

Attachment 6 – Assessment table clause 46 of Sydney Harbour SREP 2005

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP) clause 46 provisions

On 21 November 2011, the Executive Director of Planning Operations for the Department of Planning and Infrastructure (DoPI) advised that a staged development application (DA) for the proposed development could be lodged directly with the relevant consent authority without the need for the Minister for Planning and Infrastructure (the Minister) to waive the masterplan requirements under clause 45(2) of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP).

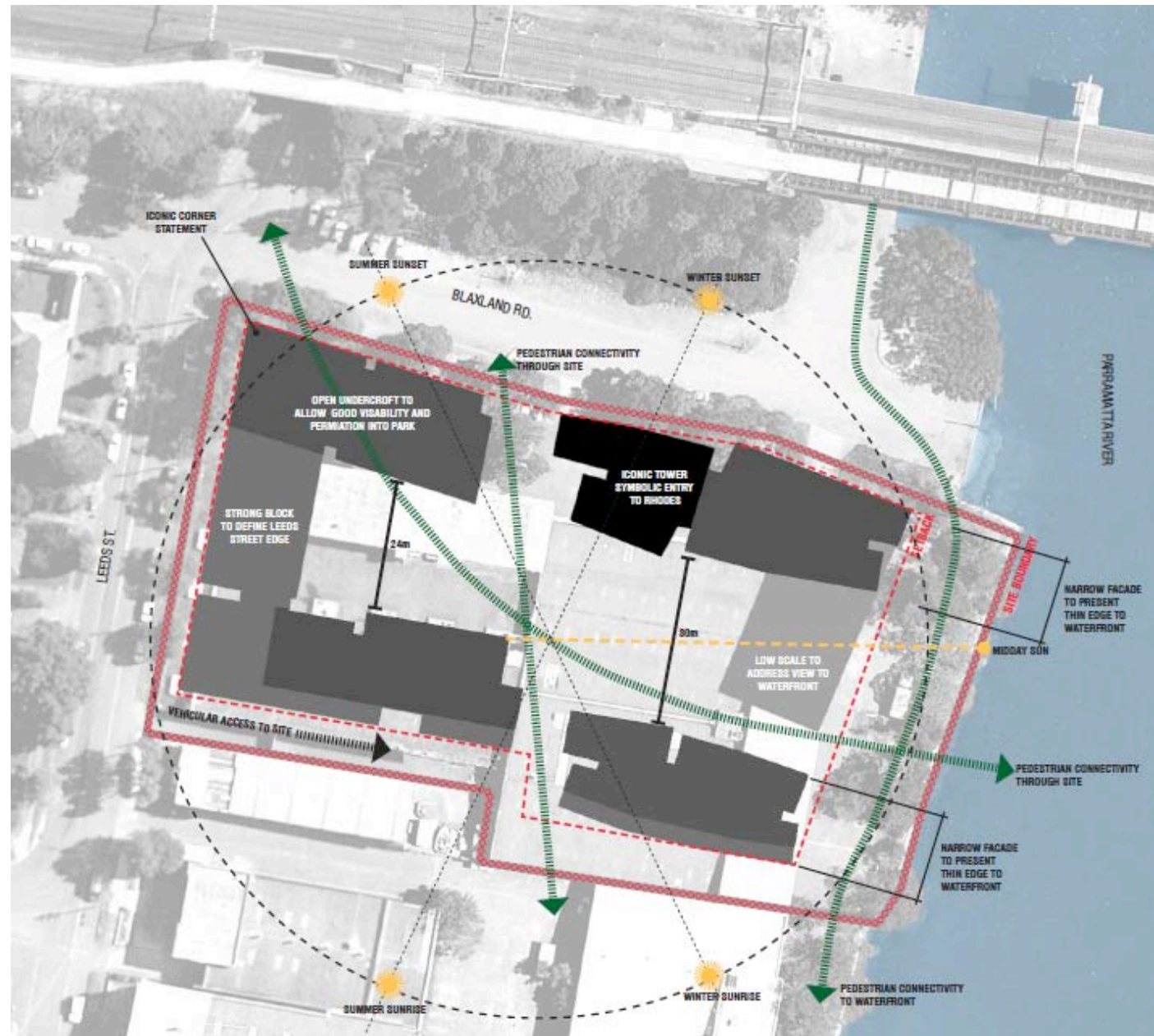
Clause 46 of the SHC SREP includes provisions relating to the preparation of master plans and the detail to be illustrated and explained within a master plan. Clause 46 is addressed in detail below.

