution to public open space. | ✓ 35% provided. Refer Indicative Master Plan (Appendix B). |
| The minimum recommended area of private open space for each apartment at ground level or similar space on a structure, such as on a podium or car park is 25m ² ; the minimum | ✓ All apartments |

| Rule of Thumb | Proposal |
|--|---|
| preferred dimension in one direction is 4m. | exceed the minimum required amount of private open space. |
| Visual Privacy | |
| Up to four storeys/12 metres: – 12 metres between habitable rooms/balconies – 9 metres between habitable/balconies and non-habitable rooms – 6 metres between non-habitable rooms Five to eight storeys/up to 25 metres: – 18 metres between habitable rooms/balconies – 13 metres between habitable rooms/balconies and non-habitable rooms – 9 metres between non-habitable rooms Nine storeys and above/ over 25 metres: – 24 metres between habitable rooms/balconies – 18 metres between habitable rooms/balconies and non-habitable rooms – 12 metres between non-habitable rooms | ✓ Appropriate separation between apartments and buildings has been provided. Refer to Appendix B for further details. |
| Pedestrian Access | |
| Identify the access requirements from the street or car parking area to the apartment entrance. | ✓ The Indicative Master Plan is capable of complying with this requirement. |
| Follow the accessibility standard set out in Australian Standard (AS 1418 (Parts 1 & 2) as a minimum. | ✓ The Indicative Master Plan is capable of complying with this requirement. |
| Provide barrier free access to at least 20% of dwellings in the development. | ✓ The Indicative Master Plan is capable of complying with this requirement. |
| Vehicle Access | |
| Generally limit the width of driveways to a maximum of six metres. | ✓ The Indicative Master Plan is capable of complying with this requirement. |
| Locate vehicle entries away from main pedestrian entries and on secondary frontages. | ✓ |
| Apartment Layout | |
| Single-aspect apartments should be limited in depth to 8m from a window. | ✓ The Indicative Master Plan is capable of complying with this requirement. |
| The back of a kitchen should be no more than 8m from a window. | ✓ The Indicative Master Plan is capable of complying with this requirement. |
| The width of cross-over or cross-through apartments over 15m deep should be 4 metres or greater to avoid deep narrow apartment layouts. | ✓ |
| If Council chooses to standardise apartment sizes, a range of sizes that do not exclude | ✓ |

| Rule of Thumb | Proposal |
|---|--|
| affordable housing should be used. As a guide, the Affordable Housing Service suggest the following minimum apartment sizes which can contribute to housing affordability: (apartment size is only one factor influencing affordability) – Studio 38.5m ² – 1 Bedroom apartment 50m ² – 2 Bedroom apartment 70m ² – 3 Bedroom apartment 95m ² | Apartment sizes used within the Indicative Master Plan exceed the minimum RFDC requirements. |
| Balconies | |
| Minimum dimension of private balconies 2m. | ✓ |
| Ceiling Heights | |
| Minimum 2.7m for all habitable rooms. (living and bedrooms) | ✓ (2.7m) |
| In Mixed Use buildings: 3.3m minimum for ground floor retail or commercial and for first floor retail, residential or commercial. | N/A |
| Ground Floor Apartments | |
| Optimise the number of ground floor apartments with separate entries and consider required an appropriate percentage of accessible units. | ✓ |
| Provide ground floor apartments with access to private open space, preferably as a terrace or garden. | ✓ |
| Internal Circulation | |
| In general where units are arranged off a double-loaded corridor, the number of units accessible from a single core corridor should be limited to eight. | ✓ Maximum of 7 of a single internal core. |
| Storage | |
| In addition to kitchen cupboards and bedroom wardrobes, provide associated storage facilities at the following rates: – Studio apartments 6m ³ – One bedroom apartments 6m ³ – Two bedroom apartments 8m ³ – Three plus bedroom apartments 10m ³ | ✓ The Indicative Master Plan is capable of complying with this requirement |
| Daylight Access | |
| Living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of three hours direct sunlight between 9 am and 3 pm in mid-winter. In dense urban areas a minimum of two hours may be acceptable. | ✓ (70.8%) |
| Limit the number of single-aspect apartments with a southerly aspect (SW-SE) to a maximum of 10 percent of the total units proposed. Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed (see Orientation and Energy Efficiency). | ✓ (8.5%) |
| Natural Ventilation | |
| Building depths, which support natural ventilation typically, range from 10 to 18m. | ✓ |
| Sixty percent (60%) of residential units should be naturally cross-ventilated. | ✓ (70%) |
| Twenty five percent (25%) of kitchens within a development should have access to natural ventilation. Developments which seek to vary from the minimum standards must demonstrate how natural ventilation can be satisfactorily achieved, particularly in relation to habitable rooms. | ✓ |

Dwelling Size

A comparison of the proposed average size of each residential apartment type against the RFDC and DCP standardised apartment size is provided within **Table 6**. As shown the average residential apartment size exceeds the RFDC and Rockdale DCP requirements.

Table 6 – Dwelling size assessment

| Type of dwelling | Proposed Dwelling size (average) | RFDC Rule of Thumb | Rockdale DCP 2011 |
|--------------------------------|----------------------------------|--------------------|--------------------|
| Residential Apartments | | | |
| Studio | N/A | 38.5m ² | 38.5m ² |
| 1 bedroom 1 bedroom + study | 55m ² | 50m ² | 50m ² |
| 2 bedroom | 90m ² | 70m ² | 80m ² |
| 3 bedroom | 125m ² | 95m ² | 124m ² |

Dwelling Mix

A comparison of the proposed dwelling mix against Council's DCP controls is provided in **Table 7**. As shown, the Indicative Master Plan provides a greater proportion of one bed apartments, notwithstanding this the proposal will still provide an acceptable mix that meets the objectives of the DCP and the RFDC as it will provide a diversity of apartments which cater to differing household needs both now and in the future.

Table 7 – Dwelling mix assessment

| Type of dwelling | % of dwelling types | DCP Control |
|------------------------|---------------------|-------------|
| Residential apartments | | |
| Studio/ 1 bedroom | 30% | 10 – 20% |
| 2 bedroom | 56% | 50 – 75% |
| 3 bedroom | 14% | 10 – 20% |

Specifically it is noted that the Indicative Master plan will provide the potential for approximately 453 new dwellings comprising a mix of dwelling types and sizes, these being:

- 128 x 1 bedroom;
- 250 x 2 bedroom;
- 60 x 3 bedroom; and
- 15 x 3 bedroom town houses.

5.4 Summary

The Indicative Master Plan that accompanies the Planning Proposal has been the subject of a Pre-Gateway Review process involving Rockdale Council, the Department of Planning and Environment and the Sydney East Joint Regional Planning Panel. Independent expert comments and input has also been received from Architectus and GML.

