Supplementary Submission to Joint Regional Planning Panel

Re: Darrell Lea site 152-206 Rocky Point Road, Kogarah

Panel reference No 2014SYE041 PGR

Further to the Joint Regional Planning Panel's ("JRPP") letter dated 16th April 2014, the following response addresses the matters raised by the JRPP. Specifically the JRPP requested that the applicant for the planning proposal on the Darrell Lea site at 152-206 Rocky Point Rd Kogarah undertake further work to assist the JRPP with its assessment and consideration of the proposal. The additional information requested was as follows:

- * 1) A plan showing the outcome of applying Council's desired building heights and the building separations for those heights as set out in the Residential Flat Design Code (RFDC);
- 2) Written advice as to the resultant FSR achievable from the exercise in point 1 above;
- 3) Should the FSR outcome in Point 2 be less than that proposed by the proponent, how the proponent's desired FSR could be achieved within a reasonable building envelope and in accordance with the requirements of the RFDC.
- 4) More detailed information regarding:
 - For the residential component of the site, the provision of a quantum of communal open space at ground level, including deep soil planting areas, consistent with the requirements of the RFDC;
 - Written details of demonstrable community benefits on and off the site."

1. ADDITIONAL WORK UNDERTAKEN

The applicant has undertaken this work in good faith in response to this request. The plan requested in part (1) of the JRPP decision is provided as Option 1(a) in this submission, while the plan arising from part (3) of the JRPP decision is provided in Option 2(a) in this submission.

The applicant has also added a variation to each of these two options. This responds to the question by at least one of the panel members on 15 April as to whether the area proposed to be zoned R4 could be expanded. In this variation, presented in options 1(b) and 2(b), the R4 zone has been expanded slightly to include the existing warehouse building adjacent to the Harvey Norman building. This involves demolishing the existing warehouse building which has a low jobs to floor space ratio and hence has minimal impact on the jobs proposed to be generated by the development.

The relevant height maps are provided at **Figures 1** to **4**, while the proposed areas to be zoned are provided at **Figures 5** and **6**.

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The four options outlined in this supplementary submission are described in the masterplans at **Attachment A**.







Figure 2 – Council proposed heights for the R4 Land - Option 1(b)



Figure 3 – Applicant proposed heights for the R4 Land - Option 2(a)



Figure 4 - Applicant proposed heights for the R4 Land - Option 2(b)



Figure 5 – Proposed zoning for Options 1(a) and 2(a)



Figure 6 – Proposed zoning for Options 1(b) and 2(b)

Option 1 (a) - Responds to Part (1)

Option 1(a) complies with the height map proposed by Council for the site as requested by the JRPP for the area proposed to be zoned R4 High Density residential. The heights for the proposed B6 zone have been kept as per the applicants submission considered by the JRPP at its meeting of 15 April as no alteration was requested.

The height Map used for this option is shown at **Figure 1**. It should be noted that the proposed heights in Council's proposed height map differ from its proposed visual height plane shown in **Attachment B** and referred to later in this submission. The two are inconsistent. Both are considered arbitrary with little relationship to actual sight lines from the Margate Street properties.

The areas proposed to be zoned R4 and B6 are shown in Figure 5.

The requirements of SEPP 65 and the RFDC have been fully met as demonstrated in **Attachment C** and the proposed public benefits have been itemised in **Attachment D**. A VPA option is not proposed for this "base case" option.

It is noted that Option 1(a) achieves 337 units and an FSR of 1.54:1 on the land proposed to be zoned R4, and an estimated 403 jobs on the land proposed to be zoned B6.

Option 1(b) - Responds to Part (1) with a variation to the extent of the R4 zone

Option 1(b) is identical to Option 1(a) except that it proposes to demolish the existing warehouse building adjacent and immediately east of the Harvey Norman building, and replace it with a residential building.

Option 1(b) fully meets Council's proposed heights shown in Figure 2.

The areas proposed to be zoned R4 and B6 are shown in Figure 6.

The requirements of SEPP 65 and the RFDC have been fully met as demonstrated in **Attachment C** and the proposed public benefits have been itemised in **Attachment D**. A VPA is proposed for this option.