Clause	Provision	Response
46 Preparation of master plans		
(1)	A draft master plan may be prepared by or on behalf of the owner or lessee of the land concerned, the relevant council or the Director-General.	<p>DoPI has advised that a Development Application can be lodged directly with the consent authority without the need for the Minister to waive the master plan requirement. The DoPI letter stated:</p> <p><i>"In this instance, section 83C of the Environmental Planning and Assessment Act 1979 allows for the masterplan requirement to be dispensed with so long as the staged DA addresses the requirements listed under clause 46 of the Sydney Harbour Catchment REP 2005.</i></p> <p><i>A staged DA can therefore be lodged directly with the consent authority without the need for the Minister to waive the masterplan requirements under clause 45(2) of the Harbour REP, provided that the matters identified in the DA respond to the items listed under clause 46 of the Harbour REP. Please be mindful that the staged DA needs to fully address the matters listed under clause 46 of the Harbour REP to qualify."</i></p>

Clause	Provision	Response
(2) (2) (a) to (o)	A draft master plan is to be prepared following consultation with the appropriate authority and is to illustrate and explain, where appropriate, proposals for the following:	<p>Consultation with the Department of Planning and Infrastructure on this proposal has been ongoing, resulting in a site compatibility certificate being issued for residential and affordable housing development on the site. Subsequent to this, DoPI advised that a Development Application could be lodged directly with Council as part of a staged DA process.</p> <p>Specific design details of the concept plan in response to parts (a) to (o) are addressed in the following pages. All images have been provided by Marchese + Partners.</p>
(3)	The requirement for consultation under subclause (2) does not apply if the draft master plan is prepared by or on behalf of the relevant council or the Director-General.	As discussed previously, consultation with DoPI has been ongoing and has resulted in a site compatibility certificate being issued for the site and the lodgement of this Stage 1 Development Application with Council.
(4)	If a draft master plan is prepared by or on behalf of the relevant council or the Director-General, the relevant council or the Director-General is required to consult with the owner or lessee of the land concerned.	Not applicable. The owner of the land has prepared the Stage 1 Development Application.