Changes and amendments made to the Master Plan in response to these comments and recommendations has led to a design outcome that responds to its site specific constraints and which addresses all the issues raised. In particular we note that the Indicative Master Plan:

- Has been amended to respond to the building height plane suggested by Rockdale City Council;
- Achieves appropriate building separation in accordance with the RFDC;

- Provides appropriate amount of open space and deep soil in accordance with the RFDC;
- Has been designed using apartment sizes that exceed the minimum RFDC and DCP requirements;
- Provides an appropriate apartment mix that meets the current and future housing needs of the area;
- Ensures that the site will still comprise a significant amount of commercial uses that will continue the site's contribution to local employment.
- Physically separates and ensures an appropriate interface between the residential and non-residential components of the site; and
- Will provide a high quality public realm including a new tree lined boulevard, laneway and Public Park.

The Indicative Master plan illustrates that a high quality design outcome is able to be achieved under the proposed planning controls. In particular it confirms that floor space ratios of 1.8:1 and 2:1 are possible for the B6 and R4 zones respectively, and that these FSR's can be achieved while maintaining a built form that fits within the Building Height Plane proposed by Rockdale City Council.

Overall the Master Plan demonstrates that more intense forms of development can be comfortably accommodated on the site with minimal environmental or amenity impacts on the surrounding area.

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 8**.

Table 8 – Supporting Studies

| Document | Consultant | Appendix |
|--|---|-------------------|
| Planning Proposal | JBA Planning | |
| Survey | Denny Linker and Co | Appendix A |
| Urban Design and Master planning | Lippmann Partnership and JBA Planning | Appendix B |
| Land Economics and Demographic Assessment | JBA Planning | Appendix C |
| Alternative Options Report | Lippmann Partnership | Appendix D |
| Assessment of Traffic and Transport Implications | Transport and Traffic Planning Associates | Appendix E |
| Phase 1 Contamination Report | Coffey | Appendix F |

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 20,000m² 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 Goals, Key Directions and Actions of the Plan for Growing Sydney;

- 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 Master plan prepared by Lippmann Partnership (**Appendix B**). 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 (e.g. 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 20,000 sqm of new non-residential floor space 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 C**. 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 Lippmann Partnership (**Appendix D**), 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 occupied the site, terminated their lease in early 2014 and relocated to a new purpose built facility in Western Sydney. There are therefore no people currently employed on the manufacturing site.

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 (150m² – 500m² GFA including mezzanines);
- Larger warehouse and factory sheds (860m² -1,500m² GFA); and
- One large multi storey industrial building (9700m² 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 offsetting 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 (Scheme 2(a)) that is the subject of this planning proposal is expected to result in approximately 20,000m² 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 job creation 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 were 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 450 dwellings we can therefore assume that a some 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 unlikely to materialise in the future as the site is not likely 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 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.

Assuming the site is redeveloped in accordance with the proposed maximum FSRs it is anticipated that this would result in approximately 450 dwellings, with the final number dependent on the size of the dwellings and format of the residential buildings. This estimate is calculated on the basis of the indicative master plan prepared by Lippmann 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 450 dwellings on the Site will make significant 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. Wollie 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 E**. 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 Master plan.

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 Master plan prepared by Lippmann 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 Master Plan 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. SIDRA modeling of this proposed future intersection has concluded that it will 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 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 received 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 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. New employment opportunities created by the site redevelopment will more closely align with the skillsets of the local workforce and in this regard will facilitate an improvement on the existing factory use, which sources the majority of its employees from western Sydney. The proposal is therefore expected to 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 G**) 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 Master plan for the Planning Proposal sets out how the proposed LEP controls would be realised in the future, and could be developed further in the future as the basis for a site specific DCP if required.

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 Master plan.

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 Master Plan have been tailored to maximise compatibility with surrounding land uses while enhancing the amenity of the locality and public domain. The master planning principles to be used in the preparation of a future development proposal 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.
- 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 half; medium scale buildings in the central parts of the site and along Rocky Point Road; and low scale and low rise buildings in the site's southern section 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 setback 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 is 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 approximately 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 an existing detached residential area to the south, and is unfeasible to redevelop for industrial purposes. The site therefore lends itself to redevelopment 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. While 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 will 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 master plan 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 Master plan 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 Master plan.

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 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?

A Plan for Growing Sydney

The *A Plan for Growing Sydney* is the current strategic plan for the Sydney metropolitan area. Having just been published in December 2014 it represents the most up to date strategic framework and sets out the Government's vision for Sydney as a strong global city and a great place to live. To achieve this it sets a four overarching goals for the region, these being:

- *a competitive economy with world-class services and transport;*
- *a city of housing choice with homes that meet our needs and lifestyles;*
- *a great place to live with communities that are strong, healthy and well connected; and*
- *a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.*

A series of more detailed directions and actions provide the framework for realising the goals and overall vision. We discuss these in further detail below.

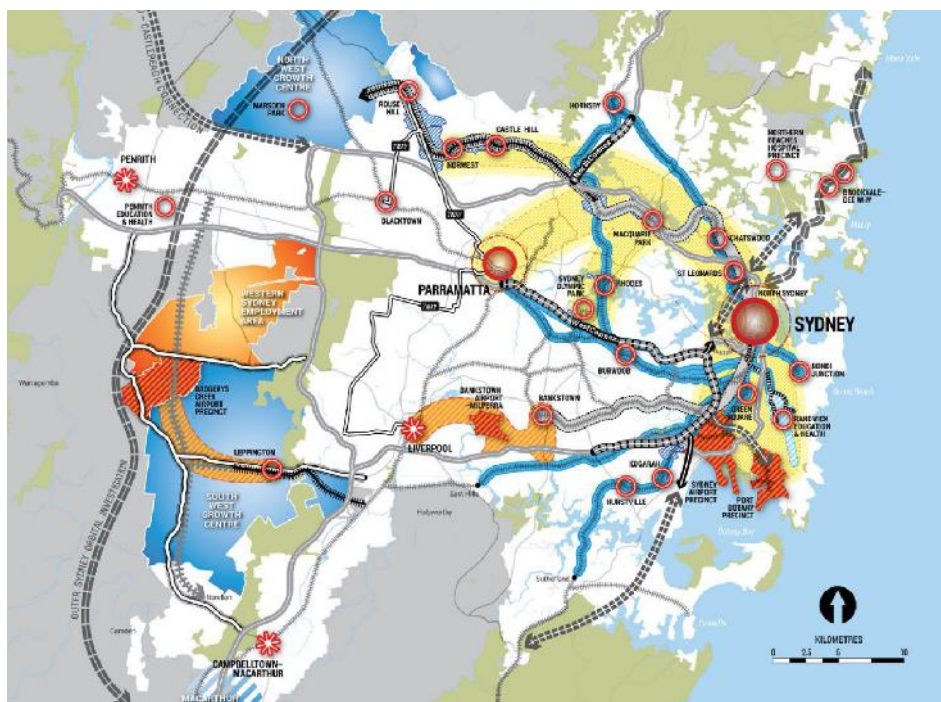


Figure 8 – A Plan for Growing Sydney

Goal 1 – *A competitive economy with world class services and transport*

To ensure that Sydney has a competitive economy with world class services and transport the Plan sets out a number of key priorities including but not limited to:

- Creating new and innovative opportunities for growing and expanding the Sydney CBD office space;
- Diversifying the CBD by enhancing the cultural ribbon that surrounds the CBD including Barangaroo, Darling Harbour, Walsh Bay and the Bays Precinct;
- Growing greater Parramatta as Sydney's second CBD;
- Transforming the productivity of Western Sydney through growth and investment
- Enhancing the capacity of Sydney's gateways and freight networks;
- Expanding the global economic corridor; and
- Growing strategic centre and providing more jobs closer to home.

