

## JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	<b>2014SYE100</b>
DA Number	DA-2015/50
Local Government Area	ROCKDALE
Proposed Development	Demolition of part of structures and the construction of four storey community facility development including a library, meeting rooms, administrative spaces and a roof terrace and lot consolidation.
Street Address	444-448 Princes Highway and 2 Bryant Street, Rockdale
Applicant/Owner	Kane Construction Pty Ltd/ Rockdale Council
Number of Submissions	Nil
Regional Development Criteria (Schedule 4A of the Act)	Development with a CIV over \$5 million which is council related, lodged by or on behalf of the Crown (State of NSW), private infrastructure and community facilities or eco-tourist facilities.
List of All Relevant s79C(1)(a) Matters	<p>Relevant environmental planning instruments: s79C(1)(a)(i)</p> <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>Rockdale Local Environmental Plan 2011 (RLEP 2011)</li> </ul> <p>There is no relevant proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii)</p> <p>Relevant development control plan: s79C(1)(a)(iii)</p> <ul style="list-style-type: none"> <li>Development Control Plan 2011(DCP 2011)</li> </ul> <p>There is no relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F: s79C(1)(a)(iv)</p> <p>There is no relevant coastal zone management plan: s79C(1)(a)(v)</p>

	There are no relevant regulations which have been raised during the assessment: s79C(1)(a)(iv)
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> <li>• Survey Plan prepared by Norton Survey Partners;</li> <li>• Architectural Plans prepared by Brewster Hjorth Architects, as amended in Sept 2014;</li> <li>• Landscape Plan prepared by TGS Landscape Architects;</li> <li>• Photomontage Streetscapes prepared by Deneb Design;</li> </ul>
Recommendation	<b>Approval</b>
Report by	Leonie Derwent (GAT and Assoc)

## Precis

The proposal is for the demolition of all structures on 444-446 Princes Highway, the partial demolition of the existing Town Hall building, alterations to the ground floor of the existing Town Hall building and the erection of a new community facility development building containing four (4) storeys and a small basement level. The proposal includes associated site and landscaping works, a pedestrian bridge to link the new community facility development with the Council administrative building and the consolidation of 13 lots into 3 lots.

The land is zoned B2 Local Centre under the Rockdale Local Environmental Plan 2011 (RLEP 2011). The proposal is defined as community facilities and is permissible with development consent.

The proposal complies with requirements in Rockdale Local Environmental Plan 2011 (RLEP 2011), the exhibited proposed amendments to the RLEP 2011 and generally complies with the controls in DCP 2011.

The following documentation forms part of the Development Application (DA) -

- ☐ Survey Plan prepared by Norton Survey Partners;
- ☐ Architectural Plans prepared by Brewster Hjorth Architects, as amended in Sept 2014;
- ☐ Plan of Consolidation prepared by Andrew P. Mason and amended Sept 2014;
- ☐ Amended Surveyed Gross Floor Area Calculation Plans prepared by Frank M. Mason & Co. Pty Ltd (Sept 2014);
- ☐ Landscape Plan prepared by TGS Landscape Architects;
- ☐ Photomontage Streetscapes prepared by Deneb Design;
- ☐ Stormwater Concept Plans and details prepared by ROZ Engineering Pty Ltd;
- ☐ Acoustic DA Assessment prepared by Acouras Consultancy;
- ☐ ESD Initiatives and Strategy Report prepared by Thermal Environmental;
- ☐ Geotechnical Investigation prepared by Geotechnique Pty Ltd;
- ☐ Statement of Heritage Impact prepared by NBRS + Partners;
- ☐ Value of Assessment prepared by Bylett + Associates;
- ☐ Correspondence from Sydney Airport granting Civil Aviation Safety Authority approval;
- ☐ BCA Section J - DTS Assessment Report prepared by Thermal Environmental;

- Preliminary Soil Contamination Screening prepared by Environmental Investigation Services;
- Traffic and Parking Impact Assessment prepared by McLaren Traffic Engineers;
- Waste Management and Minimisation Plan prepared by Kane Constructions Pty Ltd;
- Water Sensitive Urban Design Report prepared by ROZ Engineering Pty Ltd;
- Rockdale City Council Flood Advice Letter dated 17 July 2014;
- Rockdale City Council supplementary Traffic and Parking Impact Assessment; and

The proposal has a Capital Investment Value (CIV) greater than \$5 million which is council related, lodged by or on behalf of the Crown (State of NSW), private infrastructure and community facilities or eco-tourist facilities.