This options achieves 381 units and an FSR of 1.56:1 on the land proposed to be zoned R4, and an estimated 389 jobs on the land proposed to be zoned B6.

Option 2(a) – Responds to Part (3)

Option 2(a) achieves the FSR sought by the applicant of 2:1 (estimated to be 2.00:1 in the Master plan at Attachment A) and is at variance with Council's preferred height map in some areas. It proposes a maximum height for residential buildings of 32 metres compared to Councils maximum height of 31 metres.

The proposed height controls are shown in Figure 3.

As shown in **Attachment B**, Option 2(a) very nearly complies with Council's preferred height plane, with only part of the upper floor of some buildings breaching this height plane. In fact, if a height plane were used that takes into account the visual obstruction of the existing factory buildings at the Margate Street end of the site, all of the proposed buildings would comply with this sight line.

Option 2(a) incorporates a 10 metre height limit along the sites southern boundary to allow for third level lofts as submitted to the JRPP meeting of 15 April and has consistently been proposed. The 10m height limit along this boundary is considered to represent a realistic height for the town houses along the boundary to the Margate street properties. The effect of the 10m height limit also shifts the visual sight line upwards and changes the angle of the visual sight line such that the buildings behind the town houses are no longer visible when standing in the backyards of the Margate Street houses.

It is also noted that the proposed 10m height at this location would fall within the visual site line created by some of the buildings (ie 5 storey buildings D & E in Attachment A.1) built in accordance with Council's proposed height map.

It is submitted that this meets the JRPP's test of achieving "a reasonable building envelope" referred to in Part (3) of the JRPP decision.

As shown in **Figure 3** the areas proposed to be zoned R4 and B6 remain unchanged from the submission to the JRPP of 15 April.

The requirements of SEPP 65 and the RFDC have been fully met as demonstrated in **Attachment C** and the proposed public benefits have been itemised in **Attachment D**. An expanded VPA is proposed for this option containing proposed benefits valued at \$5.53 million.

Option 2(a) achieves 432 residential units and an FSR of 2:1 on the land proposed to be zoned R4 and an estimated 403 jobs on the land proposed to be zoned B6.

Option 2(b) - Responds to Part (3) with a variation to the extent of the R4 zone

Option 2(b) is identical to Option 2(a) except that it proposes to demolish the existing warehouse building adjacent and immediately east of the Harvey Norman building, and replace it with a residential building. This option will therefore result in a change to the boundary of the R4 zoned as shown in **Figure 6**.

Option 2(b) is also at variance with Council's preferred height map in some areas. It proposes a maximum height for residential buildings of 32 metres compared to Council's maximum of 31 metres. Whilst this is the case, it proposes an outcome that is close to achieving compliance with Council's preferred height plane as shown in **Attachment B**.

The proposed height controls are contained in Figure 4.

The requirements of SEPP 65 and the RFDC have been fully met as demonstrated in **Attachment C** and the proposed public benefits have been itemised in **Attachment D**. A further expanded VPA is proposed for this option containing proposed benefits valued at \$7.18 million

This options achieves 485 units and a FSR of 2.05:1 on the land proposed to be zoned R4 and an estimated 389 jobs on the land proposed to be zoned B6.

1. SUMMARY OF OPTIONS

Table 1 below provides a summary of the key attributes of the options discussed above.

	Option 1(a)	Option 1(b)	Option 2(a)	Option 2
Compliance with Council proposed height map (1)	Yes	Yes	Yes	Yes
Compliance with Council proposed height plane (2)	Yes	Yes	> 95%	>95%
FSR (1)	1.52:1	1.56:1	2:1	2.05:1
No of units ⁽¹⁾	337	381	432	485
Compliance with council unit mix (3)	Yes	Yes	Yes	Yes
Compliance with RFDC ⁽³⁾	Yes	Yes	Yes	Yes
Community open space provided - % of R4 zone (3)	35%	38%	38%	38%
Deep soil planting area provided - % of R4 zone (3)	10.5%	11.0%	13.7%	11.0%
Estimated jobs in B6 zone (1)	403	389	403	389
Estimate number of persons housed (4)	660	743	838	939
S94 contribution (est) (4)	\$2.785m	\$3.083m	\$3.419m	\$3.789m
Value of extra community benefits ⁽⁴⁾	Nil	\$1.4m	\$5.53m	\$7.18m
Value of other community benefits – infrastructure ⁽⁴⁾	\$8.21m	\$8.21m	\$8.21m	\$8.21m
Design competitions for building > 8 levels	No	No	Yes	Yes