By carrying out the above The Plan seeks to support and ensure that Sydney will continue to be a premier location for global commerce, business and investment with strong ties to its region and with world class infrastructure that supports growing, efficient and innovative industries. Of particular relevant to this Planning Proposal is Direction 1.7 which seeks to *'Grow strategic centres – providing more jobs closer to home.'*

Kogarah is identified as a Strategic Centres and the Planning Proposal will result in the delivery of a significant number of new dwellings in close proximity to this employment hub. The Site is therefore considered to be suitable for more intense forms of development on the basis that it is well served by public transport and has good access to jobs, education and community facilities and services. Accordingly the Plan notes that *"Delivering more housing through targeted renewal around centres on the transport network will provide more homes closer to jobs and boost the productivity of the city."*

Goal 2 – A city of housing choice with homes that meet our needs and lifestyles

The Plan identifies that some 664,000 additional homes need to be built over the next 20 years to meet forecast demand and highlights that *"The Government must accelerate the delivery of new housing in Sydney to meet the needs of a bigger population and to satisfy a growing demand for different types of housing"*

To achieve this it sets out a number of strategic directions including:

- Accelerate housing supply across Sydney;
- Accelerate urban renewal across Sydney – providing homes closer to jobs;
- Improve housing choice to suit different needs and lifestyles; and
- Deliver timely and well planned greenfield precincts and housing.

Of particular relevance to this Planning Proposal is Direction 2.2 which acknowledges the important role that urban renewal will play in providing new homes within Sydney that are closer to jobs. Specifically the Plan states that *"urban renewal is essential to meet the demand for new housing in Sydney over the next 20 years"* and stipulates that the Government will *"support efforts to lift housing production around local centres, transport corridors and public transport access points."*

Goal 3 – *A great place to live with communities that are strong, healthy and connected*

The Plan notes that to create a city with strong, healthy and connected communities it is important that Sydney is characterised by vibrant places and revitalised suburbs where people want to live, and welcoming centres with character and vibrancy that offer a sense of community and belonging. The Plan sets a number of Key Directions for achieving this goal including:

- *Revitalise existing suburbs;*
- *Create a network of interlinked, multipurpose open and green spaces across Sydney;*
- *Create healthy built environments;*
- *Promote Sydney's heritage, arts and culture;*

Of particular relevance to the Planning Proposal is Direction 3.1 which is to 'revitalise existing suburbs.' Under this Direction the Plan notes that *"research has found that new housing within Sydney's established suburbs brings real benefits to communities and makes good social and economic sense."*

According to the Plan directing new housing to existing urban areas will reduce the impact of development on the environment and protect productive rural land at the urban fringe. The Plan also states that such infill development improves residents' access to jobs, services and recreation which enhances the liveability of the city.

The key action that is relevant to the Planning Proposal is 'to support urban renewal by directing local infrastructure to centres where there is growth.'

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

The plan notes that as the city grows, good urban design and planning will be more critical than ever to make the city's built environment sustainable and energy efficient while also protecting the environment. To do this it sets out a number of key strategic directions, these being:

- *To protect our natural environment and biodiversity;*
- *To build Sydney's resilience to natural hazards; and*
- *To manage the impacts of development on the environment.*

The above Directions are relevant to the Planning Proposal and will be supported by the sites future redevelopment as shown in the Indicative Master Plan.

With regard to the above goals we note that this Planning Proposal is consistent with 'A Plan for Growing Sydney' as it will:

- Promote increased density in an appropriate and sustainable location in close proximity to existing transport infrastructure, community facilities and jobs;
- Facilitate new commercial and business premises on the site, resulting in the creation of new jobs and positive economic flow-on effects for the local community;
- promote urban renewal of an underutilised industrial site, enabling a built form outcome that respects the surrounding area and which will be capable of providing high residential amenity;

- will release pressure on the urban fringe and support a balanced approach to the use of land and resources by locating new housing and employment opportunities within an existing built up area; and
- Be appropriately design in accordance with latest ESD initiatives thus minimising impacts on the environment.

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 approximately 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 master planned 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 410,000m² of additional commercial floor space 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 master planned 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 9** below.

Table 9 – Applicable State Environmental Planning Policies

| State Environmental Planning Policies (SEPPs) | Consistent | | N/A | Comment |
|--|------------|----|-----|---|
| | YES | NO | | |
| SEPP No 1 Development Standards | | | ✓ | SEPP 1 does not apply to the Rockdale LEP 2011. |
| SEPP No 4 Development Without Consent and Miscellaneous Exempt and Complying Development | | | ✓ | SEPP 4 does not apply to the Rockdale LEP 2011. |
| SEPP No 6 Number of Storeys | | | ✓ | Standard instrument definitions apply. |
| SEPP No 32 Urban Consolidation (Redevelopment of Urban Land) | ✓ | | | The planning proposal is consistent with SEPP 32 in providing for the opportunity for the development of additional housing in an area where there is existing public infrastructure, transport, and community facilities, and is close to employment, leisure and other opportunities. |
| SEPP No 55 Remediation of Land | ✓ | | | A Preliminary Environmental Site Assessment has been prepared for the site by Coffey Engineers and is located at Appendix F . 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. It is proposed that further detailed assessment be undertaken following LEP Gateway Determination. |
| SEPP No 60 Exempt and Complying Development | ✓ | | | The Planning Proposal does not seek to change anything to the Rockdale LEP 2012 with regard |

| State Environmental Planning Policies (SEPPs) | Consistent | | N/A | Comment |
|---|------------|----|-----|--|
| | YES | NO | | |
| | | | | to SEPP 60. |
| SEPP No 64 Advertising and signage | | | ✓ | Not relevant to proposed amendment. May be relevant to future DAs |
| SEPP No 65 Design Quality of Residential Flat Development | ✓ | | | Detailed compliance with SEPP 65 will be demonstrated at the time of making a development application. Nonetheless, the planning proposal seeks to facilitate and achieve best practice compliance with SEPP 65 by formalising the provision of generous private and communal open space areas, which are technically included in the floor space calculations for the site. |
| SEPP No.70 Affordable Housing (Revised Schemes) | | | ✓ | Not relevant to proposed amendment. |
| SEPP (Affordable Rental Housing) 2009 | | | ✓ | Not relevant to proposed amendment |
| SEPP (BASIX) 2004 | ✓ | | | Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a development application. |
| SEPP (Exempt and Complying Development Codes) 2008 | ✓ | | | May apply to future development of the site. |
| SEPP (Infrastructure) 2007 | ✓ | | | A preliminary traffic assessment has been undertaken. It is proposed that detailed traffic assessment be undertaken following LEP Gateway Determination. |
| SEPP (State and Regional Development) 2011 | ✓ | | | The future development of the site is likely to be deemed as 'regional development' (meeting the relevant thresholds under Schedule 4A of the EP&A Act), with the JRPP acting as the determining authority. |

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

Consistency with the Ministerial Directions for LEPs under Section 117 of the Environmental Planning and Assessment Act 1979 is provided in **Table 10**. Further discussion on key relevant 117 Directions is provided following below the table.