## **Officer Recommendation**

1. That development application DA-2012/50 for the demolition of all structures on 444-446 Princes Highway, the partial demolition of the existing Town Hall building, alterations to the ground floor of the existing Town Hall building and the erection of a new library building containing four (4) storeys and a basement level, site works and landscaping works and lot consolidation be APPROVED subject to the conditions attached to this report.

## **Report Background**

### **PROPOSAL**

The proposal was originally presented to Council as a Pre DA application on 20 March 2014. By letter dated 29 April 2014 the applicant was advised that the main issue of concern with the proposed design was the scale and size of the terrace roof and its relationship with the adjoin Town Hall which is a heritage item. As a result of these pre DA comments the size and height of the roof was reduced.

### *Amended Plans*

Following the lodgement of the DA, the proposal has undergone some amendments mainly due to groundwater constraints. This has resulted in the significant reduction in the size of the basement level (which originally proposed function areas and exhibition space). The amended plans also seek to enclose part of the roof terrace with bi-fold doors. This area was shown on the original plans as an open terrace which was partially covered by a roof structure. The size of the terrace, the shape, size and height of the roof have not changed in the amended plans, the change relates only to the enclosure of this area with bi-fold doors. The doors can be fully opened along the western side of the space to allow people to flow from the room directly out onto the open terrace. In addition there were some minor modifications made to the eastern side of the building due to the deletion of the lower ground void space below. This has resulted in the façade along King Lane being pushed out to the east and the relocation of the café along the King Lane façade. The café is now at grade with the lane.

The proposal is for the redevelopment of land located at 444-448 Princes Highway and 2 Bryant Street, Rockdale for the purposes of a new community facility development containing a new public library, new customer services centre, meeting rooms, administrative spaces and ancillary uses including a café as follows:

### *Demolition*

Demolition of structures on 444 and 446 Princes Highway including excavation and site works. Partial demolition of the existing Town Hall building including a small wing on the north western end of the building.

#### *Existing Town Hall Building*

Alterations to the ground floor level of this building to create a new customer services area, meeting rooms and administrative areas.

#### *New Community Facility Building*

##### *Basement Level*

Fire and electrical services are accommodated within the small basement level. This level was substantially reduced in size as a result of groundwater constraints.

##### *Ground Floor Level*

Entry lobby, general public library area, reading lounges, children's area, a lift, amenities including accessible toilets and a cafe which fronts and activates King Lane.

##### *First Floor*

General library area, reading room areas, meeting rooms, services, lift and amenities and a pedestrian bridge which links the new building to the existing Council administration building to the east.

##### *Second Floor*

General library area, services, lift and amenities.

##### *Terrace and Roof Plan*

The eastern side of the floor plate of the building is dedicated to a mechanical plant deck and the western side of the floor plate will accommodate a meeting room/reading lounge, lift, services and amenities. A balcony and raised planter box is provided along the western side of the meeting room/reading lounge. The bi-fold doors of the meeting room/reading lounge will allow access directly out onto the terrace balcony.

##### *Associated Works*

The proposal includes site and landscaping works.

##### *Lot Consolidation and Subdivision*

The proposal includes the consolidation of the existing 14 lots and the subdivision into three (3) lots with one (1) lot to contain the Council administrative building, another lot to contain the Town Hall and the third lot to contain Centennial Garden.

##### *Parking and Service and Loading Facilities*

No parking is associated with this proposal. As a community facility, any parking demand can be accommodated on the existing York Street Car Park which is located to the north east of the new building. It is easily accessed across King Lane.

There are no loading or unloading facilities proposed within the development however the driveway to the Council administration building runs along the rear of the site (King Lane) and would be capable of providing access for deliveries. Given the proposed uses within the building the provision of a loading facility is not considered to be warranted in this case.

##### *Signage*

The proposal includes a building identification sign on the front façade which will state "Rockdale Library".