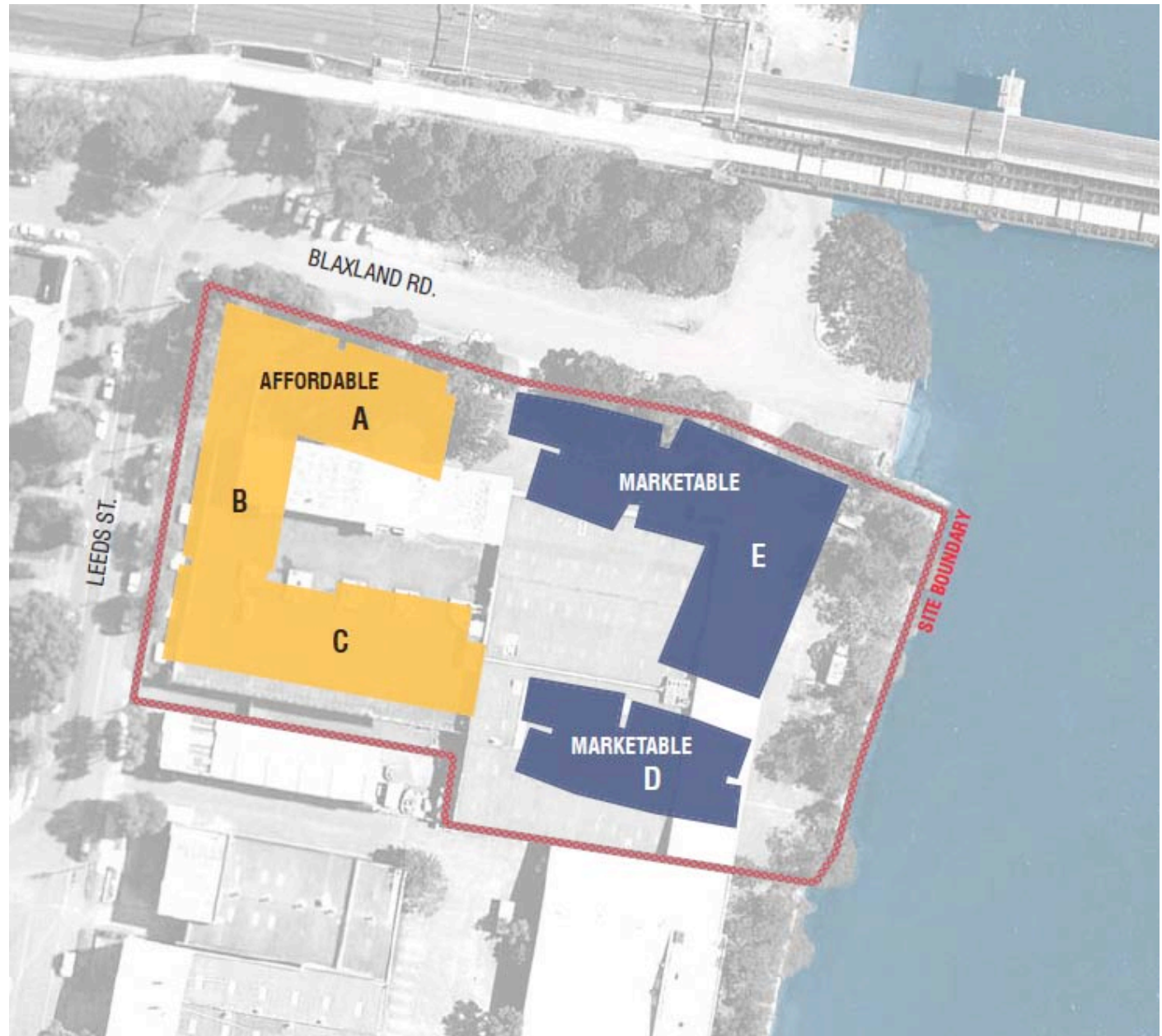
(a) design principles drawn from an analysis of the site and its context,

Marchese + Partners has prepared a detailed analysis of the site and its context to guide the design principles for the site. Refer to the key site analysis details in the image to the right and the Urban Design Statement at Appendix 4 for more details.



(b) phasing of development,

This Development Application is for the Concept Plan for the site, which will be followed by the detailed Stage 2 Development Application. The proposal includes marketable housing and approximately 50% affordable housing units.



(c) distribution of land uses including foreshore public access and open space,

The proposal includes publicly accessible open space along the foreshore and through the site, which reflects the scale of the Rhodes West development. Refer to the image to the right, where the green landscaped area represents privately owned publicly accessible open space.



(d) pedestrian, cycle and motor vehicle access and circulation networks,

Pedestrian access is provided from Leeds Street and Blaxland Road to and through the site and the foreshore. Individual entry lobbies will be provided to each residential block.

Vehicular access is provided from Leeds Street at the eastern end of the site to three levels of basement parking.

Refer to the images on the right for details on the pedestrian and vehicular access to and through the site.



(e) parking provision,

The proposed development provides for 500 car parking spaces over three basement levels, where bicycle parking will also be provided.

Refer to the image to the right for an indicative layout of the lower ground level of basement parking.

(f) (Repealed)



