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8 August 2022

Laura Locke  
Director, Eastern and South Districts  
Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

Attention: Ms Laura Locke

Dear Ms Locke

**Rezoning review request - PP-2021-6179 – Georges River – RR Planning Proposal for 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-6 Targo Road, Ramsgate (Ramsgate Village)**

This cover letter is provided in response to a request for a rezoning review submitted with the Department of Planning and Environment (DPE) by Urbis (applicant) on behalf of Point Gate Developments Pty Ltd in relation to 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-6 Targo Road, Ramsgate (Ramsgate Village) (the site).

**Introduction**

To assist Council in its assessment of the Planning Proposal (PP); and as Council has entered into a contract of sale of Lot 301 in DP1142822 (197R) Rocky Point Road, Ramsgate which forms part of the PP site, WSP Australia Pty Ltd (WSP) was engaged to undertake an independent assessment of the PP lodged in October 2021 and the Rezoning Review which was lodged in July 2022.

Council has also undertaken its own urban design review, traffic assessment and heritage assessment for both the PP and the Rezoning Review documentation. In our view, the PP (as updated in the Rezoning Review) broadly provides strategic merit, however, there are a number of concerns that indicate a lack of site specific merit that would need to be addressed and considered further before the PP could be supported.

These site specific issues relate to urban design (excessive height and bulk, inadequate interface to the residential properties to the west of the site, limited visibility of the public square, lack of deep soil landscaping), vehicular access and traffic generation, and impacts on adjoining heritage properties.

### **Independent Assessment**

As stated above, an independent strategic and site specific merit assessment of the PP has been undertaken in accordance with the *Local Environmental Plan Making Guideline* dated December 2021. It is agreed that the PP broadly provides strategic merit; however, it is Council's position that the proposal lacks site specific merit.

The independent assessment prepared by WSP on behalf of Council is contained in **Attachment 1** and is summarised below. This independent assessment includes the responses from Council's Urban Designer/Strategic Planner, Council's Traffic Engineer and Council's Heritage Advisor.

A summary of the issues include:

#### Urban Design

##### Height and Bulk

- The proposal does not provide an appropriate street wall height to Rocky Point Road, Targo Road and Ramsgate Road due to the limited setback of the upper levels. The street wall height is not considered compatible with the surrounding development and not commensurate with a local centre hierarchy nor the controls in the Georges River DCP 2021 (DCP).
- The proposed local provision would allow communal open space/lift overruns and services above the maximum permissible height and will further exacerbate the overall bulk and scale impacts of the development.
- The proposal provides a poor interface and transition between the building and the adjacent heritage 'Roma' apartments at 70 Ramsgate Road.

##### Interface to the west

- The proposal does not allow for an adequate height transition as a maximum height of 29m adjoins the lower scale residential development to the west which has a maximum height of 15m.



- The DCP (Part 7 Business Precincts) requires increased side and rear setbacks to be provided by a new development in the B2 Local Centre zone when it adjoins an existing development in a lower density area. A minimum 9m setback from the boundary is required at the side and rear up to 4 storeys and 12m setback for upper levels above 4 storeys. Contrary to the DCP requirements, the proposal only provides a 3m wide setback from the western boundary, reducing the amenity impacts to existing dwellings on the west, in particular solar access. The accompanying shadow diagrams illustrate that the dwelling located at the inner corner of 8 Targo Road will be overshadowed by the proposal (including at midday) despite possessing a north-easterly orientation.

#### Limited visibility of the public square

- The public domain (plaza) interface provides limited visibility from the street. Views to the plaza from Ramsgate Road are also limited with the 45 metre long entry way having a width of only 3-4 metres. Given the limited width and views from the public plaza to this lane, there is no public surveillance of this laneway.
- No evidence has been submitted to demonstrate that the plaza will not result in wind tunnel impacts.

