

## **Bayside Planning Panel**

**1/05/2018**

|           |   |
|-----------|---|
| Item No   | <b>5.3</b>  |
| Subject   | <b>Post-Exhibition Report: Planning Proposal – 75-81 Railway Street, Rockdale</b> |
| Report by | John McNally, Senior Urban Planner  |
| File      | F14/362   |

---

### **Summary**

In September 2015, Council resolved to support a Planning Proposal for land at 75-81 and 83-85 Railway Street, Rockdale.

The Planning Proposal seeks to:

- Increase the maximum Height of Building on the land from 22m to 28m.

In October 2015, the Department of Planning and Environment (DPE) issued a Gateway Determination for the Planning Proposal. However, the owner of 83-85 Railway Street did not provide agreement to the Planning Proposal and the land was therefore removed from the Planning Proposal.

In November 2016 DPE issued an amended Gateway Determination in respect of land at 75-81 Railway Street only (the Subject Site).

In accordance with the amended Gateway Determination, the Planning Proposal, supporting documentation and a draft Voluntary Planning Agreement were publicly exhibited for 29 days from Wednesday 21 February 2018 to Thursday 22 March 2018. This report provides the Bayside Planning Panel with a summary of the submissions received and a response to the matters raised therein.

---

### **Officer Recommendation**

That the Bayside Planning Panel recommends to Council that it exercises its delegation and makes the Local Environmental Plan amendment, as exhibited, for 75-81 Railway Street, Rockdale in accordance with Section 3.36 of the Environmental Planning and Assessment Act 1979.

---

### **Background**

On 2 September 2015, Council resolved to endorse a Planning Proposal for land at 75-81 Railway Street and 83-85 Railway Street, Rockdale (see Attachment 1). The inclusion of land at 83-85 Railway Street was intended to secure a continuous laneway through the rear of the lots between Parker Street and Walz Street, whilst also creating a small area of public parking.

However, despite undertaking negotiations with the landowner of 83-85 Railway Street, the proponent of this Planning Proposal could not reach an agreement to consolidate the sites.

An amended Gateway Determination was issued by the DPE in November 2016 which removed the land at 83-85 Railway Street (see Attachment 2). Consequently, this Planning Proposal now only relates to land at 75-81 Railway Street (the Subject Site).

The proponent of the Planning Proposal (75-81 Railway Street) has agreed to enter into a Voluntary Planning Agreement (see Attachment 3) which covers the following matters (subject to a minimum gross floor area of 10,300sq.m. being achieved on the site):

**Option A** (to be implemented if the developer or Council becomes the registered proprietor of 83-85 Railway Street or otherwise obtains alternative public access arrangements over 83-85 Railway Street):

- Extension of Hesten Lane southwards by approximately 21m including construction of new road infrastructure and public car parking on extension of Hesten Lane;
- Streetscape improvement works to upgrade the Parker Street frontage;
- Streetscape improvement works to upgrade the existing footpath from Railway Street to the Guild Theatre;
- Streetscape and building frontage improvement works within the boundary of the Guild Theatre site; and
- Dedication to Council of land to be used for provision of new public parking and a proposed future pedestrian connection linking Hesten Lane with Walz Street.

**Option B** (to be implemented if the circumstances which give rise to Option A do not occur):

- Streetscape improvement works to upgrade the street frontages of the land on Hesten Lane, Parker Street and Railway Street;
- Streetscape improvement works to the northern side of Walz Street between Watkin Street and Railway Street;
- Streetscape improvement works to upgrade the existing footpath from Railway Street to the Guild Theatre; and
- Streetscape and building frontage improvement works within the boundary of the Guild Theatre site.

(See Figure 1 below)

There remains, therefore, an opportunity to create a public laneway from Parker Street to Walz Street which would introduce the permeability through the block that is sought along with public parking. The new laneway would benefit from the natural surveillance and increased activity from the new residential developments, helping to discourage antisocial behaviour and criminal activity.





Figure 1 – VPA options

The owner of the land at 83-85 Railway Street has submitted a Development Application for a discrete development and it is intended that a 'deferred commencement condition' be imposed on any development consent which would facilitate a Voluntary Planning Agreement (VPA) being entered into by the owner of 83-85 Railway Street. The key considerations of Council in relation to a VPA would be:

- Public domain/landscape works to the existing 3m wide Heston Lane to create additional public car parking to the rear of the Guild Theatre site;
- Stratum subdivision and dedication of a portion of the rear of the site to Council (with depth of approximately 1200mm and unlimited in height) to facilitate a future pedestrian link to Heston Lane and future public car parking to the north;
- Landscaping and public domain works associated with the future pedestrian link; and
- Works on the proposed Right of Way across the Guild Theatre Site to facilitate access to the site.

### Exhibition

The Planning Proposal, supporting documentation and VPA, were publicly exhibited for 29 days from Wednesday 21 February 2018 to Thursday 22 March 2018, in accordance with the requirements of the Gateway Determination (see Attachment 4). Notification letters were sent to 55 property owners in the surrounding area. The Planning Proposal was also advertised in the St George and Sutherland Shire Leader on Wednesday 21 February 2018, and the Planning Proposal and supporting documents, and the VPA, were made available for inspection at Rockdale library.

One submission was received from a resident of 2-4 Parker Street. The following concerns were raised:

- Concerns regarding the proximity of any future development to the existing residential units immediately to the west on Parker Street; and
- Concerns regarding the impact of any future development on the privacy of the existing residential units immediately to the west on Parker Street.