(g) infrastructure provision,

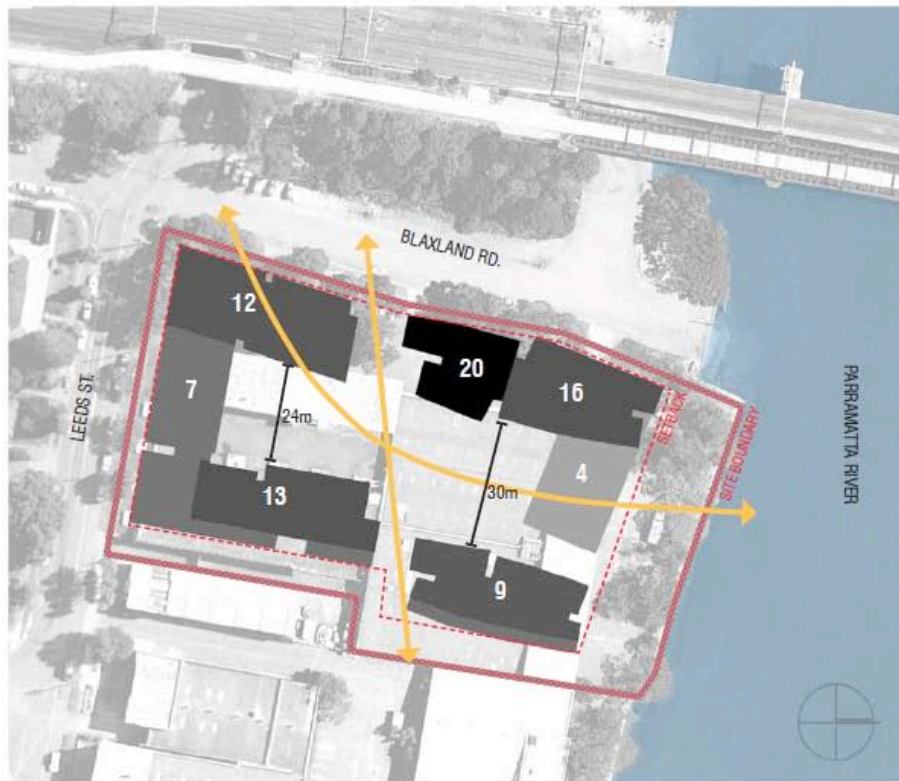
All infrastructure services including water, sewer, gas, electricity and telecommunications are available to the site and generally have capacity to service the development. Energy infrastructure will need to be upgraded with two additional kiosk substations or a multi-transformer chamber substation on the site.

Detailed designs for services and infrastructure will be submitted with the Stage 2 Development Application.



(h) building envelopes
and built form controls,

The proposed concept
plan has identified
building envelopes and
built form controls
followed a detailed
contextual analysis of
the site and surrounding
area.



(i) heritage conservation (including the protection of archaeological relics and places, sites and objects of Aboriginal heritage significance), implementing the guidelines set out in any applicable conservation policy or conservation management plan,

Not applicable. The site does not comprise a heritage item and is not located in a heritage conservation area.

(j) remediation of the site,

The stage 1 contamination assessment of the site undertaken by Molino Stewart indicates that the site does not appear to be contaminated and the possibility of migration of contamination from Rhodes West is low due to the distance and topography of the area. Therefore, remediation is unlikely to be required.

(k) provision of public facilities,

It is not proposed to provide public facilities within the site. The proposed development will provide a mixture of affordable housing and market housing, and publicly accessible open space through the site and along the foreshore.

(l) provision of open space, its function and landscaping,

It is proposed to provide over 6,397m² of open green space on the site, including foreshore open space. These areas will be publicly accessible and will provide pedestrian access through the site and along the foreshore.

(m) the impact on any adjoining land that is reserved under the National Parks and Wildlife Act 1974,

Not applicable. There is no adjoining land that is reserved under the National Parks and Wildlife Act 1974.



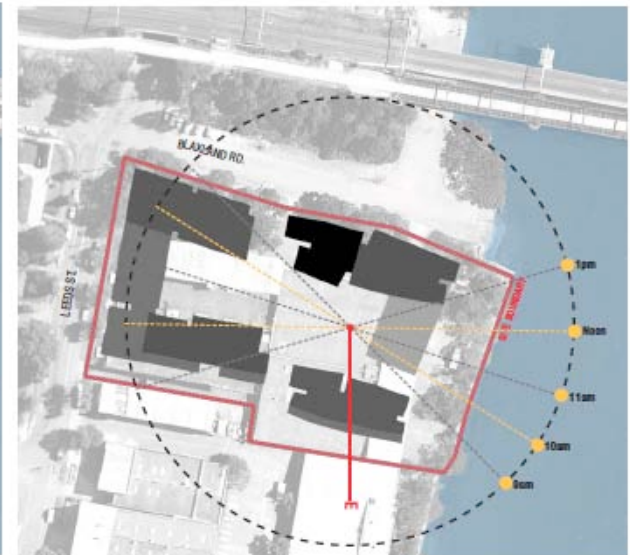
(n) protection and enhancement of the natural assets of the site and adjoining land,

The proposal seeks to enhance the connection of the site and surrounding area with the foreshore and permit public access to this area. Substantial landscaping and open space is proposed, with views to the waterway and good solar access within the development, which will provide a high level of amenity.