#### Lack of deep soil landscaping

- The proposal provides no deep soil landscaping across the site, especially at the western boundary interface with the lower density residential development; as the basement footprint has been maximised.

#### Vehicular access and traffic generation

- The significant increase in the number of residents and workers on the site as a result of the proposal will exacerbate traffic congestion in the area, especially with the existing no right turn (NRT) from Rocky Point Road to Targo Road in peak hours. Consequently, people will use the residential streets to access the proposed development and local streets like Hastings Road will cause traffic to build-up on Rocky Point Road and lead to further traffic congestion in the area.
- Based on the applicant's Traffic Assessment, the Level of Service is currently F for east bound traffic on Ramsgate Road. Based on the assessment of forecasted traffic at 2032, modifications to the signalised intersection of Ramsgate Road/ Rocky Point Road will improve the LOS for east bound traffic along Ramsgate Road but will also reduce the LOS in all other directions. Without any upgrades in future, the increase in residential and retail uses in the proposed development will worsen the impacts.
- Vehicle and pedestrian access for properties at 201-209 Rocky Point Road relies on the 3m wide easement on the entrance on Ramsgate Road by the proposed scheme and the existing 3m building setback of the heritage item. However, evidence has not been provided that this will guarantee the safe movement of waste collection and other vehicles as well as pedestrians.





Note: Additional concerns have been raised by Transport for NSW in its letter dated 4 August 2022. This is covered in this letter under the section titled **Transport for NSW (TfNSW) comments**.

Impacts on adjoining heritage properties

- The Heritage Impact Statement (HIS) does not address the transition in the scale of the proposed building envelopes to ensure future built forms do not adversely impact on the visual setting and occupant amenity of the heritage items at 70 Ramsgate Road (I294) and 211-219 Rocky Point Road (I295).
- The HIS includes a building height diagram on page 26 that does not accord with that shown on page 7 of the draft DCP. The HIS version shows the inverted image of page 7 of the draft DCP. Consequently, it is questioned whether this was noted in the HIS, which opinions that the transition in scale between the proposed building envelope and the adjoining heritage item is acceptable.
- The HIS should be revised to reflect the correct building height diagram.
- In any case, the inverted image contained in the HIS offers a better transition in height and scale between the heritage item and the proposed future building envelope, which is consistent with heritage advice provided by the Council's Heritage Adviser, seeking enhanced transition in height and scale at the interface.

Recommendations to the DPE

The following recommendations have been identified in the Independent assessment of the PP and are supported by Council:

- a) An ADG compliant setback from Building B and Building C must be provided to the western boundary (9 metre setback up to 4 storeys and 12 metre setback above 4 storeys) to minimise impacts on the adjoining residential properties and provide an appropriate transition to the lower density residential development and ensure consistency with Council's DCP.
- b) Reduce the street wall height to four storeys to align with the locality statement requirements for Ramsgate provided within the DCP.
- c) A minimum setback of 5 metres from the street should be provided for all tower elements above podium level across all buildings to recess the dominating presence of the 8 storey tower form. The minimum setback also applies to balconies, terraces, and balustrades. It should be noted that the overall height of 8 storeys is considered acceptable subject to an increase in setbacks as detailed within this recommendation. However, given the concerns raised in the Assessment, it is considered that the proposal is an overdevelopment of the site if setbacks cannot be met.