##### *Façade*

The proposed community facility development will address two main frontages – Princes Highway and King Lane. Both facades have been well designed to include both horizontal

and vertical detailing and the use of both solid masonry and glazing. The form, materials and modulation of the façade on the Princes Highway compliments the façade of the Town Hall. Pedestrians will enter both entries at grade and the entry on the Princes Highway will be enhanced by landscaping. The King Lane entry will be activated and enhanced by a café.

## EXISTING AND SURROUNDING DEVELOPMENT

The site is currently developed as two (2) commercial buildings which occupy 444-446 Princes Highway, the existing Town Hall Building which is located at 2 Bryant Street and the Council administrative building which is located to the north east of the Town Hall. The site is within the area known as the Rockdale City Council Civic Precinct which is bounded by the Princes Highway, Bryant Street, York Street and King Lane. There are existing trees and vegetation in the south eastern corner of this Civic Precinct.

The surrounding land uses are a mixture of commercial, retail and residential uses with some other uses such as a church.

## PLANNING CONSIDERATION

The proposed development has been assessed under the provisions of the Environmental and Planning Assessment Act, 1979. The matters below are those requiring the consideration of the Joint Regional Planning Panel.

### **Section 91A – Development that is Integrated Development**

The proposed development is not Integrated Development.

### **Section 79C (1) Matters for Consideration - General**

#### **Provisions of Environmental Planning Instruments (S.79C (1)(a)(i))**

##### ***State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)***

Clause 45 of the ISEPP requires consultation with electricity supply authorities. Ausgrid Australia was notified of the proposed development.

Appropriate conditions of consent are proposed to ensure that the applicant consults with utility providers to determine any additional requirements.

Clause 101 of the ISEPP (frontage to a classified Road) has been considered. Given that there is no new vehicular access proposed there will not be any effect upon the safety, efficiency and ongoing operation of the Prices Highway.

Clause 102 of the ISEPP (Impact of road noise or vibration) has also been considered. Provided that the recommendations made by Acouras Consultancy for façade construction are incorporated into the conditions of consent the internal amenity of the building will be satisfactory.

In terms of Clause 104, the proposal is not a traffic generating development.

In regard to the above, Roads & Maritime Services (RMS) was notified by letter of the proposal and had no objections to the proposal subject to:

- The entire development being clear of the highway roads reserve;

- The detailed design plans and hydraulic calculations of any changes to stormwater are approved by the RMS prior to construction;
- A Road Occupancy Licence being obtained for any works which may impact upon the traffic flows along the Princes Highway during construction;
- The development having regard to Clause 102(3) of the State Environmental Planning Policy (Infrastructure) 2007; and
- No cost being incurred by the RMS

In regard to the above, conditions have been included in the draft notice of development approval however we note that Clause 102(3) of the SEPP relates to habitable rooms within a residential building and therefore does not apply in this case.

### ***State Environmental Planning Policy (State and Regional Development) 2011***

The proposed development is a regional development as it involves Council owner land greater than \$5 million and accordingly it is referred to the Sydney East Joint Regional Planning Panel (JRPP) for determination.

### ***Rockdale Local Environmental Plan 2011 (RLEP 2011)***

The site is zoned B2 Local Centre under the provisions of RLEP 2011. Development for the purpose of a public facility is permissible with consent. The proposal is consistent with the objectives of the zone. The relevant clauses that apply to the proposal are below.

#### ***Clause 4.3 - Height of buildings***

The maximum permitted height under this clause is 28 metres + 12 metres as the site is in excess of 1,500sqm). The height of the proposed building is 18 metres.

#### ***Clause 4.4 – Floor Space Ratio (FSR)***

A maximum FSR of 3.5:1 is permitted on the site. The proposed FSR is 1.64:1 which complies with clause 4.4.

#### ***Clause 5.1A – Development on land intended to be acquired for public purposes***

Clause 5.1A requires consideration of restrictions applying to the land identified in the Land Reservation Acquisition map. The site is not subject to land dedications.

#### ***Clause 5.6 – Architectural Roof Features***

The DA does not seek approval for roof structure above the maximum height limit.