As required by the Gateway Determination, Sydney Airport Corporation Limited (SACL) was consulted on the Planning Proposal. No objections were raised by SACL, but the following advice was provided to the proponent:

- This location lies within an area defined in schedules of the Civil Aviation (Buildings Control) Regulations which limit the height of structures to 15.24 metres above existing ground height (AEGH) without prior approval of the Civil Aviation Safety Authority;
- Any proposed development taller than 15.24 metres AEGH will need to be approved by the Civil Aviation Safety Authority;
- The Sydney Airport Obstacle Limitation Surface (OLS) over the site is 51m AHD. Any proposed development taller than 51m AHD will need to be assessed and referred to the Federal Department of Infrastructure & Regional Development & Cities for a determination;
- The finished building height must be inclusive of all lift over-runs, vents, chimneys, aerials, TV antennae, construction cranes etc.;
- Should the height of any temporary structure and/or equipment be greater than 15.24 metres AEGH, a new approval must be sought in accordance with the Civil Aviation (Buildings Control) Regulations Statutory Rules 1988 No. 161;
- Construction cranes may be required to operate at a height significantly higher than that of the proposed development and consequently, may not be approved under the Airports (Protection of Airspace) Regulations;
- Approval to operate construction equipment (i.e. cranes) should be obtained prior to any commitment to construct;
- Current planning provisions (s.117 Direction 3.5 NSW Environmental Planning and Assessment Act 1979) for the assessment of aircraft noise for certain land uses are based on the Australian Noise Exposure Forecast (ANEF). The current ANEF for which Council may use as the land use planning tool for Sydney Airport was endorsed by Airservices in December 2012 (Sydney Airport 2033 ANEF);
- Whilst there are currently no national aviation standards relating to defining public safety areas beyond the airport boundary, it is recommended that proposed land uses which have high population densities should be avoided.

As required by the Gateway Determination, the Department of Infrastructure and Regional Development was also consulted. No response was received.

## **Response to Community Submissions**

### *Impact of proposed building envelope on residential properties at 2-4 Parker Street*

The current planning controls on the land allow a maximum Height of Building of 22m. The Urban Design Report submitted in support of the Planning Proposal provides shadow

diagrams which demonstrate the differing impact between indicative development proposals with heights of 22m (shown in green) and 28m (shown in blue). A selection of these diagrams is shown below:

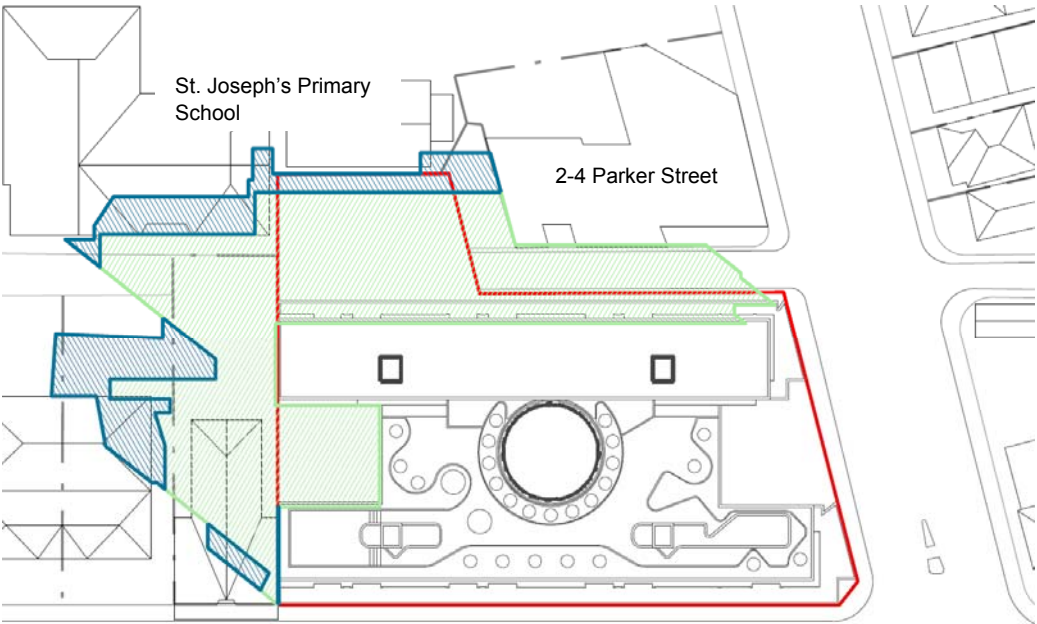


Figure 2 – Shadow Diagram: 21 March 9am

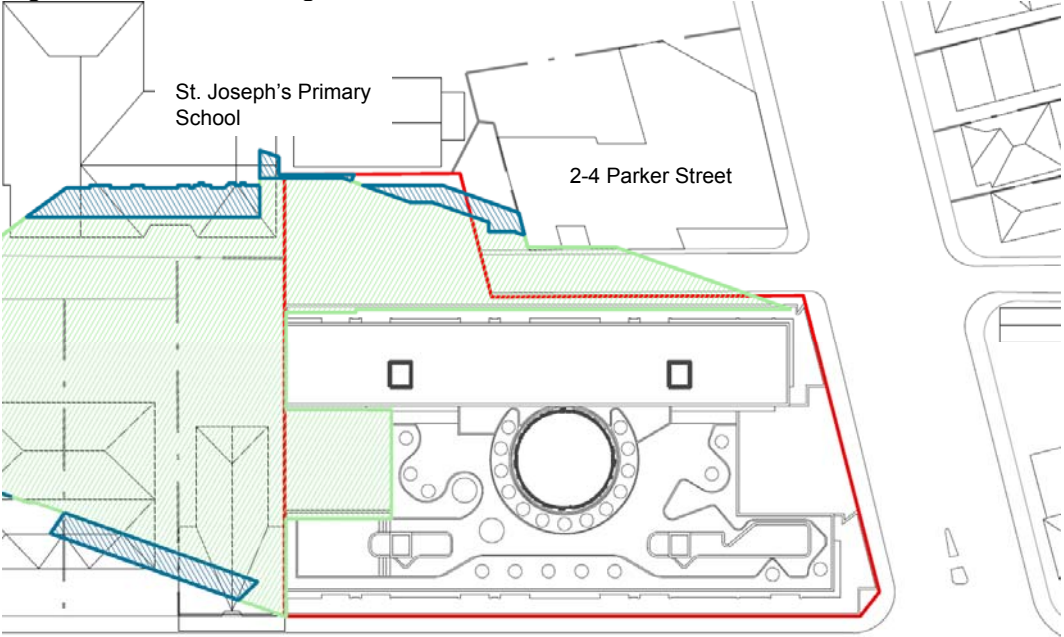


Figure 3 – Shadow diagram: 21 June 9am



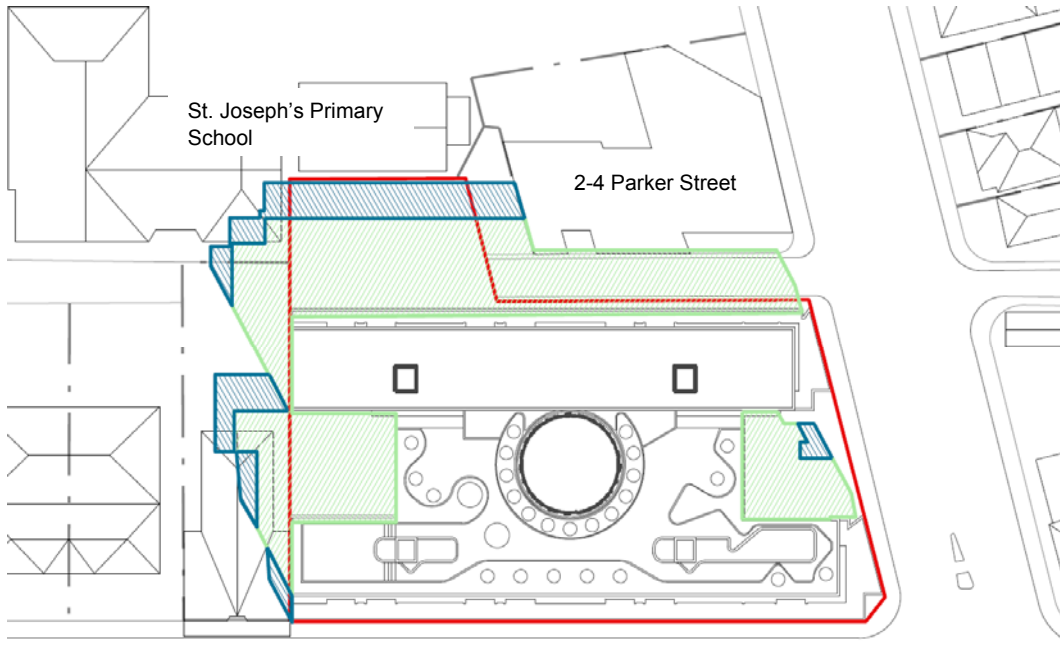


Figure 4 – Shadow diagram: 21 December 9am

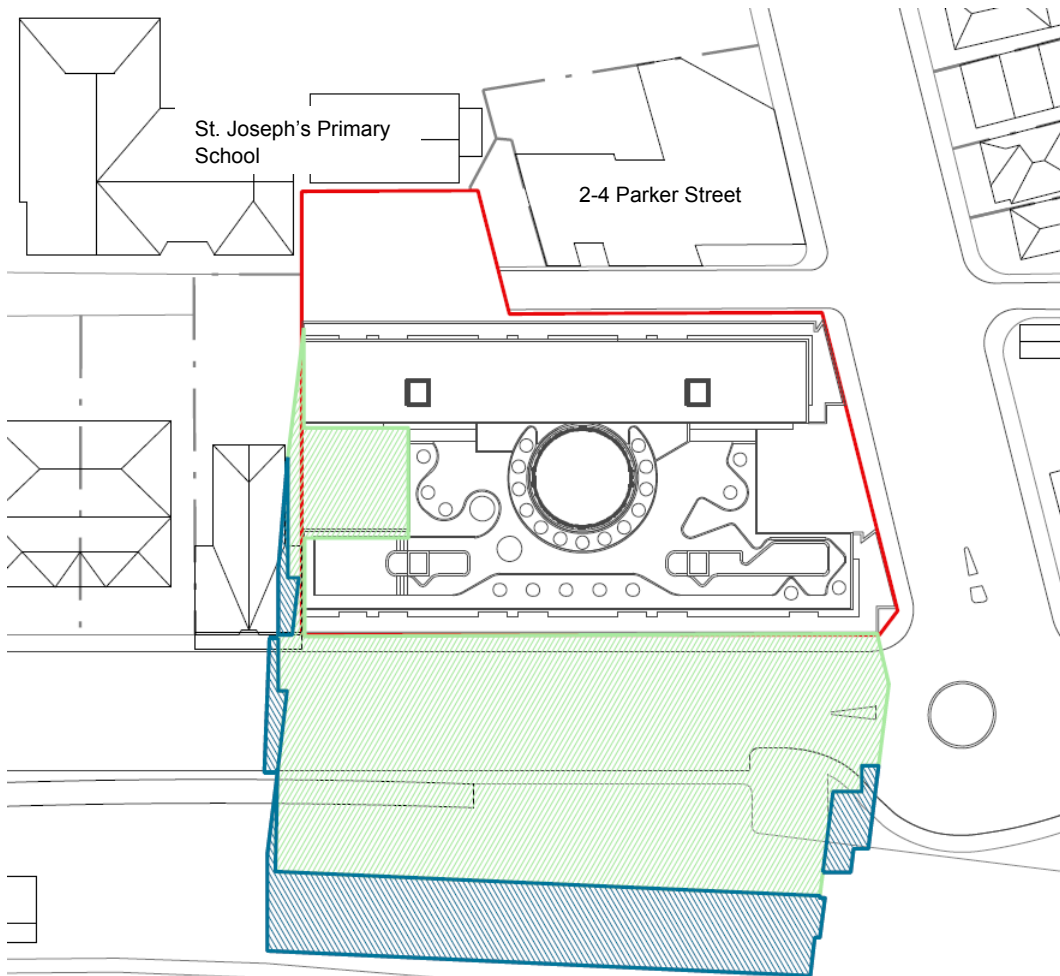


Figure 5 – Shadow diagram: 21 March 3pm

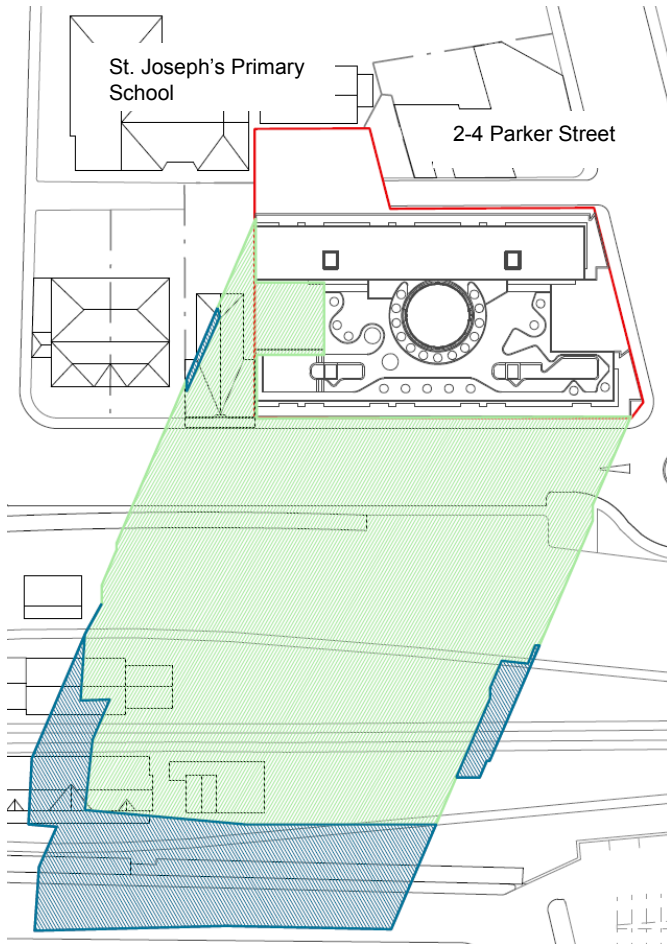


Figure 6 – Shadow diagram: 21 June 3pm

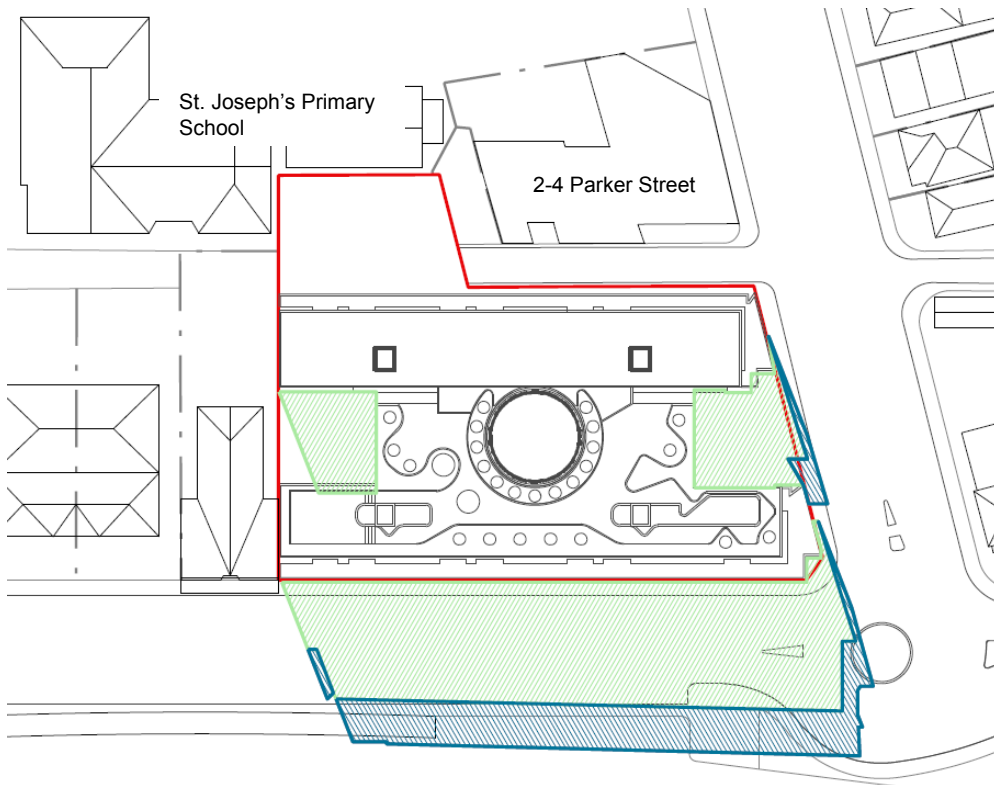


Figure 7 – Shadow diagram: 21 December 3pm

The shadow diagrams show the extent of overshadowing of the indicative scheme that has been included in the Urban Design Report for illustrative purposes only. The diagrams show that the additional 6m in height being sought results in modest additional overshadowing of the southern façade of 2-4 Parker Street at 9am during the most affected times of year (i.e. when the sun is at its lowest angle and therefore casts the longest shadow). The diagrams also show that, at 3pm, the overshadowing affects only the public roads, railway land (Rockdale Station) and bus interchange to the east.

While the maximum Height of Building being sought is considered acceptable in the town centre context of the subject land, any future detailed Development Application will need to carefully examine the impact of the possible additional reduction in solar access to any of the south-facing windows of 2-4 Parker Street. Similarly, any future development should be configured and oriented to ensure that the visual privacy of the adjacent residential properties is properly considered and protected, with the necessary separation distances being achieved between the existing and proposed development.