VIEWS ANALYSIS



SOLAR ANALYSIS



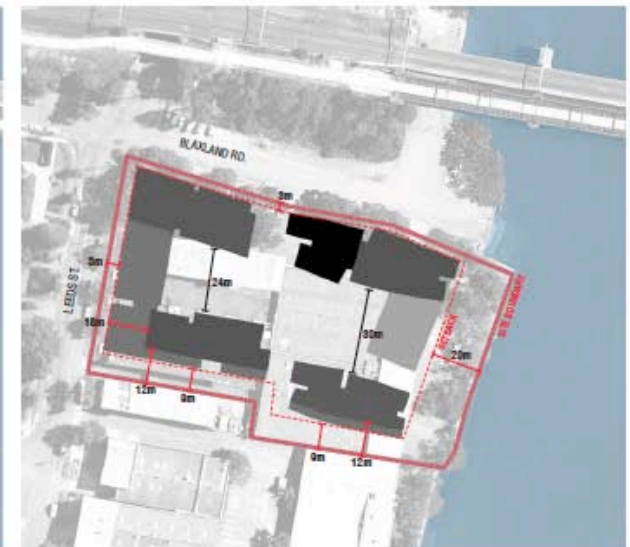
LANDSCAPE ANALYSIS



PEDESTRIAN ANALYSIS



SETBACK ANALYSIS



(o) protection and enhancement of the waterway (including water quality) and any aquatic vegetation on or adjoining the site (such as seagrass, saltmarsh, mangroves and algal communities).

The proposal seeks to enhance the waterway by providing public access and integration of the development with the foreshore and it does not propose any development within the foreshore area. The proposal has been assessed in accordance with the planning principles in State Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005. DoPI found that the proposal is consistent with the planning principles and will protect, maintain and enhance the waterway.



Assessment 7 – Heritage Report



Heritage Impact Statement

Residential Development

27 Leeds Street, Rhodes

1.0 INTRODUCTION

On the 23/12/2011, development proponents BH Australia Leeds 1 Pty Ltd (BHAL) and St. George Community Housing (SGCH) lodged a Stage 1 Development Application (DA 527/2011) to the City of Canada Bay Council (Council) for the redevelopment for residential purposes of the property located at 27 Leeds Street, Rhodes (the site).

The site is presently occupied by a large industrial building dating from the 1970s and the proposed new development will replace the present buildings with a residential development comprising 500 apartments (including 251 affordable housing units) over three basement levels of parking.

Although the site is not, nor does it contain, an identified heritage item and it is not within a Heritage Conservation Area, it is located approximately 50 metres east of the southern end of the Meadowbank-Rhodes and the John Whitton railway bridges, a pair of bridges which are listed together on the NSW State Heritage Register.

This Statement of Heritage Impact (SOHI) report assesses the potential impact of the proposed development on the heritage values of these bridges.

1.1 Location

The site at 27 Leeds Street is located on the northern extremity of Uhrs Point, on the eastern side of Blaxland Street (see Figure 1) in the suburb of Rhodes.

The site is defined as Lot 121 DP 561569 in the Parish of Concord, County of Cumberland, and is within the City of Canada Bay Local Government Area.

1.2 Authorship

This report was written by Tony Brassil and reviewed by Lisa Newell. Unless otherwise identified, all photographs were taken by Tony Brassil for AHMS.





Figure 1: A recent aerial photograph of Uhrs Point, with the site outlined in red. The railway bridges are on the left of the site and the road bridges on the right. (Source: GoogleEarth).

2.0 THE PROPOSED DEVELOPMENT

The proposed development is set out in the design drawings and accompanying documentation submitted to Canada Bay Council as DA 527 2011. In summary, the development proposes a number of building elements of varying sizes across the site, with a maximum height of 20 stories for a tower element and the other elements stepping down to 7, 9, 12 and 13 stories.