Table 10 – Consistency with Ministerial Directions

| No. | Title | Consistency with Planning Proposal |
|---|--|---|
| 1. Employment and Resources | | |
| 1.1 | Business and industrial Zones | The Planning Proposal will provide an outcome is consistent with this direction. Refer below. |
| 1.2 | Rural Zones | Not Applicable |
| 1.3 | Mining, Petroleum Production and Extractive Industries | Not Applicable |
| 1.4 | Oyster Aquaculture | Not Applicable |
| 1.5 | Rural lands | Not Applicable |
| 2. Employment and Heritage | | |
| 2.1 | Environmental Protection Zones | Not Applicable |
| 2.2 | Coastal Protection | Not Applicable |
| 2.3 | Heritage Conservation | Not Applicable |
| 2.4 | Recreation Vehicle Areas | Not Applicable |
| 3. Housing, Infrastructure and Urban Development | | |
| 3.1 | Residential Zones | The Planning Proposal is consistent with Clauses 4 and 5 of this direction. Refer below. |

| No. | Title | Consistency with Planning Proposal |
|---------------------------------|--|---|
| 3.2 | Caravan Parks and Manufactured Home Estates | Not Applicable |
| 3.3 | Home Occupations | Not Applicable |
| 3.4 | Integrating Land Use and Transport | The Planning Proposal is consistent with this direction and the relevant government policies that apply to the Direction. Refer below. |
| 3.5 | Development near Licensed Aerodromes | The application site falls out of the ANEF contours and therefore this Direction is not a matter for consideration. Refer below. |
| 3.6 | Shooting Ranges | Not Applicable |
| 4. Hazard and Risk | | |
| 4.1 | Acid Sulfate Soils | An Acid Sulfate Soil Investigation will be undertaken and a report prepared prior to formal exhibition and consultation of the proposed LEP Amendment. |
| 4.2 | Mine Subsidence and Unstable Lands | Not Applicable |
| 4.3 | Flood Prone Land | The Planning Proposal seeks to rezone land that is identified in the Rockdale LEP 2011 as being Flood Prone. Flood advice obtained from Council confirms that the level of flooding is minor. A detailed report will be prepared that confirms consistency with this Direction. |
| 4.4 | Planning for Bushfire Protection | Not Applicable |
| 5. Regional Planning | | |
| 5.1 | Implementation of Regional Strategies | Not Applicable |
| 5.2 | Sydney Drinking Water Catchments | Not Applicable |
| 5.3 | Farmland of State and Regional Significance on the NSW Far North Coast | Not Applicable |
| 5.4 | Commercial and Retail Development along the Pacific Highway, North Coast | Not Applicable |
| 5.5 | Development on the vicinity of Ellalong | Not Applicable |
| 5.6 | Sydney to Canberra Corridor | Not Applicable |
| 5.7 | Central Coast | Not Applicable |
| 5.8 | Second Sydney Airport: Badgerys Creek | Not Applicable |
| 6. Local Plan Making | | |
| 6.1 | Approval and Referral Requirements | Consistent. The planning proposal is required to be referred to the RMS for comment due to the sites location along Rocky Point Road. Initial discussions have been held with the RMS and feedback will be sought from the RMS as part of the LEP Amendment process. |
| 6.2 | Reserving land for Public Purposes | Not Applicable |
| 6.3 | Site Specific Provisions | Is consistent. |
| 7. Metropolitan Planning | | |
| 7.1 | Implementation of the Plan for Growing Sydney. | The Planning Proposal will provide an outcome consistent with this Direction and the provisions of the Plan for Growing Sydney. |

A number of key Section 117 Directions relevant to the Planning Proposal are addressed in further detail below.

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 a Plan for Growing Sydney 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 Plan for Growing Sydney, 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 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 Master plan prepared by Lippmann 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 Master plan 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 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.

Section 117 Direction 4.1 – Acid Sulfate Soils

Objective

- (1) *The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.*

What a relevant planning authority must do if this direction applies

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

Consistency

- (8) *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 study prepared in support of the planning proposal which gives consideration to the objective of this direction, or*
 - (b) *of minor significance.*

Response

The site is identified by the Rockdale LEP 2011 as having the potential to be affected by Acid Sulfate Soils. An acid sulfate soils study will be prepared for the site and will assess and determine the appropriateness of the proposed land use. A copy of this Acid Sulfate Soil Investigation Report will be provided prior to formal exhibition and consultation of the proposed LEP Amendment.

Section 117 Direction 4.3 – Flood Prone Land

Objectives

- (1) *The objectives of this direction are:*
- (a) *to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and*
 - (b) *to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

Where this direction applies

- (2) *This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.*

When this direction applies

- (3) *This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.*

What a relevant planning authority must do if this direction applies

- (4) *A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).*
- (5) *A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.*
- (6) *A planning proposal must not contain provisions that apply to the flood planning areas which:*
- (a) *permit development in floodway areas,*
 - (b) *permit development that will result in significant flood impacts to other properties,*
 - (c) *permit a significant increase in the development of that land,*
 - (d) *are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or*
 - (e) *permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.*
- (7) *A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*
- (8) *For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

Consistency

- (9) *A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:*
- (a) *the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or*
 - (b) *the provisions of the planning proposal that are inconsistent are of minor significance.*

Response

The Planning Proposal will provide an outcome consistent with this Direction. A Flood Advice Statement (Appendix G) was obtained from Rockdale Council identified that the eastern end of the site is subject to some minor partial flooding, with a 1% A.E.P Flood Level of 2.45m and a Probable Maximum Flood of 3.00m AHD. As shown in the site survey plan parts of the sites eastern frontage to Production Lane have levels down to 2.37m AHL, the majority of the site is however above 3.00m AHL. In light of this any flood impacts are able to be addressed as part of the detailed design of any future proposal, and the site will be able to accommodate residential uses in the future in accordance with Rockdale Council's flood requirements.