The subject site is located within a 'Local Core' area within Rockdale Town Centre in the Rockdale DCP. The following setback controls are sought for development in this area:

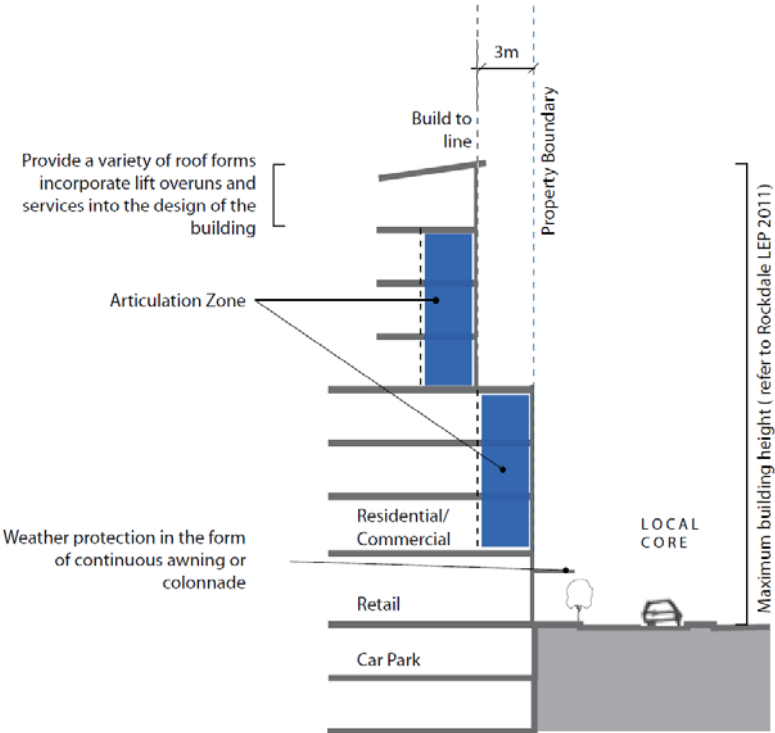


Figure 8 – Rockdale DCP Local Core setbacks

The site also backs on to Hesten Lane to the rear, for which the DCP seeks the following setback controls:

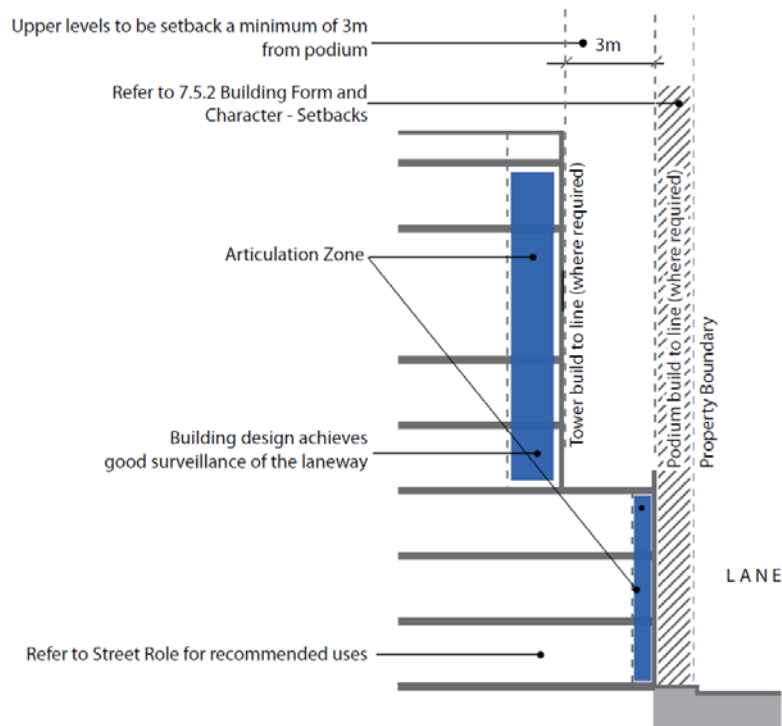


Figure 9 – Rockdale DCP Laneway setbacks

Hesten Lane is approximately 6m wide and, with the 3m setback of the upper levels that is required by the DCP, a setback of approximately 9m will be required between the upper floors of any future development on the subject land and the existing residential properties at 2-4 Parker Street. These existing controls, combined with careful and responsive design at the Development Application stage, should be sufficient to ensure a harmonious relationship between existing and proposed development.

### Next Step

In the event that Council resolves to endorse the Planning Proposal, it will be forwarded to the Department of Planning and Environment so that the LEP amendment can be drafted, subject to any amendments resolved by Council. Council has delegation from the Minister to make this LEP amendment.

---

## Community Engagement

The community engagement actions in relation to this Planning Proposal were:

- Publicly exhibiting the Planning Proposal for 29 days from 21 February 2018 to 22 March 2018;
- Sending notification letters to 55 adjacent and surrounding landowners;
- Providing hard copies of all materials for inspection at the Rockdale Customer Service Centre; and

- Advertising the Planning Proposal in the St George & Sutherland Shire Leader providing notification of the exhibition period and where exhibition materials could be viewed, including on Council's 'Have Your Say' web page.
- 

## **Attachments**

- 1 Council Report – 2 September 2015
- 2 Amended Gateway Determination – 3 November 2016
- 3 Draft VPA
- 4 Original Gateway Determination – 20 October 2015
- 5 Planning Proposal
- 6 Urban Design Report



# Council Meeting

Meeting Date 02/09/2015

## Public

### Report Header

---

|                                |   |
|--------------------------------|---|
| <b>Item Number:</b>            | ORD12   |
| <b>Subject:</b>                | PLANNING PROPOSAL: 75-81 AND 83-85 RAILWAY STREET<br>ROCKDALE |
| <b>File Number:</b>            | F14/362   |
| <b>Report by:</b>              | Acting Manager Urban & Environmental Strategy (David Dekel)   |
| <b>Contributors:</b>           | Urban Designer (Wil Robertson)                                |
| <b>Community Engagement:</b>   | No  |
| <b>Financial Implications:</b> | No  |

### Precis

---

A planning proposal has been received from the owners of 75-81 Railway Street, Rockdale affecting 75-81 and 83-85 Railway Street, Rockdale. The site is located on the western side of Rockdale Railway Station, to the north of the current retail/commercial core. The properties are adjacent to the Guild Theatre and are immediately opposite the current bus interchange on Railway Street.