The proposed development provides for taller buildings at the northern portion of the site to minimise the overall footprint and to minimise potential overshadowing impacts for existing residential areas to the south of Leeds Street. It also includes a proposal to provide public access along the foreshore of the site, where none now currently exists.

3.0 HERITAGE ITEMS IN THE VICINITY - THE RAILWAY BRIDGES

The Meadowbank-Rhodes Railway Bridge and the John Whitton Railway Bridge are two parallel railway bridges across the Parramatta River. The Meadowbank-Rhodes Railway Bridge was built in 1886 and has been converted to a cycleway following the construction of the John Whitton Railway Bridge alongside in 1980.



Figure 2: The 1886 Meadowbank-Rhodes Railway Bridge viewed from the end of Blaxland Street, with the John Whitton Bridge behind.



Figure 3: The two bridges, viewed from below, illustrate two eras in bridge engineering.

The bridges are listed as a single item on the NSW State Heritage Register and, in addition, either or both of the bridges is/are also listed in the: City of Canada Bay Local Environment Plan 2008, the Ryde Local Environment Plan 2010, the Sydney Harbour Catchment Regional Environmental Plan 2005 and the RailCorp Heritage and Conservation Register (S.170).

The Statement of Significance for the SHR listing states:

The Meadowbank-Rhodes bridge is one of twelve double lattice girder bridges that survive substantially intact in the NSW railway system. As such it is of exceptional heritage significance as evidence of a short lived but highly popular approach to bridge design in which the spanning girders were reinforced by a lattice of bars, adjusted to suit changing structural forces. This bridge is the largest double track lattice girder bridge to be prefabricated in England for export to Australia and has significant variations on the standardised design. The bridge is one of the most architecturally impressive nineteenth century Australian railway structures. A unity in design, lively detail, skilful use of materials and fine workmanship is displayed by the bridge and its abutments. The Meadowbank-Rhodes bridge is an exceptional piece of early Australian railway engineering.

The Statement of Significance contained in RailCorp's Heritage and Conservation Register (S.170) specifically addresses the significance of the John Whitton Bridge:

The Parramatta River Underbridge (John Whitton Bridge) is significant as it is the first bridge on the New South Wales rail network constructed using welded steel box girders, and remains a rare example of this construction type. The bridge commemorates John Whitton, the "Father of NSW Railways". Its location adjacent to the original 1886 lattice girder bridge (Meadowbank Bridge) gives the bridge greater aesthetic quality as a landmark structure and demonstrates the evolution in bridge design over the intervening period.

4.0 PLANNING CONTROLS

Section 5.10 of the City of Canada Bay Local Environment Plan 2008 contains provisions to protect heritage items and heritage conservation areas within the City of Canada Bay. Clause 5.10 (4) of this section states:

*(4) Effect of proposed development on heritage significance
The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.*

More relevant in this case, as there are no heritage items directly involved in the proposed development, are the heritage provisions contained in the City of Canada Bay Development Control Plan (DCP). Section 4.3 of Part 4 of the DCP relates to Development in the Vicinity of Heritage Items and states:

Development near a heritage item can have adverse impacts on the heritage item. This may be as a result of blocking views to or from the heritage item, affecting trees or landscape elements that are part of the heritage item. It can also have an adverse impact by obscuring the landmark qualities of a heritage item. New development in the vicinity of a heritage item should take into consideration the importance of that item in the local streetscape or townscape. It should also ensure that important views to and from the heritage item are not lost or compromised. In most cases, development in the vicinity of a heritage item will only affect properties that share a boundary with or are opposite a heritage item. In a few cases, development in the vicinity of a heritage item might have wider impacts. An example of this might be where important views of a landmark building such as a church spire might be lost by a new development.

Section 4.3 contains specific objectives and controls in relation to Setting, Scale, Siting and Materials and Colours. The controls relevant to the proposed development at 27 Leeds Street are:

Setting:

C2 Development in the vicinity of a heritage item should not be of such bulk or height that it visually overshadows the heritage item.

C3 Important views to or from a heritage item should not be obscured by new development.

Scale:

The scale of new development in the vicinity of a built heritage item should not be substantially greater than that of the heritage item.