Section 117 Direction 7.1 – Implementation of the Metropolitan Strategy

Objective

- (1) *The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.*

Where this direction applies

- (2) *This direction applies to land comprising of the following local government areas:*

| | | |
|----------------|--------------|-------------|
| Ashfield | Holroyd | Pittwater |
| Auburn | Hornsby | Randwick |
| Bankstown | Hunters Hill | Rockdale |
| Baulkham Hills | Hurstville | Ryde |
| Blacktown | Kogarah | Strathfield |
| Blue Mountains | Ku-ring-gai | Sutherland |
| Botany Bay | Lane Cove | Warringah |
| Burwood | Leichhardt | Waverley |
| Camden | Liverpool | Willoughby |
| Campbelltown | Manly | Wollondilly |
| Canada Bay | Marrickville | Woollahra |
| Canterbury | Mosman | |
| City of Sydney | North Sydney | |
| Fairfield | Parramatta | |
| Hawkesbury | Penrith | |

When this direction applies

- (3) *This direction applies when a Relevant Planning Authority prepares a planning proposal.*

What a Relevant Planning Authority must do if this direction applies

- (4) *Planning proposals shall be consistent with:*
- (a) *the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").*

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 extent of inconsistency with the Metropolitan Plan:*
- (a) *is of minor significance, and*
 - (b) *the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.*

Response

The Planning Proposal will provide an outcome consistent with this Direction. The Planning Proposal will deliver additional housing and jobs in a highly appropriate location, and will maximize the reuse and revitalization of an underutilised brownfield site.

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 11 – Supporting Studies

| Document | Consultant | Appendix |
|--|---|-------------------|
| Planning Proposal | JBA Planning | |
| Survey | Denny Linker and Co | Appendix A |
| Urban Design and Master planning | Lippmann Partnership and JBA Planning | Appendix B |
| Land Economics and Demographic Assessment | JBA Planning | Appendix C |
| Alternative Options Report | Lippmann Partnership | Appendix D |
| Assessment of Traffic and Transport Implications | Transport and Traffic Planning Associates | Appendix E |
| Phase 1 Contamination Report | Coffey | Appendix F |

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 Master Plan and subsequent development applications.

Flooding

As shown in **Figure 9** below, the site is identified in the Rockdale LEP 2011 as being subject to localized flooding.



Figure 9 – Flooding Map under Rockdale LEP 2011

A Flood Advice Statement (**Appendix G**) was obtained from Rockdale Council and identifies that the eastern end of the site is subject to some minor partial flooding, with a 1% A.E.P Flood Level of 2.45m and a Probable Maximum Flood of 3.00m AHD. As shown in the site survey plan parts of the sites eastern frontage to Production Lane have levels down to 2.37m AHL, the majority of the site is however above 3.00m AHL. In light of this any flood impacts are able to be addressed as part of the detailed design of any future proposal, and the site will be able to accommodate residential uses in the future in accordance with Rockdale Council's flood requirements.

The flooding considerations associated with the proposed development will be addressed in further detail following Gateway determination.

Acid Sulfate Soils

As shown in **Figure 10** below, the site is identified as being the subject of Class 3 and Class 5 Acid Sulfate Soils. In accordance with Clause 6.1 of the Rockdale LEP 2011, an Acid Sulfate Soil Management Plan will be prepared for the site prior to any development consent being issued by Council. The current proposal seeks to amend the Rockdale LEP 2011 to allow future residential on the site and it is therefore considered that an Acid Sulfate Soil Management Plan is not required at this stage.

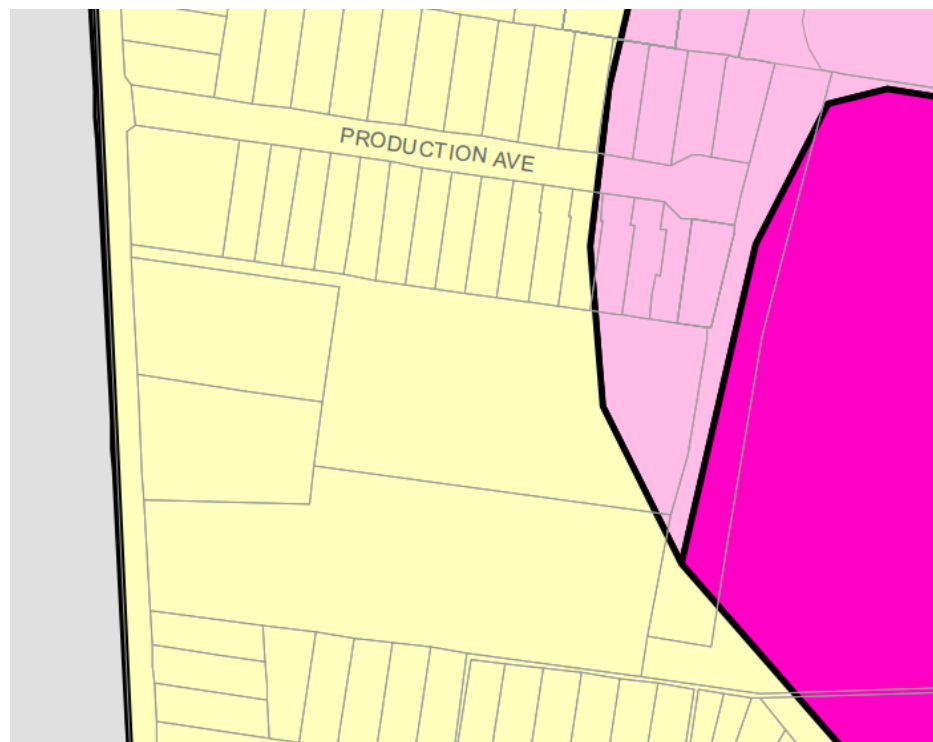


Figure 10 – Acid Sulfate Soil Map under Rockdale LEP 2011

Contaminated Land

The site has been used for industrial and employment purposes for over five decades and is therefore potentially the subject of some form of localised contamination. A Preliminary Phase 1 Environmental Site Assessment has been prepared for the site by Coffey Engineers and is located at **Appendix F**. The results of the Phase 1 Contamination Assessment identified the following potential sources of contamination at the site:

- Storage of petroleum hydrocarbons in USTs, including former use of the north-western lot in the site as a service station;
- Storage of waste chemicals generated during the historical manufacture of catalytic converters;
- Storage and use of chemicals including, but not limited to, bromide and ethanol;
- Storage of waste oil;
- Operational substations located on-site;
- Current and historical use of pesticides;
- Weathering of hazardous building materials;
- Uncontrolled releases of wastewater; and
- Uncontrolled filling of the subsurface prior to, and/or in conjunction with, development of the site.

Based on a review of the site history, observations made during the site walkover and a discussion with site personnel, Coffey concludes that 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 be carried out as a part to the rezoning process. It is considered that a further detailed investigation can be carried out post Gateway Determination.

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 C**) 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 an overall positive 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 Master plan / DCP will enable adoption of best practice urban design principles ensuring the creation of a desirable and attractive community that supports principles of good social planning and which 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.
- Potential for the future provision of a child cater facility to service local child care needs.

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 considered 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 E**. 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 center'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 Master plan prepared by Lippmann 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 Master Plan 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 modeling, 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 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 DP&E. 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 Mapping

The proposed amendments to the Rockdale LEP 2011 will require changes to the LEP Maps. The current Rockdale LEP 2011 controls and proposed amendments are shown in **Table 12** below and **Figures 11** to **18** on the following pages.