- d) ADG-compliant setback distances from Building C to 70 Ramsgate Road must be provided to ensure minimal amenity impacts to the occupants of 'Roma' apartments (70 Ramsgate Road), and by extension, provide an appropriate interface to the heritage item. Alternatively, Building C should be reduced to a maximum of 4 storeys to provide an appropriate transition to the two storey heritage item.
- e) In accordance with the ADG, deep soil zones on sites with a site area of greater than 1,500sqm must have a minimum dimension of 6m to be counted within the deep soil zone calculation. Accordingly, the deep soil zone/landscaped setback from the western boundary should be increased to 6 metres to allow for deep soil landscaping and an appropriate transition to the lower density residential development.
- f) The opening on Targo Road should be widened in the direction of Rocky Point Road (i.e., reduce the footprint of Building A) to clearly identify the plaza as a public, activated and welcoming space.
- g) The laneway accessed from Ramsgate Road is required to be widened to a minimum width of 6m for the full length to increase opportunities for direct sight lines to and from the public square.
- h) A Wind Impact Assessment should be prepared to confirm the public plaza will not be subjected to adverse wind tunnel impacts.
- i) The HIS should be amended to consider any revisions to the PP and to reflect the correct building height diagram.
- j) Council has no objections to allow right turn manoeuvres from Ramsgate Road into Targo Road with NRT restrictions during the afternoon peak. However, the NRT should be conducted as a trial on completion of the development to determine the effects it may have on residential streets. Confirmation is required from Bayside Council that they are satisfied with the removal of parking on the eastern side of Rocky Point Road prior to this option being considered acceptable.
- k) Confirmation is required that all access for residents and retail customers be provided through Targo Road only; to prevent vehicles travelling through local streets south of Ramsgate Road. This will also allow for the right turn manoeuvres to be maintained from Dalkeith Street. The median island is recommended to be extended past the proposed property driveway to prevent vehicles conducting a right turn from Ramsgate Road.



### External Impacts of the development

The PP will result in a significant increase in the number of residents and workers on the site, providing approximately 176 residential units, a supermarket and retail uses. There are a number of impacts from the development which need to be addressed should the Panel support the PP – on open space, community facilities and on the local traffic network.

Council's traffic engineers have identified local traffic management works required to address traffic generation from the proposal. Some of these will be covered by development consent conditions but others will not be covered. The traffic works involved are:

- a) Install traffic signals at Rocky Point Road/Targo Road intersection
- b) Install traffic signals at Targo Road /Ramsgate Road/The Promenade
- c) Remove existing signalised pedestrian crossing and line marking on Rocky Point Road
- d) Remove on-street parking on the eastern and western side of Rocky Point Road and Targo Road
- e) Install on-street parking signage on the eastern and western side of Rocky Point Road (north of Targo Road)
- f) Pavement marking - Ramsgate Road/Rocky Point Road
- g) Construct median island on Ramsgate Road (west of Rocky Point Road)
- h) Local traffic management works:
  - a. Raised thresholds along Hastings Road, Targo Road, Burgess Street, Torwood Street, The Promenade
  - b. Relocate pedestrian refuge island on Ramsgate Road (west of The Promenade)
  - c. Install pedestrian refuge island at the Dalkeith Street & Ramsgate Rd intersection
- i) Upgrade local bus stops:
  - a. Ramsgate Road (if bus stop is relocated west)
  - b. New bus shelter on the Rocky Point Rd at Hastings Road bus stop

A draft letter of offer to enter into a VPA ('draft offer') dated 10 June 2022 was submitted on behalf of Point Gate Developments Pty Ltd in conjunction with the PP. The draft offer proposes to provide both monetary contributions as well as works in kind and is to be subject to approval of the PP and traffic signal upgrades.

Council supports the provision of a VPA offer in conjunction with the PP and has held initial discussions with the Applicant on an earlier VPA offer. A preliminary review of the current draft offer has been undertaken by Council staff. **Attachment 2** provides



Council's comments on the draft offer and each of the proposed public benefits. Council support some of the proposed public benefits and will be undertaking further discussions with the Applicant in relation to the VPA offer. It is important that a VPA offer be finalised by Council and Applicant as part of the strategic planning process.

In reviewing the PP and VPA offer, Council staff have identified the works and facilities considered to be required to address the impacts and demands of the proposed development. A list of these works and facilities is provided in **Attachment 2** and the potential mechanisms to deliver these works (i.e., by way of a condition on any future Development Consent, VPA or s7.11 contribution) have been identified.