C2 Development of a larger scale is allowable only if it can be demonstrated that the new development will not be seen in views of the heritage item from the public realm.

C3 New development that obscures important views of a heritage item, should not be permitted.

Siting:

C1 The setback of new development (including alterations and additions) in the vicinity of a heritage item should ensure that important views to or from the heritage item are not adversely impacted on.

Materials and Colours

C1 Materials and colours for development in the vicinity of a heritage item shall be selected to avoid stark contrast with the adjacent development where this would result in the visual importance of the heritage item being reduced.

5.0 ASSESSMENT OF HERITAGE IMPACTS

Identification of Potential Impacts

The proposed development at 27 Leeds Street will not have any physical or material impact upon any identified Heritage Item or Heritage Conservation Area in the City of Canada Bay.

The proposed development at 27 Leeds Street is in the vicinity of one Heritage Item, being the pair of railway bridges across the Parramatta River, listed in the State Heritage Register (and other statutory Registers).

As there are no physical impacts upon this heritage item arising from the proposed development, assessment of heritage impacts will require assessment of the impacts, if any, of the *Scale*, *Siting* and *Materials and Colours* of the proposed development upon the *Setting* of the pair of railway bridges.

Preliminary Factors

In assessment of the heritage impact of the proposed development upon the setting of the railway bridges, a number of relevant issues need to be taken into consideration:

- The foreshore at 27 Leeds Street and of the properties to the east of 27 Leeds Street up to the Urhs Point Reserve on the western side of the Ryde (road) Bridge is all private property and there is no public access currently to this foreshore.
- The foreshore to the east curves southwards from its most northerly point in front of 27 Leeds Street. Views from this foreshore to the bridges are limited at present.
- Owing to the topography, vegetation and existing buildings, there are presently only very limited views available of the railway bridges from any position along Leeds Street.
- Views to the site which include the bridges are only available from the north and north-east in a limited arc from east of the railway bridges on the north side of the River to a point approximately midway across the Ryde (road) Bridge. The location of this view arc is shown in Figure 4.



Figure 4: Viewing arc and view line limits across the Parramatta River towards 27 Leeds Street (arrowed). Within this view arc, the new building will not obscure any significant views of the bridges. There are no significant views of the railway bridges from the south or southeast. (Source: GoogleEarth)

- The foreshores of the Parramatta River east and west of the railway bridges have seen considerable multi-storey residential development in the last two decades. New multi-storey buildings are in the course of erection on the western side of the railway line at Rhodes, including on the western side of Uhrs Point. Large residential developments have been recently completed at Putney and Meadowbank on the opposite side of the River. The locations of these developments are shown in Figure 5.

Assessment of the Impacts of the Scale of the new development

The proposed development will locate a tower building of up to 20 storeys on the foreshore. The scale of this building is significant but will not interrupt any significant views to the bridge that are presently available from the south-east, as these views are already obscured by the present buildings and the topography and are limited to occasional glimpses between buildings and trees. The primary view from the south is along Blaxland Road, which will not be directly affected by the proposed development.



Figure 5: Recent major residential apartment developments (circled) along the Parramatta River in the vicinity of 27 Leeds Street (arrowed). (Source: GoogleEarth)

The railway bridges are set relatively high above ground level and, while the tower building will be a significant structure in the periphery of views of the Bridge, it is set sufficiently far to one side that it will not loom over the bridge nor overshadow it to any significant degree. The narrow vertical profile of the tower will be a notable contrast to the horizontal character of the bridges and will consequently be visually distinct, where a more horizontally orientated structure may draw attention away by providing a similar visual element in the view. The vertical scale of the tower will remain less, in overall dimension and visual presence, than the horizontal scale of the bridges (which are a dominant element in the landscape).

Further, the presence of existing new buildings in the vicinity (both east and west of Uhrs Point and on the opposite side of the River) of similar scale to that proposed has already created a visual precedent in the area and this new development will be consistent with that trend.

The scale of the tower building and its associated structures will not have an adverse impact upon the setting of the railway bridges.

Assessment of the Impacts of the Siting of the new development

The siting of the proposed development will not obscure any currently-available significant views of the railway bridges from the south or south east, as these views are already obscured by the topography, existing buildings and vegetation. Buildings currently located between the foreshore and Leeds Street will retain their existing views of the bridges, as their existing view is already an oblique north-northwest view which will not be affected by the new building.