#### ***Clause 5.7 – Preservation of trees and vegetation***

The proposal involves the removal of one street tree on the Council verge to accommodate a substation. Council's tree officer has reviewed the proposal and has raised no objection to the removal of this tree. He notes that

*"It is a Pistachio street tree and is a poor specimen having been severely lopped under power lines. Whilst I would normally seek to have the proposed substation relocated to maintain the current amenity provided by the street trees, I am satisfied that this particular tree does not warrant significant changes to the proposal."*

### *Clause 5.10 – Heritage Requirements*

The site includes the heritage listed Rockdale City Town Hall building at 448 Princes Highway and minor works are proposed to this item and are for the most part confined to the ground floor area where the new customer service centre will be located. The site is not within a heritage conservation area. The works to the item trigger the assessment of the proposal against the following clauses:

#### *Clause 5.10(2) – Requirements for consent*

The proposal requires development consent.

#### *Clause 5.10(4) – Effect of proposed development on heritage significance*

A statement of Heritage Impact, prepared by NBRS + Partners forms part of the DA. The advices from NBRS + Partners are based upon the original plans which had a roof terrace developed with a roof structure over the terrace. The amended plans have sort to partially enclose this area by the use of bi-fold doors. The location of the terrace edge, and the location and height of the roof at RL 30.85 remain as proposed in the original plans. The bi-fold doors will be located in line with the edge of the roof above (which has not changed). The amended plans were not reviewed by NBRS + Partners however a review their advices indicates that the main emphasis of their advice and the acceptance of the proposal in regard to the adjacent heritage item stems from the spatial separation between the new building and the Town Hall and the height and location of the highest part of the new building still being lower than the Town Hall Clock Tower, a prominent landmark in this Civic Precinct. These elements have not changed.

The report concludes that:

*“The three-storey Library infill building proposed for 444-448 Princes Highway, Rockdale, will respect the adjacent Town Hall Building and Tower, by ensuring visual and physical prominence is given to the heritage item while providing a new civic facility. This is in keeping with community desire to create a new focus to Rockdale to revive the Princes Highway Streetscape.*

*We are of the opinion the proposed works described above would not adversely affect the identified heritage significance of the heritage item of Rockdale Town Hall. The Library design has been designed to ensure the height of the proposed building is kept below that of the Town Hall clock tower, a prominent landmark within the Rockdale civic centre.”*

Specifically in regard to Clause 5.10(4) the report by NBRS + Partners states that:

*“The proposed demolition of the Northern Addition (1957) to the Rockdale Town Hall is acceptable in heritage terms given it is an area assessed as having Moderate heritage significance. Large openings were made in the northern wall of the 1940 Rockdale Town Hall in 1957 when the addition was constructed. The proposal to reconstruct the North Elevation of the Rockdale Town Hall will provide a positive heritage outcome as it will recover a place of high heritage significance.”*

In regard to the above the proposed alterations to the Heritage Item are considered to be acceptable and are supported.

*Clause 5.10(5) Extent to which carrying out of the proposed development would affect the heritage significance of the item.*

It is considered that the proposal is satisfactory in regard to its relationship and affect upon the heritage significance of the Town Hall. As noted above the NBRS + Partners report states that the proposal has been designed to be below the height of the Town Hall and therefore the Town Hall will maintain its prominence in the streetscape.

The original DA plans were reviewed by Council's Heritage Advisor who initially advised that the proposal was satisfactory as the

*"The roof terrace has been reduced in height and size and the flamboyant roof has been deleted in favour of a simpler more sympathetic roof. The roof terrace is now acceptable."*

Upon viewing the amended plans showing the bi-fold doors, the heritage advisor then advised:

*"Previous drawings amended the Pre DA design so that the roof terrace was reduced in height and size and the flamboyant roof was deleted in favor of a simpler more sympathetic roof. The roof terrace was subsequently assessed as having minimum heritage impact."*

*In the latest amended design the roof terrace is proposed to be enclosed with full height glass to the underside of the roof over the terrace. This effectively creates a glass box and a room on the roof which was originally only intended to accommodate the plant room. Adding to the new room to the top and front of the building will have an unacceptable heritage and visual impact.*

*The glazing will have a detrimental impact in the following way:*

- The glazing is not protected by an eave and therefore will be highly reflective and hence bulky in appearance. The previous terrace roof was acceptable because it was not enclosed.*
- The new room on the building's roof is an afterthought that has a negative impact by increasing the apparent height because the room is forward of the original plant room; it is not well integrated into the design.*
- The Rockdale DCP 4.2.1 (5) states that Development of a heritage item must ensure that the scale, form, materials, finishes and fenestration of the new work does not have a negative impact upon the heritage significance of the item.*