This review has been informed by Council's adopted planning strategies and policies, in addition to the Traffic Report submitted with the PP, TfNSW comments and NSW Government strategies.

A VPA in conjunction with the PP is considered essential in order to provide a mechanism to deliver the infrastructure works and community facilities to support the demands and impacts of the proposed increase in population. Council's *Infrastructure Contributions Plan – Section 7.11 and Section 7.12 (2021)* does not levy for the works and facilities required, as the proposed development was not anticipated at the time the plan was prepared.

The VPA will be a key tool to facilitate the delivery of the works and facilities to support the PP and proposed population growth. Council request that the review of the PP consider the VPA offer and that the PP and VPA processes run in parallel.

### **Transport for NSW (TfNSW) comments**

TfNSW have provided detailed comments on the Rezoning Review request contained in **Attachment 3**. The key concerns relate to:

- traffic count survey data for the proposed traffic signals at the intersection of Ramsgate Road/Rocky Point Road as it is not clear when the traffic accounts were undertaken, whether they are existing or estimated traffic volumes
- traffic count survey data for the proposed traffic signals at the intersection of Rocky Point Road/Targo Road do not reflect the traffic volumes at this intersection
- no evidence of consultation with Bayside Council for the removal of the north bound right turns into the driveway for the commercial property on Rocky Point Road in Bayside Council and removal of on-street parking on Rocky Point Road in order to operate the signals at the intersection of Ramsgate Road/Rocky Point Road





- lack of clarification for the impacts on the levels of service at the Rocky Point Road/Targo Road and Rocky Point Road/Ramsgate Road intersections
- lack of justification to convert the Ramsgate Road/Targo Road intersection as a signalised intersection
- proximity of the driveway on Ramsgate Road to the signals at Rocky Point Road
- requirement for a full length of 'no stopping' zone to be installed on Rocky Point Road by the applicant on the western side of Rocky Point Road
- an incomplete submission missing:
  - All the minimum submission requirements set out in TfNSW technical direction GTD 2020/21 'Excavation adjacent to TfNSW Infrastructure'. The applicant is to ascertain which boundary roads are TfNSW owned and operated in order to satisfy the requirements.
  - Basement level information (number of basement levels and or depth of basement).
  - Letter from Bayside Council regarding the removal of on-street parking on Rocky Point Road.
- TfNSW have also raised concerns regarding the SIDRA modelling which are detailed in **Attachment 3**.

## Summary

We acknowledge that the revised concept has evolved since it was originally lodged with Council and could provide significant material public benefit to the community which largely hinges off the proposed density. Notwithstanding, as outlined above and discussed in further detail in **Attachment 1**, there are a number of concerns relating to the lack of site specific merit of the PP. These matters need to be addressed and considered further before the proposed development could be supported.

**Attachment 3** provides TfNSW feedback on the PP which in summary raises concerns with regard to the traffic impacts and lack of evidence of consultation with Bayside Council in relation to a number of amendments required for traffic movements on Rocky Point Road.

Accordingly, it is recommended that the DPE not progress the PP to a Gateway Determination stage until these concerns have been addressed.

If the Panel recommends supporting the PP, the provision of a VPA in conjunction with the PP is considered essential in order to provide a mechanism to deliver the infrastructure works and community facilities to support the demands and impacts of the proposed increase in population, residential and commercial activity as detailed





in **Attachment 2**. The VPA will be a key tool to facilitate the delivery of the works to support the PP and as such the PP and VPA processes should be run in parallel.

Should you require any further information, please contact Council's Senior Strategic Planner, Ms Harkirat Singh on 9330 6259.

Yours sincerely



Meryl Bishop  
**Director Environment and Planning**

**Attachments**

1. Independent Assessment of Rezoning Review Request – Ramsgate Village
2. Offer to enter into a Voluntary Planning Agreement – comments on proposed public benefits
3. TfNSW Submission - Ramsgate Village Rezoning Review