Table 1 - Summary of Options

NOTES TO TABLE 1:

(1) Refer to masterplans in Attachment A

(2) Refer to height planes in Attachment B. Compliance for Options 2(a) & 2(b) is measured as total building volume below Council proposed height plane.

- (3) Refer to compliance table in Attachment C
- (4) Refer to community benefits schedule in Attachment D

2. CONCLUSION

Building heights

Council's report on the Planning Proposal proposed two alternative measures to govern building heights on the site, nominating height for various parts of the site and also a height plane. The planning proposals as illustrated in Option 2 (both (a) & (b)), fall very substantially within Council's suggested height plane with more than 95% of total building volume below the proposed height plane, although it differs from Council's height map in some areas. These options demonstrate "**reasonable building height envelopes**" as requested by the JRPP

In practical terms, a resident of Margate Street would notice no discernible difference in the actual heights proposed at an FSR of 2:1 as against those proposed using Council's height plane.

Compliance with SEPP 65 and the RDFC and communal and public open space

The additional work provided demonstrates the applicant's proposal of a 2.0:1 FSR fully complies with the requirement of the RFDC including building separation, solar access and cross-ventilation.

The standards relating to open space in the RFDC have been exceeded (including deep soil planting areas), notwithstanding the fact that the site is directly adjacent to a large public park and is therefore better serviced with open space than most sites in Sydney. Specifically we note that there is 21.3 hectares of public open space within 500 metres of this site and 73.3 hectares within 1 km of the site.

Clearly the communal and public open space requirements have been met in abundance.

Public and community benefits

Option 2 (a) and 2(b) both provide very significant community benefits involving a large S94 contribution, a generous VPA offer and the provision of substantial site related infrastructure. In addition, the proposal would generate about 400 jobs and house approximately 660 people based on Option 1a. For the 2(b) scheme for example the quantifiable **community benefits total \$19.179 million**, comprising;

Infrastructure provision	\$8.21m (Basis - RLB QS estimates)
S94 contribution	\$3.789m(Basis - Council's S94 contribution rates)
Value of VPA offer	\$7.18m (Refer Attachment D)

3. Submission

In light of the above and in response to the matters raised by JRPP it is submitted that:

- a) There is no justifiable reason to deny the applicant's request for approval of an FSR of 2:1 for the part of the site proposed to be zoned R4.
- b) The proposed R4 area be expanded to include the additional area included in Option 2(b);
- c) The part of the site proposed to be zoned B6 be granted an FSR of 1.8:1 as has been consistently proposed.
- d) The heights controls be as proposed in the height map at Figure 4.
- e) That the matter be submitted for gateway approval without further delay and that strict timelines be set for its future processing

Planning and design team On behalf of DLN Pty Ltd

26 May 2014

Attachment A – Master Plan Options

Attachment B – Height Plane Diagrams

Attachment C – Compliance Table

Attachment D – Community Benefits Schedule

Attachment Index

Attachment A.1 – Masterplan for option 1(a)

Attachment A.2 – Masterplan for option 1(b)

Attachment A.3 – Masterplan for option 2(a)

Attachment A.4 – *Masterplan for option 2 (b)*

Attachment B.1 – Building profiles vs council proposed height plane: Options 1(a) and 1(b)

Attachment B.2 – Building profiles vs council proposed height plane: Options 2(a) and 2(b)

Attachment C – Residential Flat Design Code Compliance Table

Attachment D – Community Benefits Schedule



152-206 ROCKYPOINT ROAD, ROCKDALE, PLANNING PROPOSAL MASTERPLAN FOR OPTION 1(a)