*The façade of the proposed building is compromised by the addition of an enclosed room on the roof. The fenestration of the proposed addition would have a negative impact upon the heritage item by emphasising the height of the new library and bringing the bulk of the building forward towards the front façade.*

### *Recommendations*

- 1. The proposed amendments to the roof terrace are not supported."*

It is considered that the proposal in its current form is acceptable from a heritage point of view given that:

- The roof of the terrace has not changed and remains the same size and height as the original plans which have been supported by NBRS + Partners and the heritage advisor;*



- The doors are set back 800mm from the edge of the terrace and align with the roof above;
- The detailed photomontages which show the proposed building from several vantage points along the Princes Highway do not show that the roof over the terrace will be a prominent feature in the general view of the development, in fact the roof is not evident in some cases and in others just marginally.

Therefore on balance and in view of the above, the enclosure of the roof space with bi-fold doors will not be a prominent feature of the development and will not diminish the heritage significance of the item. Further, the enclosure of this space will provide some area which was lost as a result of the deletion of the lower ground level.

#### *Clause 6.1 – Acid Sulfate Soils*

The site is within an area classified as Class 5 in the acid sulfate soils map. The pre DA advices from Council state that

*“The site is within an Acid Sulfate Soils Class 5 area with no other Class within 500m and a management plan under Clause 6.1 should not be required.”*

A Preliminary Soil Contamination Screening was undertaken by Environmental Investigation Services which has determined that *“The site is not located in an acid sulfate soil (ASS) risk area. The closest area of known risk is approximately 1km to the south and south-east of the site.”*

#### *Clause 6.2 – Earthworks*

The proposal, as amended, has reduced the amount of excavation due to groundwater constraints. The original DA involved much greater levels of excavation and was supported by a Geotechnical Investigation report. Therefore the proposal which now involves a significantly reduced amount of excavation is satisfactory.

#### *Clause 6.3 – Development in areas affected by aircraft noise*

The site is located near the 25-30 ANEF contour for 2023/24. An Acoustic Report has been submitted. The report recommends acoustic measures to comply with the relevant standards as required by clause 6.3. A condition of consent is proposed to ensure that the recommendations of the report are incorporated into the final design.

#### *Clause 6.4 – Airspace operations*

The site is affected by the 15.24m building height Civil Aviation regulation. The proposal was referred to Sydney Airports for comment. Sydney Airports approved the proposed height noting that any future proposal for cranes which exceed this height at RL32 will require a separate approval.

#### *Clause 6.6 – Flood Planning*

The site is affected by flooding and the proposal has been designed in accordance with the advices which were provided by Council's engineers at pre DA stage. The DA was referred to Council's engineers and appropriate conditions of consent have been incorporated into the draft approval.

#### *Clause 6.7 – Stormwater*

The proposed stormwater system has been reviewed by Council's development engineers and is consistent with this clause. Appropriate conditions of consent have been incorporated into the draft approval.

#### *Clause 6.12 – Essential Services*

Services are generally available on the site. Additional conditions of consent are proposed requiring consultation with relevant utility providers to ensure appropriate provision of services on the site.

#### **Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (S.79C(1)(a)(ii))**

There are no Draft Environmental Planning Instruments applying to this proposal.

#### **Provisions of Development Control Plans (S.79C(1)(a)(iii))**

##### ***Development Control Plan 2011(DCP 2011)***

The proposal has been assessed against the objectives and controls under DCP 2011 and associated documents being the Technical Specifications for Parking, Technical Specifications for Stormwater, Waste Minimisation and Management and Landscaping. The following issues are relevant to determine compliance of the proposal with the objectives of DCP 2011.

#### **Part 4 – General Principles for Development**

##### **4.1 Site Planning**

No significant views or vistas are affected by the proposal. The views of the Town Hall and Clock Tower have been preserved. The scale, form and finishes of the proposed development will sit comfortably in the context of the Civic Precinct and the adjoining heritage item.

##### **4.1.2 Heritage Conservation**

The site includes the heritage listed Rockdale City Town Hall building at 448 Princes Highway and minor works are proposed to this item and are for the most part confined to the ground floor area where the new customer service centre will be located. The site is not within a heritage conservation area.