Table 12 – Rockdale LEP 2011 Map Amendments

| Rockdale LEP 2011 Map | Current | Proposed |
|-----------------------|--|--|
| Zoning | <ul style="list-style-type: none"> IN2 Light industrial R2 Low Density Residential | <ul style="list-style-type: none"> B6 Business Enterprise Corridor R4 High Density Residential |
| Minimum Lot Size | <ul style="list-style-type: none"> IN2 Light Industrial Zone - 840m² R2 Low Density Residential Zone – 450m² | <ul style="list-style-type: none"> Minimum lot size requirement proposed to be removed. |
| Height | <ul style="list-style-type: none"> IN2 Light Industrial Zone - 14.5m R2 Low Density Residential Zone – 8.5m | <ul style="list-style-type: none"> R4 High Density Residential Zone – 8.5m to 33m B6 Business Enterprise Corridor Zone – 8.5m to 22m |
| Floor Space Ratio | <ul style="list-style-type: none"> IN2 Light Industrial Zone - 1:1 R2 Low Density Residential Zone – 0.5:1 | <ul style="list-style-type: none"> R4 High Density Residential Zone – 2:1 B6 Business Enterprise Corridor Zone – 1.8:1 |

8.1 Current and Proposed Zone Map

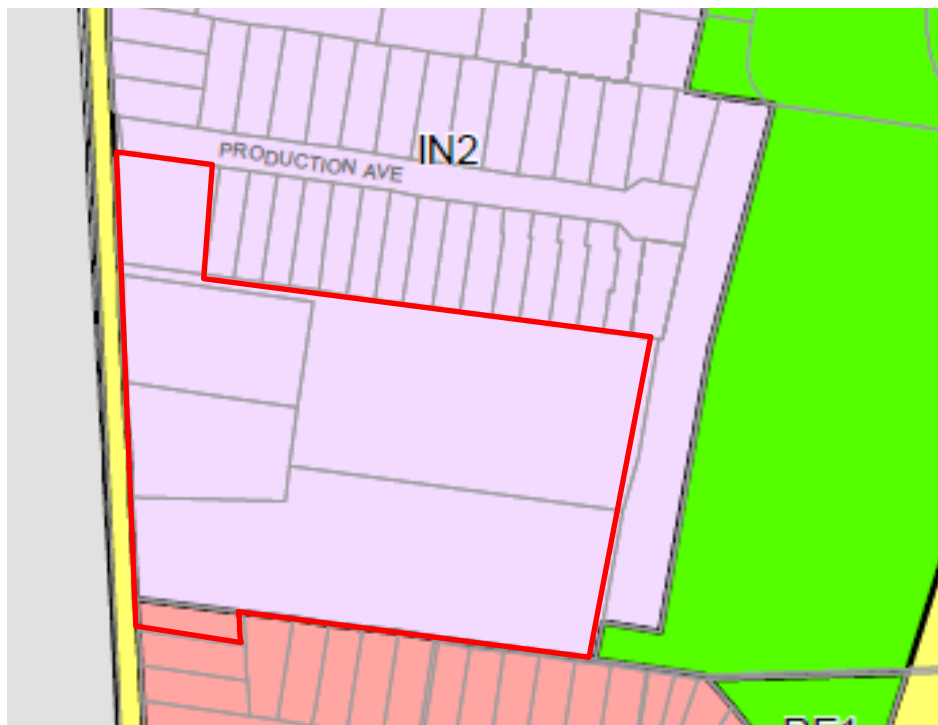
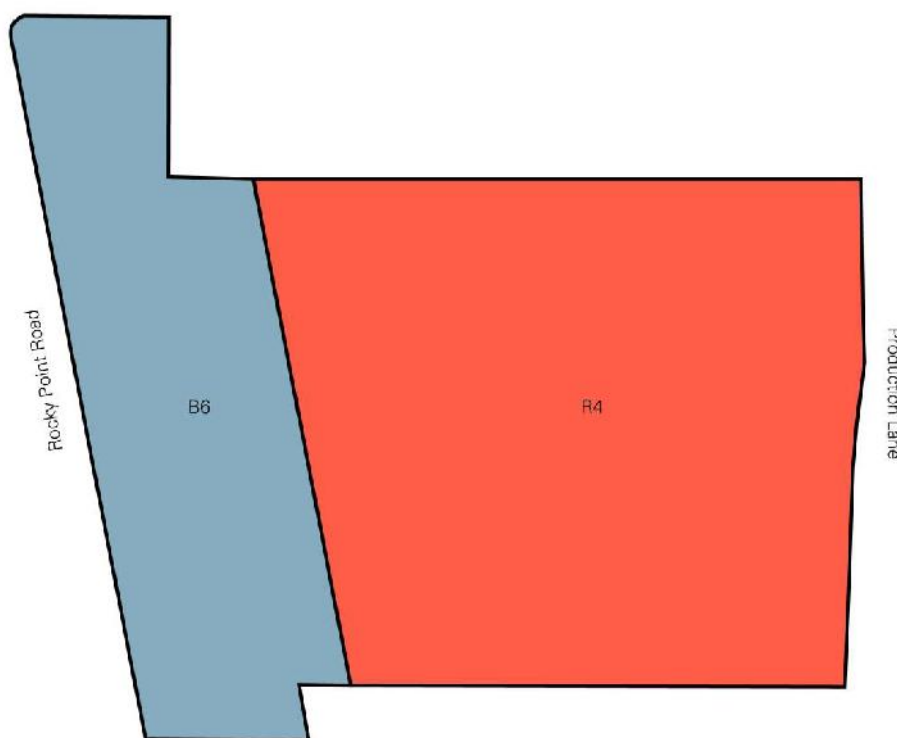