The recently gazetted amendments to the Rockdale Local Environmental Plan 2011 (made in June 2015), provide a building height of 22 metres. This planning proposal seeks to increase the building height to 28 metres while retaining the existing B2 Local Centre zoning on the site allowing "shop top housing". The increased height will enable an eight storey development over the site. The Planning Proposal also facilitates the creation of a laneway at the rear of the property, which links Walz and Parker Streets, and provides opportunities for additional parking spaces in the locality. This will be defined in a Voluntary Planning Agreement, currently being negotiated, and will be reported to Council separately during the Gateway Determination period.

The purpose of this report is to determine if the planning proposal has sufficient merit to be recommended to the Department of Planning and Environment for Gateway Determination.

A presentation on the subject was made at the Councillor Information Session on 12 August 2015.

### Council Resolution

---

NOTE:

Councillors Bezic and Kalligas arrived at the conclusion of this item at 7.01 pm.

Mr Giovanni Cirillo addressed the Council.

MOTION moved by Councillors Nagi and P Sedrak

- 1 That Council supports the planning proposal for submission to the Department of Planning and Environment for Gateway Determination, subject to minor amendments outlined in this report.
- 2 That Council publicly exhibits the planning proposal in accordance with the Department of Planning

and Environment's Gateway Determination.

3 That Council notes that the particular design solutions shown in the applicant's supporting information are illustrative only and that any development on the site will require assessment through a separate development approval process.

4 That Council notes that a Voluntary Planning Agreement (VPA) is being negotiated with the applicant and that a separate report will be submitted for Council's consideration during the Gateway Determination process, recommending that, if approved, the draft VPA be exhibited concurrently with the Planning Proposal.

5 That the Land Reservations Acquisitions Map Sheet (LRA 004) in RLEP 2011 be amended to reflect a reservation on lots 75-85 Railway Street for the provision of an easement for the purpose of a through road and on street parking.

DIVISION

DIVISION on the MOTION called for by Councillors Nagi and P Sedrak

FOR THE MOTION

Councillors O'Brien, Macdonald, P Sedrak, Awada, Barlow, Nagi, Mickovski, Ibrahim, Hanna, Tsounis and Poulos

AGAINST THE MOTION

Nil

The MOTION was ADOPTED 11 votes to 0.

### **Officer Recommendation**

---

That voting on this matter be by way of a Division.

1 That Council supports the planning proposal for submission to the Department of Planning and Environment for Gateway Determination, subject to minor amendments outlined in this report.

2 That Council publicly exhibits the planning proposal in accordance with the Department of Planning and Environment's Gateway Determination.

3 That Council notes that the particular design solutions shown in the applicant's supporting information are illustrative only and that any development on the site will require assessment through a separate development approval process.

4 That Council notes that a Voluntary Planning Agreement (VPA) is being negotiated with the applicant and that a separate report will be submitted for Council's consideration during the Gateway Determination process, recommending that, if approved, the draft VPA be exhibited concurrently with the Planning Proposal.

5 That the Land Reservations Acquisitions Map Sheet (LRA 004) in RLEP 2011 be amended to reflect a reservation on lots 75-85 Railway Street for the provision of an easement for the purpose of a through road and on street parking.

### **Report Background**

---

Applicant: Planning Lab  
Land Owner 75-81 Railway Street: Zoe Holdings Rockdale Pty Ltd

Directors: Hassan Harb and Annette Harb

Council received a planning proposal from the owners of 75-81 Railway Street Rockdale on 4 May 2015 affecting 75-81 and 83-85 Railway Street Rockdale ("the site") (refer to **Attachment 1**). The decision by the applicant to prepare a planning proposal across both sites occurred following initial discussions with, and advice from Council officers. The rationale behind this advice and the subsequent Planning Proposal was to ensure that an integrated and cohesive site development outcome could be achieved. The purpose of including both sites was also to facilitate public benefit opportunities to improve pedestrian and vehicle amenity, as well as possible "at grade" additional parking opportunities, by connecting Walz and Parker Streets.

The Planning Proposal is supported by an Urban Design Analysis which illustrates potential development scenarios based on development of the all or part of the site (refer to **Attachment 2**). The planning proposal is supported by consultant reports covering urban design, acoustic, electrical, hydraulics, traffic and wind.

The Planning Proposal seeks to increase the building height of buildings permissible on the site from 22m to 28m in order to provide a prominent and contextually appropriate built form which responds to the 'inner-town-centre' context and maximises the site's development potential in proximity to the immediate Rockdale Railway Station interchange area.

## **SITE AND CONTEXT**

The site is described as 75 – 85 Railway Street, Rockdale as shown in the site identification diagram below.

- 1) The Northern portion of the site (75 – 81 Railway Street) comprises 4 allotments being Lot 101 DP771165, Lot 3 DP 82942, Lot 1 DP455421 and Lot 1 DP912313, under common ownership by Zoe Holdings
- 2) The balance of the site is Lot 1 DP3560

The site has an area of approximately 3,519 sqm, with about 85 metre frontage to Railway Street, and 37 metre frontage to Parker Street. The northern portion of the site is currently occupied by a three storey commercial building with a basement and rooftop parking. Currently, vehicle access to the site is via Hesten Lane.

Lot 1 DP3560 ('the southern lot') of the site is occupied by a two storey mixed use building. On-site parking is provided via a laneway connecting Walz Street.

Figure 1 below shows an aerial photo of the site and nearby surrounds.



**Figure 1** - Aerial photo of the Site

The subject site is located within the 'Walz and Frederick Streets Precinct' of the Rockdale Town Centre. The precinct is currently dominated by two storey buildings although the permitted building height is up to 22 metres (six storeys). Uses surrounding the site include railway lines to the east, Rockdale Station to the south east (100m), low density residential to the north (maximum height 8.5m), and the Walz commercial precinct to the west and south (maximum building height of 22m).

The Planning Proposal notes that the centre has visibly declined in recent years as a vibrant local retail hub as a consequence of competition from nearby major centres at Kogarah and Hurstville, but is in the process of an urban renewal led transformation, with the assistance of the Rockdale Town Centre Master Plan. The new direction proposed for the centre reflects the community's desires and aspirations as well as Council's own strategic land use, integrated transportation planning, urban design, and economic development principles.