A statement of Heritage Impact, prepared by NBRS + Partners forms part of the DA. It provides a heritage assessment of the original proposal which was lodged. The report concludes that:

*“The three-storey Library infill building proposed for 444-448 Princes Highway, Rockdale, will respect the adjacent Town Hall Building and Tower, by ensuring visual and physical prominence is given to the heritage item while providing a new civic facility. This is in keeping with community desire to create a new focus to Rockdale to revive the Princes Highway Streetscape.*

*We are of the opinion the proposed works described above would not adversely affect the identified heritage significance of the heritage item of Rockdale Town Hall. The Library design has been designed to ensure the height of the proposed building is kept below that of the Town Hall clock tower, a prominent landmark within the Rockdale civic centre.”*

Specifically in regard to the potential impact upon the Town Hall (Heritage Item) the report by NBRS + Partners states that:

*The proposed demolition of the Northern Addition (1957) to the Rockdale Town Hall is acceptable in heritage terms given it is an area assessed as having Moderate heritage significance. Large openings were made in the northern wall of the 1940 Rockdale Town Hall in 1957 when the addition was constructed. The proposal to reconstruct the North Elevation of the Rockdale Town Hall will provide a positive heritage outcome as it will recover a place of high heritage significance.”*

In regard to the above the proposed alterations to the Heritage Item are considered to be acceptable and are supported.

The advices from NBRS + Partners were based upon the original plans which had a roof terrace developed with a roof structure over the terrace. The amended plans have sort to partially enclose this area by the use of bi-fold doors. The location of the terrace edge, and the location and height of the roof at RL 30.85 remain as proposed in the original plans. The bi-fold doors will be located in line with the edge of the roof above (which has not changed). The amended plans were not reviewed by NBRS + Partners however a review their advices indicates that the main emphasis of their advice and the acceptance of the proposal in regard to the adjacent heritage item stems from the spatial separation between the new building and the Town Hall and the height and location of the highest part of the new building still being lower than the Town Hall Clock Tower, a prominent landmark in this Civic Precinct. These elements have not changed.

Despite the advices of Council's heritage advisor, who does not support the proposal in its current form, it is considered that the proposal in its current form is acceptable from a heritage point of view given that:

- The roof of the terrace has not changed and remains the same size and height as the original plans which have been supported by NBRS + Partners and the heritage advisor;
- The doors are set back 800mm from the edge of the terrace and align with the roof above;
- The detailed photomontages which show the proposed building from several vantage points along the Princes Highway do not show that the roof over the terrace will be a prominent feature in the general view of the development, in fact the roof is not evident in some cases and in others just marginally.

Therefore on balance and in view of the above, the enclosure of the roof space with bi-fold doors will not be a prominent feature of the development and will not diminish the heritage significance of the item. Further, the enclosure of this space will provide some area which was lost as a result of the deletion of the lower ground level.

#### 4.1.3 Water and Stormwater Management/Flood risk/Groundwater

The Council engineers have reviewed the documentation have provided draft conditions of approval. The issue of groundwater has resulted in the deletion of the lower level of the building.

#### 4.1.4 Soil Management

The proposal does not involve extensive cut and fill of the site.

#### 4.1.5 Contaminated Land

The proposal is not considered to trigger any requirement for any investigation of the site for contamination given the past history of the site and the proposed use.

#### 4.1.7 Tree Preservation

One Council owned tree will require to be removed to accommodate a substation. This is acceptable in this instance given the poor condition of this tree.

#### 4.1.9 Lot size and consolidation

The proposal meets the minimum frontage requirement for Princes Highway. The site will be consolidated from 14 lots into 3 lots. An appropriate condition has been included in the draft notice of approval for development.

#### 4.2 Streetscape and site context

The proposal is appropriate in the context of the site and its surrounds. The building setback varies along the frontage of the Princes Highway. While the setbacks are required to be aligned with the property boundary, in this case the setback will ensure that the views of the Town Hall and Clock Tower are retained when approaching from the north.