TITLE: GROUND FLOOR PLAN SCALE: 1:1000 @ A3 DATE: 23rd MAY 2014

ATTACHMENT A.1 MASTERPLAN FOR OPTION 1(a)

TOTAL SITE AREA: 33 488 m2

R4 RESIDENTIAL ZONE

SITE AREA: FLOOR SPACE; FSR 22 325 m2 33 823 m2 1.52:1

UNIT MIX 1 BED UNITS: 2 BED UNITS: 3 BED UNITS: TOWNHOUSES		COUNCIL DCP 10-30% 50-75% 10-30%
TOTAL DWELL	NGS: 337	
	PROVIDED	RFDC REQUIREMENT
COMMUNAL OPEN SPACE	7 764 (35% OF SITE AREA)	5 581 25%
DEEP SOIL ZONE	2 312 (30% OF COMM, OPEN SPACE)	1 395 (25% OF COMM. OPEN SPACE)









152-206 ROCKYPOINT ROAD, ROCKDALE, PLANNING PROPOSAL MASTERPLAN FOR OPTION 1(b)

TITLE: GROUND FLOOR PLAN SCALE: 1:1000 @ A3 DATE: 23rd MAY 2014

ATTACHMENT A.2 MASTERPLAN FOR OPTION 1(b)

TOTAL	SITE	AREA:	

33 488 m2

R4 RESIDE	NTIAL ZON	IF
SITE AREA:		24 135 m2
FLOOR SPACE		37 624 m2 1.56:1
UNIT MIX 1 BED UNITS: 2 BED UNITS: 3 BED UNITS: TOWNHOUSES TOTAL DWELLI		COUNCIL DCP 10-30% 50-75% 10-30%
	PROVIDED	RFDC REQUIREMENT
COMMUNAL OPEN SPACE	9 282 (38% OF SITE AREA)	6 033 25%
DEEP SOIL ZONE	2 700 (29% OF COMM. OPEN SPACE)	1 508 (25% OF COMM OPEN SPACE)









152-206 ROCKYPOINT ROAD, ROCKDALE, PLANNING PROPOSAL MASTERPLAN FOR OPTION 2(a)

GROUND FLOOR PLAN TITLE: 1:1000 @ A3 SCALE: 23rd MAY 2014

DATE:

ATTACHMENT A.3

MASTERPLAN FOR OPTION 2(a)

33 488 m2

R4 RESIDENTIAL ZONE

SITE AREA: FLOOR SPACE: FSR

22 325 m2 44 686 m2 2.00:1

UNIT MIX 1 BED UNITS: 2 BED UNITS: 3 BED UNITS: TOWNHOUSES TOTAL DWELL		COUNCIL DCP 10-30% 50-75% 10-30%
	PROVIDED	RFDC REQUIREMENT
COMMUNAL OPEN SPACE	8 508 (38% OF SITE AREA)	5 581 ^{25%}
DEEP SOIL ZONE	2 191 (36% OF COMM, OPEN SPACE)	1 395 (25% OF COMM. OPEN SPACE)









152-206 ROCKYPOINT ROAD, ROCKDALE, PLANNING PROPOSAL MASTERPLAN FOR OPTION 2(b)

GROUND FLOOR PLAN TITLE: SCALE: 1:1000 @ A3 23rd MAY 2014

DATE:

ATTACHMENT A.4 MASTERPLAN FOR OPTION 2(b)

33 488 m2

24 135 m2 49 546 m2

10-30%

6 033

25%

1 508

(25% OF COMM OPEN SPACE)

2.05:1

TOTAL SITE AREA: **R4 RESIDENTIAL ZONE** SITE AREA: FLOOR SPACE: FSR UNIT MIX 1 BED UNITS: 2 BED UNITS: 3 BED UNITS: TOWNHOUSES: COUNCIL DCP 10-30% 50-75% 143 (30.6%) 274 (58.6%) 50 (10.7%) -18 TOTAL DWELLINGS: 485 RFDC PROVIDED REQUIREMENT COMMUNAL 9 223 (38% OF SITE AREA) OPEN SPACE 2 542 DEEP SOIL ZONE (29% OF COMM OPEN SPACE)