### **Current Planning Controls**

The current planning controls for the site as per *Rockdale Local Environmental Plan 2011* ("RLEP 2011") are:

- **Zone:** B2 Local Centre

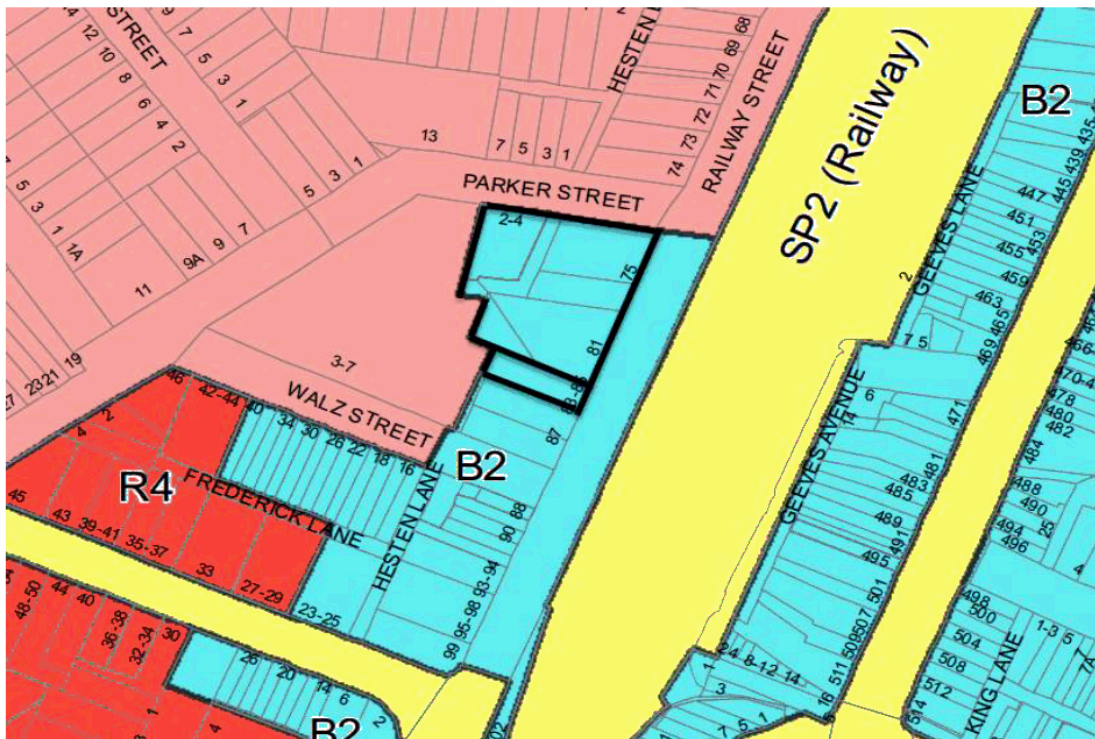
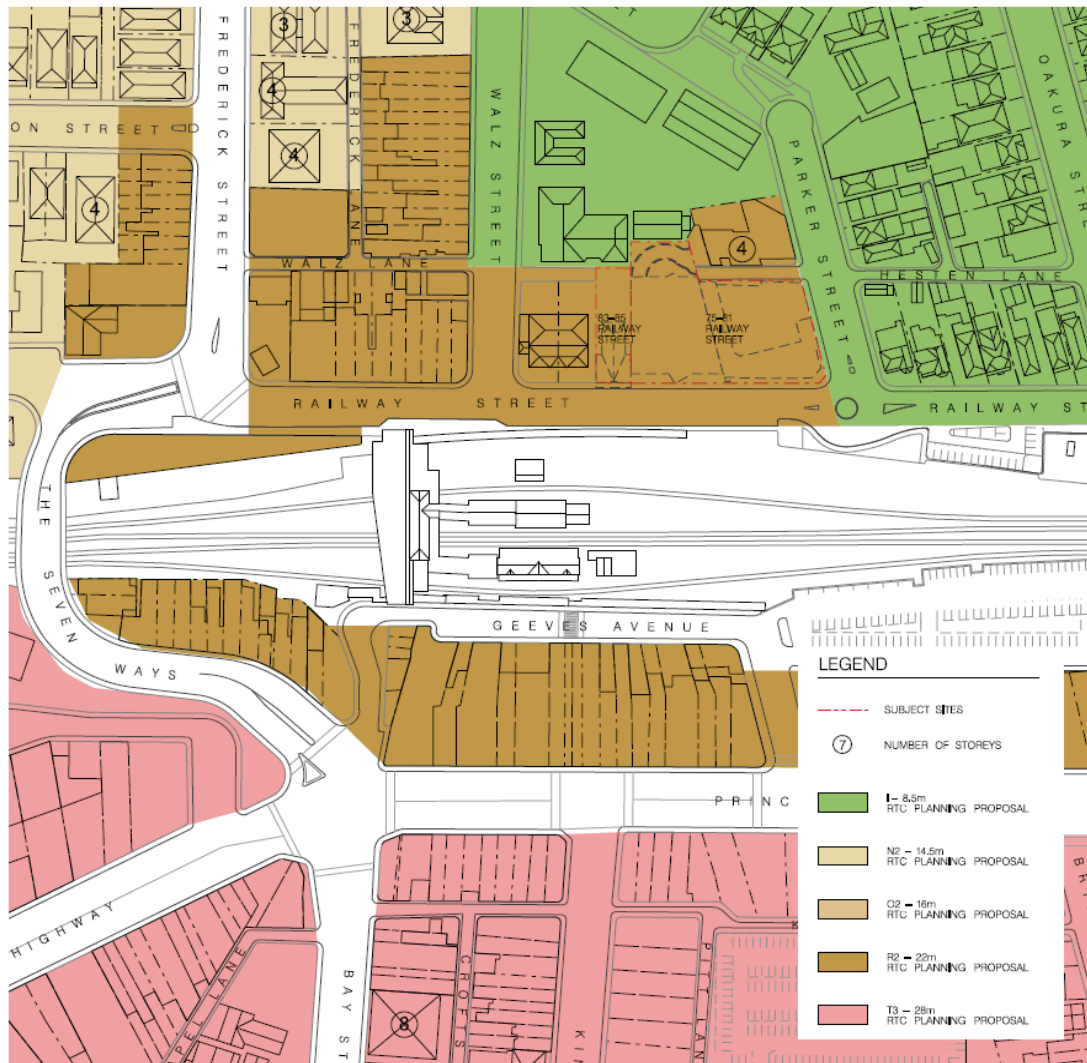


Figure 2 - Land Zoning Map extract from RLEP 2011

- Height of Building: 22 metres





**Figure 3** Height of Building Map extract from Candalepas and Associates Urban Design Report May 2015

The sites do not have FSR controls.