Figure 101 – Current zoning map under Rockdale LEP 2011



Zone

B6 Enterprise Corridor R4 High Density Residential

Figure 112 – Proposed zoning map under Rockdale LEP 2011

8.2 Current and Proposed Lot Size Map

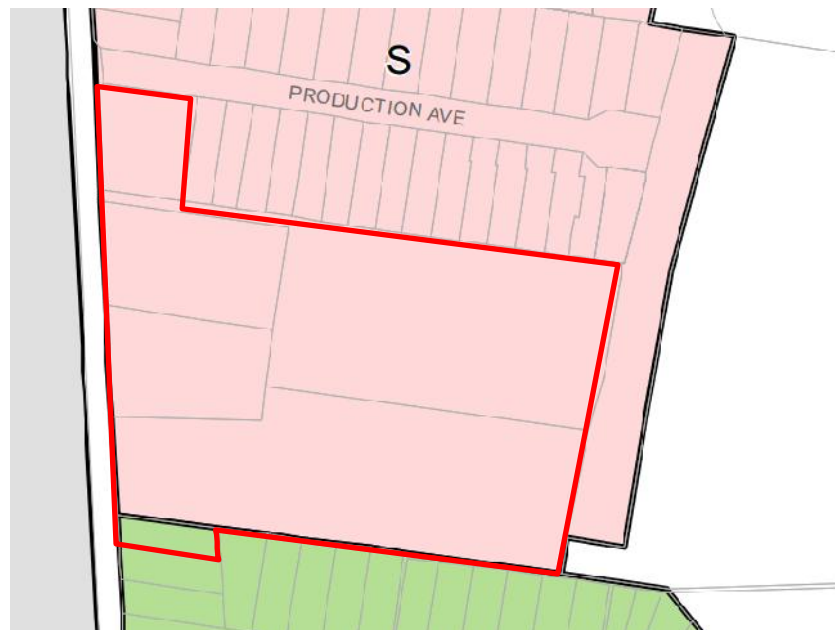


Figure 123 – Current minimum lot size under Rockdale LEP 2011

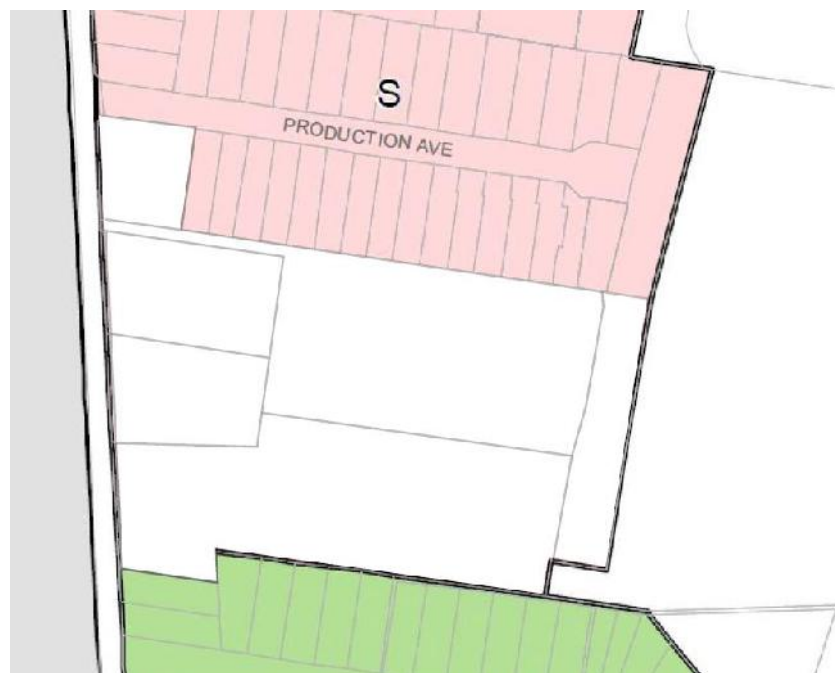


Figure 134 – Proposed minimum lot size under Rockdale LEP 2011

8.3 Current and Proposed FSR Map

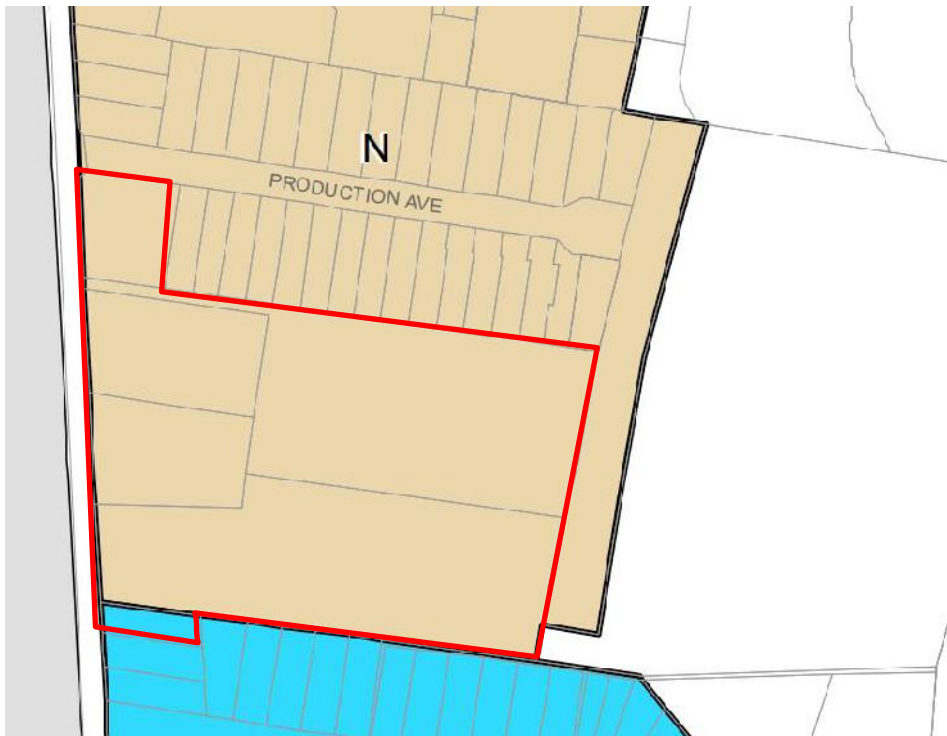
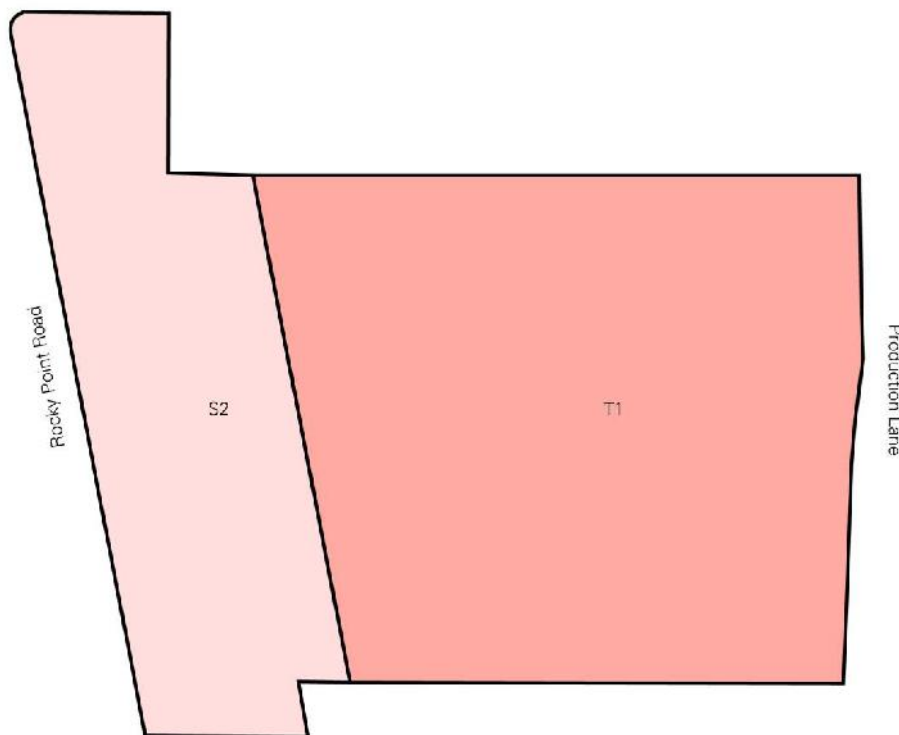