#### 4.3 Landscape Planning and Design

A landscape plan forms part of the DA and will provide landscaping along the King Lane elevation, ground floor and on the roof terrace. The proposal was referred to Council's Senior Project Landscape Architect who has raised some issues with the proposal as follows:

Council has engaged external consultants JMD Design (landscape architects) to undertake streetscape design proposals for the Town Hall and Library forecourt. This dialogue included paving, street tree planting, seating and planting issues associated with the new library forecourt. There is concern that the proposed plans need to be consistent with the streetscape design strategy.

Of particular concern:

- Paving selection and layout details have not yet been resolved and adopted as part of the design strategy, however the DA plans note "new urbanstone".as the paving type.
- Tree selection along the Princes Highway has not yet been adopted as part of the design strategy
- The proposed planting beds at the entrance to the library on the Princes Highway frontage are not supported because it is very unlikely that planting solely reliant on an irrigation system will fail over time and the planters will end up containing only soil and rubbish.
- Seating outside the library needs to incorporate back supports to meet the needs of the elderly and frail

The above comments have been considered as part of the DA assessment. Given that significant Council resources have already been spent into developing a streetscape design strategy for this particular area it would be inappropriate to apply conditions to this DA which could conflict with final recommendations of the strategy, which are currently being formulated. With this in mind it is recommended that a condition of consent be applied to the

notice of approval for development that requires the final landscape plan be generally consistent with the adopted streetscape design strategy for this precinct, particularly with regard to paving and street tree selection. The concern of the Council's Senior Landscape Architect and the consult landscape architects regarding the potential for the planter boxes to become unsightly at the entrance to the new building are supported and it would be preferable to have a workable and attractive street tree strategy along this frontage rather than these structures. In the absence of an adopted plan, the final plan is to be to the satisfaction of Council's Senior Landscape Architect.

#### 4.4 Sustainable Building Design

The proposal was accompanied by an energy and water efficiency report, including shadow diagrams. An acoustic report was also submitted.

#### 4.5 Social Equity

Access to the front doors on both elevations is at grade and a lift is provided within the building. Equitable access throughout the development will be achieved.

#### 4.6 Car Parking

An independent traffic report forms part of the DA and has made an assessment of the proposal having regard to similar community facility developments and finds the proposal to be acceptable. Council's engineers have raised no objections to the proposal on parking or traffic grounds.

#### 4.7 Site Facilities

Site facilities are provided for within the development and can also be accommodated within the adjoining Council buildings if required.

#### **Any Planning Agreement that has been entered into under section 93F, or any draft planning agreement that the developer has offered to enter into under section 93F (S.79C(1)(a)(iia))**

The proposal is not subject to a Voluntary Planning Agreement (VPA).

#### **Provisions of Regulations (S.79C(1)(a)(iv))**

Clauses 92-94 of the Regulations outline the matters to be considered in the assessment of a development application. Clause 92 requires the consent authority to consider the provisions of AS 2601:1991 - Demolition of Structures when demolition of a building is involved. In this regard a condition of consent is proposed to ensure compliance with the standard.

The Regulations requires notification to relevant authorities that may have an interest in the application. The proposal has been notified to Ausgrid, NSW Police and Sydney Airports the recommendations provided are included in the draft Notice of Determination.

All relevant provisions of the Regulations have been considered in the assessment of this proposal.

#### **Impact of the Development (S.79C(1)(b))**

*Character / Streetscape / Density / Bulk / Scale*

The proposed development has been designed to take into account the existing streetscape and context of the site within the Rockdale City Council Civic Precinct. The siting, built form and design are appropriate with regard to the surrounding development and the desired future character of this precinct.

The development is satisfactory in terms of its scale, form, materials, finishes and fenestration to the adjoining heritage item and within the context of the surrounding development within the Civic Precinct.

Both street frontages will be activated as a result of the proposal which will have positive social benefits.

#### *Visual Privacy*

Given that the site is located on the Princes Highway and within a B2 Local Centre zone and is well separated from residential development there are no visual privacy issues.

#### *Overshadowing and Solar Access*

There are no adverse impacts from overshadowing of the proposal. The building to the south is the Council Town Hall building and the site has several street frontages. The closest residential premises are located to the north of the site within a mixed commercial/residential use and which has a nil setback to the common boundary to the development site.

The subject building will have access to northern light on the upper floors. Sunlight from the west is controlled by the use of a high proportion of masonry to glazing on the western façade.