B6 ENTERPRISE CORRIDOR ZONE SITE AREA: FLOOR SPACE: 9 353 2 300 16 310 EXISTING PROPOSED 18 610 m2 TOTAL 1.9:1 FSR: EMPLOYMENT TABLE . PRE 2010 90 DARREL LEA 2. CURRENTLY 90 DARREL LEA 30 HARVEY NORMAN TOTAL = 120 3. PROPOSED 16 HARVEY NORMAN 373 TOTAL = 389

LEGEND FOR RESIDENTIAL **BLOCK NOTATION** PROPOSED 8 5 HEIGHT (m) COUNCIL PROPOSED HEIGHT (m) '8 .5 BLOCK (G) AND NUMBER OF G 3L← LEVELS (3)





152-206 ROCKYPOINT ROAD, ROCKDALE, PLANNING PROPOSAL BUILDING PROFILES VS COUNCIL PROPOSED HEIGHT PLANE OPTIONS 1(a) AND 1(b)

HEIGHT MAP TITLE: NTS 23rd MAY 2014

SCALE: DATE:

ATTACHMENT B.1 BUILDING PROFILES FOR OPTIONS 1(a) AND 1(B) AS COMPARED WITH COUNCIL'S PROPOSED HEIGHT PLANE

Lippmann

+61 2 9318 0844



152-206 ROCKYPOINT ROAD, ROCKDALE, PLANNING PROPOSAL BUILDING PROFILES VS COUNCIL PROPOSED HEIGHT PLANE OPTIONS 2(a) AND 2(b)

HEIGHT MAP TITLE: SCALE: NTS 23rd MAY 2014

DATE:

ATTACHMENT B.2 BUILDING PROFILES FOR OPTIONS 2(a) AND 2(B) AS COMPARED WITH COUNCIL'S PROPOSED HEIGHT PLANE

Lippmann

+61 2 9318 0844

	RFDC Recommendation	Masterplan Option 1 (A)	Masterplan Option 1 (B)	Ma Opt
Part 1 Local Context				
Building Depth	Apartment Depth 10-18m	Y	Y	Y
Building Separation	24m between hab rooms/balconies (9 storeys +)	Y	Y	Y
	18m between hab rooms/balconies (5-8 storeys)			
	13m between balconies and non-hab rooms			
	9m between non-hab rooms			
Part 2 Site Design				
Site Analysis		Y	Y	Y
Deep Soil Zones	Minimum of 25% of open space	Y	Y	Y
Open Space	25-30% of site – 30% for brownfield sites	Y	Y	Y
Orientation		Y	Y	Y
Visual Privacy	Design building layouts to minimize direct overlooking of rooms	Y	Y	Y
	Provide appropriate separation			
Building Entry	Provide direct visual and physical links between street and entry	Y	Y	Y
Parking	Give preference to underground parking	Y	Y	Y
	Limit number of visitor parking spaces			
Pedestrian Access	Provide barrier free access to at least 20% of apartments	Y	Y	Y
Vehicle Access	Limit driveway width to 6m maximum	Y	Y	Y
	Locate vehicle entries away from main pedestrian entries and on secondary frontages			
Part 3 Building Design				
Apartment Layout	Provide open space for every apartment	Y	Y	Y
	Orient living spaces towards the primary outlook			
	Single aspect apartments should be limited in depth to 8m from an apartment			
	Minimum sizes; 50m ² (1 bed), 70m ² (2 bed) & 95m ² (3 bed)			
Apartment Mix	Provide a mix of 1,2 & 3 bed apartments	Y	Y	Y
	Mix determined by Rockdale DCP:			
	1 bed 10-30%, 2 bed 50-75% & 3 bed 10-30%			
Balconies	Locate balconies adjacent to living areas	Y	Y	Y
	Provide balconies with a minimum depth of 2m			
	Locate balconies facing predominantly North, East or West			
Ceiling Heights	2.7m for habitable rooms, 2.4m allowed for non-habitable	Y	Y	Y
Flexibility	Adequate room sizes or open plan apartments	Y	Y	Y
	Minimisation of internal structural walls			
Ground Floor	Optimise number of ground floor apartments with separate entries	Y	Y	Y
Apartments	Provide private open space			
Internal Circulation	Generally, limit number of units accessible from double loaded corridor to 8	Y	Y	Y
	Provide natural light to corridors			
	Minimise corridor lengths and tight corners			
Acoustic Privacy	Locate busy and noisy areas next to each other	Y	Y	Y
	Use storage and circulation zones as noise buffers			
Daylight Access	Living spaces in at least 70% of apartments should receive a minimum of 2 hours sunlight between 9am and 3pm in mid	Y	Y	Y
	winter			
	Limit number of single aspect apartments with a southerly aspect to a maximum of 10%			1
	Locate service areas to the south and west			
Natural Ventilation	Apartment depths of 10-18m support natural cross ventilation	Y	Y	Y
	60% of units to be naturally cross ventilated			1
	25% of kitchens to be naturally cross ventilated			