The proposed development is set back from the foreshore sufficiently to allow the inclusion of a public open space area along the foreshore of 27 Leeds Street, an area which is not currently accessible, creating a new viewing opportunity in the future.

Assessment of the Impacts of the Materials and Colours of the new development

The application is a Stage 1 Concept application only and the DA seeks approval only for the development envelope. Detailed design of future buildings on the site will be the subject of future development applications.

The materials and colours of the proposed development will not relate to the colour and materials of the railway bridges but will be the materials and colours typically associated with this type of development and which are already dominant in similar developments along the Parramatta River.

However, given the nature of the railways bridges as engineering structures, rather than buildings, and in the light of the geographic separation between the proposed development and the railway bridges, the use of materials and colours as proposed for the new buildings will not reduce the visual importance of the railway bridges, which will remain distinct and with a strong individual visual character. The bridges are a dominant visual feature of the waterway of the Parramatta River, whilst the proposed development is a group of buildings on the land on one side of the bridges.

In this case, the use of materials and colours that approximated those of the bridges would tend to dilute the strength of the visual character of the bridges and blur the visual separation between the bridge and the land on this, the southern end of the bridges.



Figure 6: View west along Leeds Street from approximately the intersection with Cavell Street. The crest of the hill is in the vicinity of the eastern boundary of 27 Leeds Street.



Figure 7: View east along Leeds Street from the same location as Figure 6. Note the height of buildings along Leeds Street, preventing views of the Bridges from this area.



Figure 8: View north from Leeds Street across the buildings presently occupying 27 Leeds Street. No views of the Bridge currently exist from this area.



Figure 9: View north along Blaxland Road from the corner of Leeds Street. The bridges are not visible from this location. Note the residential development on the opposite side of the River in a similar proximity to the Bridges as now proposed for this side.



Figure 10: View southwards from the western side of the railway bridges showing the multi-storey residential development currently under construction on the western side of Uhrs Point.



Figure 11: View west from Uhrs Point Reserve, adjacent to the southern end of the Ryde (road) Bridge. The Bridges are barely visible and the view is dominated by the residential development on the opposite side of the Parramatta River.



Figure 12: View north-east to the corner of Leeds St and Blaxland Road, showing 27 Leeds Street. There are no notable views across the site from the southern side of Leeds Street.



Figure 13: View south-west from the corner of Leeds St and Blaxland Road, adjacent to 27 Leeds St. Multi storey residential apartment buildings are currently under construction on the opposite side of the railway line.



Figure 14: The southern abutment of the Bridges, from the north end of Blaxland Road adjacent to the foreshore of 27 Leeds Street. This view will remain unaffected by the proposed development.



Figure 15: View northwest from the end of Blaxland Road, adjacent to the southern end of the Bridges. The Bridges are already largely obscured by vegetation and by their height relative to ground level.

Conclusion

The outcomes of the analysis of the potential impacts of the proposed development are:

- The proposed development at 27 Leeds Street will not overshadow or visually dominate views of the railway bridges.
- The proposed development at 27 Leeds Street will not obscure any important views of the railway bridges.
- The proposed development at 27 Leeds Street is of a significant vertical scale but it does not exceed the design precedents already set by the West Rhodes residential development and will only exist as a peripheral element in important views of the railway bridges from the public realm.
- The siting and setbacks of the proposed development at 27 Leeds Street will not adversely impact upon any important views to and from the railway bridges.
- The materials and colours of the proposed development at 27 Leeds Street will not result in the visual importance of the railway bridges being reduced.

6.0 STATEMENT OF HERITAGE IMPACT

The proposed development at 27 Leeds Street as set out in the Development Application DA 527/2011 will not have an adverse effect upon the significant heritage values of the Meadowbank-Rhodes and John Whitton Railway Bridges. The proposed development will not have an adverse impact upon the setting or visual importance of the railway bridges.

The proposed development is consistent with the form, nature and appearance of similar developments in this part of the Parramatta River and will ultimately bring a view and knowledge of the bridges to a larger audience that exists at present in the area.