#### *Safety and Security*

An assessment has been made of the development in terms of Crime Prevention through Environmental Design (CPTED) and the proposal is acceptable. The front and rear facades of the building will allow activation of both frontages which will increase casual surveillance of the streets and public domain, even from the upper levels of the building due to the glass facades. Lighting will be provided at night to ensure that passages and entrances are well lit.

#### *Traffic/Parking*

The application has been accompanied by a Traffic Report which was prepared by McLaren Traffic Engineering.

The Traffic report has been reviewed and the recommendations are supported. In summary the traffic report finds that:

*“Based on comparative surveys conducted at other Library’s, in similar town centre locations with close access to both bus and rail transport corridors, the proposed redevelopment of Rockdale Library will see an increase of 7 parked cars, and 4 drop-off vehicles (including taxis). Given the findings and outcomes of the Rockdale Town Centre Masterplan (2012), this increase is relatively minor for the town centre location considering current parking is below practical capacity and the close proximity of the York Street public car park. “*

The proposal was referred to Council’s Engineers who have raised no objections to the proposal on traffic grounds and have imposed appropriate conditions of development consent, some of which relate to the recommendations made within the Traffic Report which

involve re line marking the York Street car park to increase its capacity by one space and to relocate the accessible space closer to the library. Bike racks will be provided in King Lane.

In regard to the above assessment the proposal is satisfactory in regard to traffic and parking.

#### *Noise*

An acoustic report has been submitted as part of the DA (Acouras Consultancy) and the recommendations of the report have been included as conditions of consent which relate to the building façade construction. The pre DA advice suggested the roof top terrace be deleted due to aircraft noise. This space has been enclosed in the final set of amendments to the proposal and in any case such noise is unlikely to create a detrimental impact upon the proposed uses of the library space.

#### *Views and Vistas*

There are no significant views or vistas to consider however the setback of the building and its alignment along the Princess Highway will allow a view of the Town Hall when approaching from the north. The Town Hall is a Heritage Item located and located immediately to the south of the site on the corner of Princes Highway and Bryant Street.

#### *Management of Waste*

The applicant has been in consultation with Council officers in regards to the provision of on site garbage collection facilities. The proposal complies with Council's requirements and is therefore satisfactory in regards to waste management. Conditions of consent have been incorporated into the draft notice of development approval which require the frequency of collection services to increase to ensure that there is sufficient garbage storage area and that the proposed garbage room (currently a Store Room) will require the removal of a storage cupboard and a kitchen bench top and sink. These matters have been addressed in conditions which have been included in the draft notice of development approval.

#### *Environmental Health*

Council's Environmental health Officer has reviewed the DA and the report provided by Geotechnique Pty Ltd titled "Additional Contamination Assessment & Remedial Action Plan for 444, 446 & 448 Princes Highway, Rockdale Report 13018/2 – AAR dated 24 October 2014 and has provided advices regarding conditions of development consent which have been included in the draft notice of approval.

#### **Suitability of the Site (S.79C(1)(c))**

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal. Additional conditions of consent are proposed to further minimise any impacts on neighbouring properties. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development. In this regard the original proposal which was lodged has been significantly reduced in size by deleting the majority of the lower ground level due to groundwater constraints.

**Public Submissions (S.79C(1)(d))**

The development application has been notified in accordance with Council's Development Control Plan 2011 and no submissions have been received.

**Public Interest (S.79C(1)(e))**

The proposal has been assessed against the relevant planning policies applying to the site having regard to the objectives of the controls. As demonstrated in the assessment of the development application, the proposal will allow the development of the site in accordance with its environmental capacity and future vision for the area. The proposed building will add value to the existing streetscape. Furthermore, the proposal does not create unreasonable impacts on surrounding properties. As such it is considered that the development application is in the public interest.

**CONCLUSION**

The proposed development has been considered under S79C(1) of the Environmental Planning and Assessment Act, 1979. The application involves the demolition of some structures on the site and the erection of a new community facility which will accommodate a new public library and ancillary works including a café which will be located on the laneway frontage and which will activate this area of the site. The proposal is consistent with the objectives of the controls under RLEP 2000, DCP 2011 and relevant state policies. As such, the application DA-2015 50 is recommended for approval.