* The following will be addressed at Stage 1 DA; garbage, storage, stormwater, facades.

ATTACHMENT C Residential Flat Design Code Compliance Table

Masterplan Option 2 (A)	Masterplan Option 2 (B)
	V
	Y Y
	Y
	Y Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	1
	Y
	N .
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y

Comments	Comments		osal option	Planning prop	<u>Benefit item</u>
	1	<u>2(a)</u>	<u>1(b)</u>	<u>1(a)</u>	
					1 General benefits (people & jobs):
Based on household occupancy rates as set out in Rockdale Section S	Based on hou	838	743	660	Estimated number of persons housed
)	403	389	403	Estimated number of jobs provided
					2 Infrastructure items (\$ value):
	000	890,000	890,000	890,000	Roads & footpaths
	000	2,740,000	2,740,000	2,740,000	Communal Open Space
	00	820,000	820,000	820,000	Intersection upgrade at Weeney St
	000	1,100,000	1,100,000	1,100,000	Stormwater
	00	970,000	970,000	970,000	Hydraulics and Fire
	000	1,260,000	1,260,000	1,260,000	Electricity supply
1	00	220,000	220,000	220,000	Gas supply
1	00	210,000	210,000	210,000	Telco connections
	000	8,210,000	8,210,000	8,210,000	Sub-total value of infrastructure
Calculated from Council's S94 plan	9,000 Calculated fro	3,419,000	3,083,000	2,785,000	3 S94 contribution (\$ value)
					4 Benefits offered by VPA (\$ value):
Provided when residential development > 50% completed . Cost estin	00 Provided whe	715,000	715,000	nil	Boulevarding of Production lane
Playground costs \$425,000 (RLB QS) plus \$160,000 notional land cost	Playground co				
Green Square). Provided when residential development > 50% compl	00 Green Square	585,000	585,000	nil	Public park and playground on N/E corner
Provided on DA approval	00 Provided on D	100,000	100,000	nil	Contribution to LATM for Margate Street
Assumes 50 child centre in 2(a) and 60 child centre in 2(b). Based on	Assumes 50 c				
\$1,760m2 (Source: BMT Quantity Surveyors Calculator) and land acq					
		2,230,000	nil	nil	Child care centre on site
		1,400,000	nil	nil	Apartments for palliative care patient families
and the second					
		nil			
					the second s
P P A	0,000 P 0,000 P	50,000 50,000 nil 400,000 5,530,000	nil nil nil nil 1,400,000	nil nil nil nil nil	Contribution to Arncliffe Scotts baseball facilites Contribution to Brighton Seagulls facilites Contrib to Council environmental works near site Design competitions for building > 8 storeys Sub-total Value of VPA contributions

.

21

Total value of benefits from categories 2,3,& 4

10,995,000 12,693,000 17,159,000 19,179,000

ATTACHMENT D COMMUNITY BENEFITS

Contribution Plan 2004

ate by RLB Quantity Surveyors. 800m2 area @ nominal land value of \$200/m2 (See ed

Om2 of indoor space with a construction cost of ition cost of 1,500m2 (LPI Rockdale Land Values of f units

ed when 200 units have been built