Figure 145 – Current floor space ratio map under Rockdale LEP 2011



Maximum FSR

S2 1.8:1 **T1** 2:1

Figure 156 – Proposed floor space ratio map under Rockdale LEP 2011

8.4 Current and Proposed Building Height Map

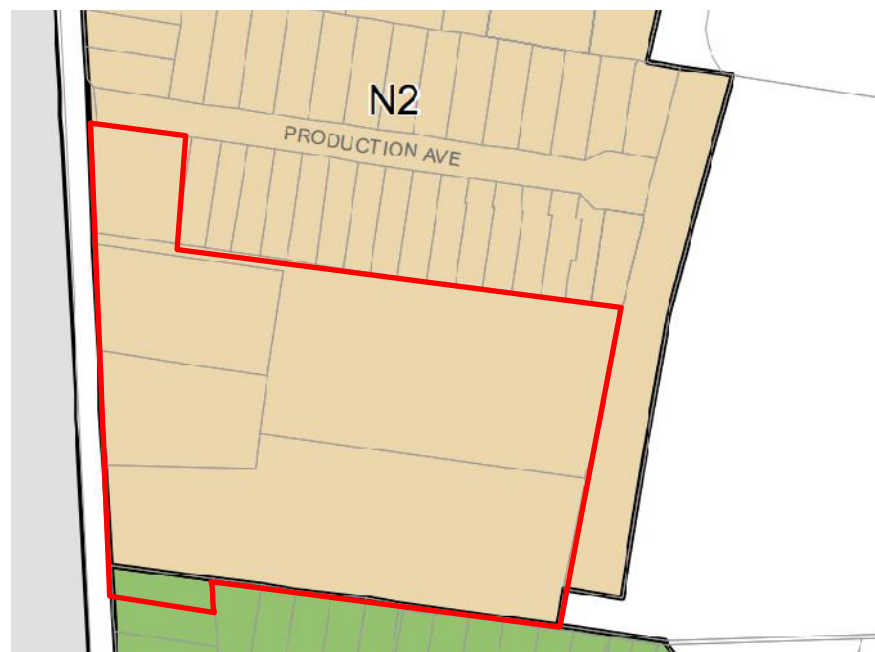


Figure 167 – Current building height map under Rockdale LEP 2011

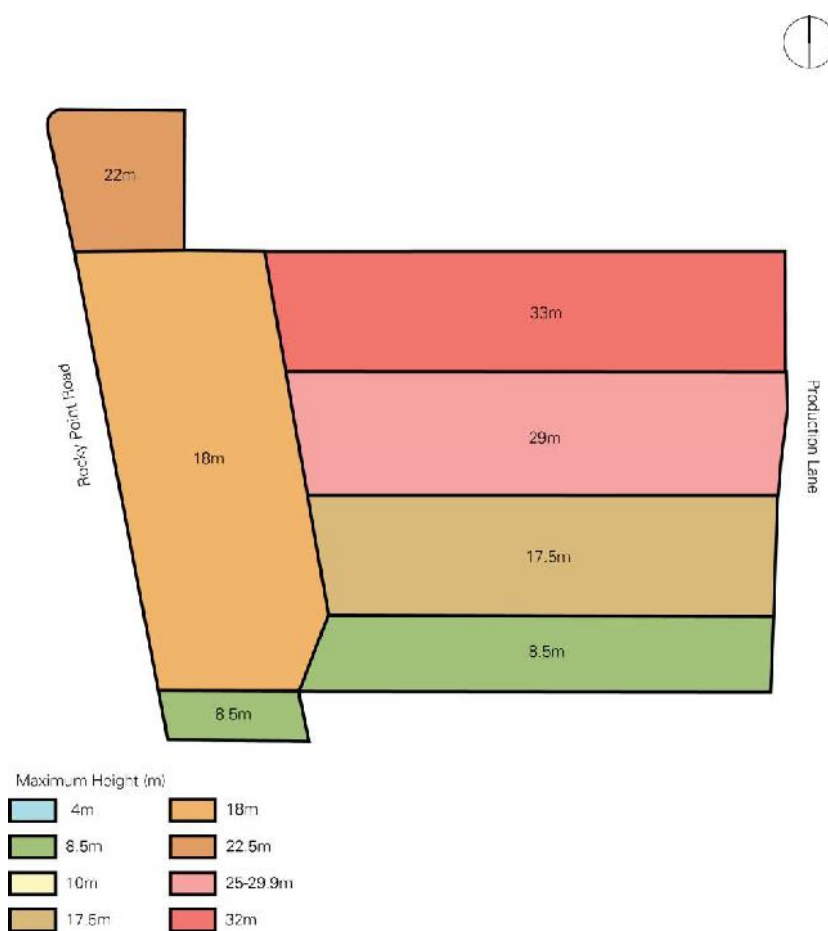


Figure 178 – Proposed building height map under Rockdale LEP 2011

9.0 Community Consultation

A half day community consultation event was held at Calvary Hospital on Saturday 10th 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.

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.

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.

10.0 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 20,000m² of non-residential floor space together approximately 450 dwellings on the former DLF Site.

The proposal to rezone the underutilised industrial zoned land will allow for its urban renewal as a new vibrant residential precinct 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 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 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.
- The Planning Proposal will facilitate the achievement of important objectives and directions in NSW Government planning strategies and policies including delivering new housing in an urban locations and achieving a mix of uses and a density of development that is appropriate for its urban context.
- 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 approximately 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 then connect with 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 (i.e. electricity, telecommunications, gas, water, sewer and stormwater drainage) are available to the site.
- 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 assessment and analysis will be undertaken as required following gateway determination.
- A range of planning and design measures will be incorporated into any future master plan or 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.

11.0 Timeline

As noted in 'A Guide to Preparing Planning Proposals' prepared by the then Department of Planning and Infrastructure, 'a primary goal of the plan making process is to reduce the overall time taken to produce LEP's.' The guide notes that the inclusion of a project timeline with the planning proposal will provide a mechanism to monitor the progress of the planning proposal through the plan making process. A forecast timeframe for the Planning Proposal is provided in Table 13 below.

Table 13 – Timeline

| Document | Date / Timeframe |
|--|----------------------------------|
| Anticipated commencement date (date of Gateway determination) | March 2015 |
| Anticipated timeframe for the completion of required technical information | April 2015 |
| Timeframe for government agency consultation | April to May 2015 |
| Commencement and completion dates for public exhibition period | April to May 2015 |
| Dates for public hearing (if required) | To be determined post exhibition |
| Consideration of submissions | May to June 2015 |
| Timeframe for the consideration of a proposal post exhibition | June 2015 |
| Date of submission to the Department to finalise the LEP | July 2015 |
| Anticipated date RPA will make the plan (if delegated) | N/A |
| Anticipated date RPA will forward to the Department for notification | N/A |