### THE PLANNING PROPOSAL

The planning proposal has been prepared generally in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and all relevant planning proposal guidelines published by the Department of Planning and Environment (DP&E). The planning proposal report was prepared by Planning Lab and supported by the following documentation:

- Attachment 2- Urban Design Report prepared by *Candalepas Associates* dated May 2015 (discussed below).
- Attachment 3- Acoustic report by Renzo Tonin
- Attachment 4- Electrical Report by NPS
- Attachment 5- Hydraulic Report by AJ Whipps
- Attachment 6- Traffic Report by ARUP
- Attachment 7- Wind Report by Windtech

The table below summarises the applicant's proposed amendments as stipulated within the planning proposal:

| Current controls – RLEP 2011  | Proposed changes sought by the applicant       |
|---|--|
| <b>Building Height Map:</b> <ul style="list-style-type: none"> <li>• 22 metres</li> </ul> | 28 metres across the whole of the subject site |

Table 1 - Proposed amendment

## ASSESSMENT OF THE PLANNING PROPOSAL

### Zoning:

The existing B2 Local Centre zone is to be retained unchanged. Zoning will allow ground level activation on the site, particularly on Railway Street, while allowing upper level residential apartment development. This is supported.

### Building Height:

The Planning Proposal is seeking an increase in building height from 22 metres to 28 metres across the site.

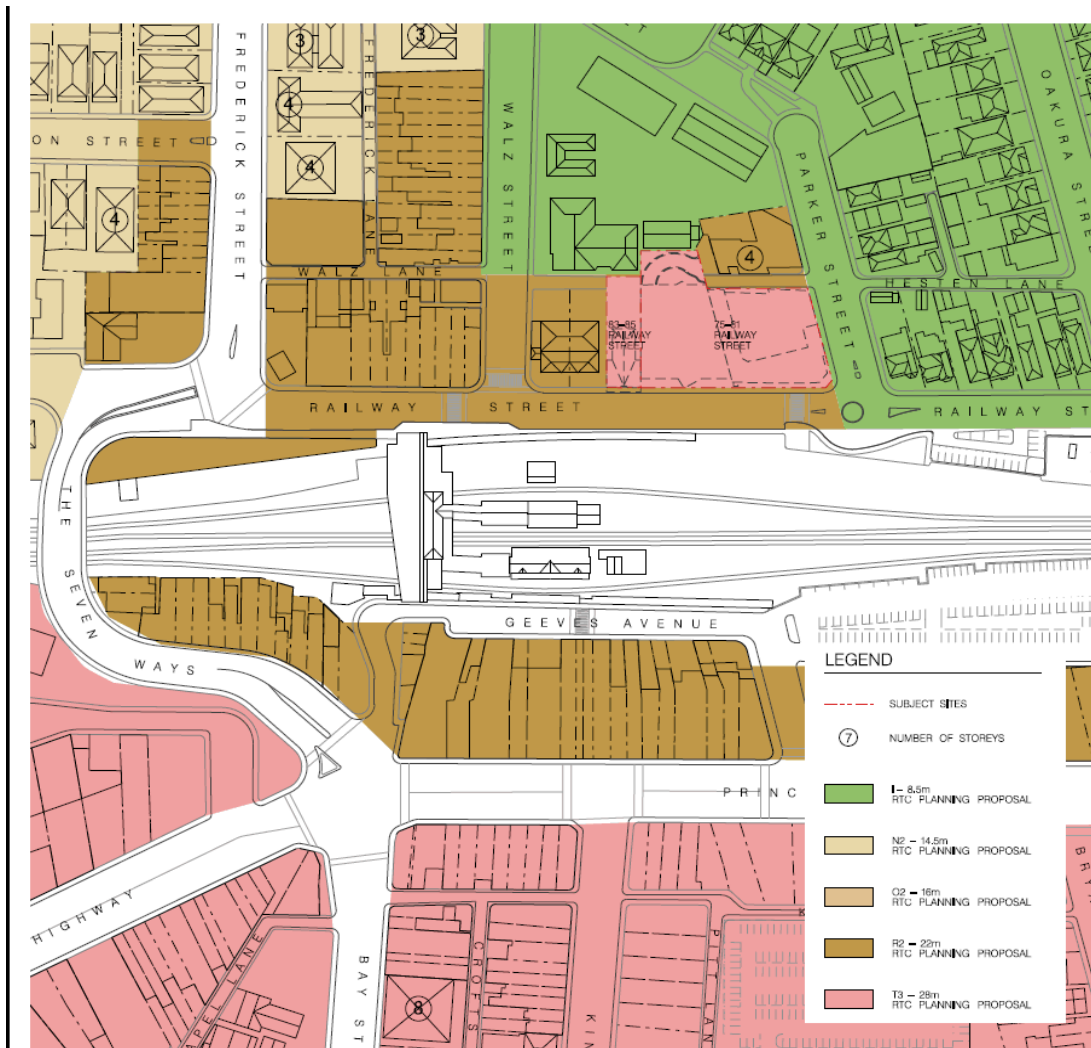


Figure 4 - Proposed Height Map (information extracted from applicant's planning proposal)

The recent amendment to the Rockdale Local Environment Plan 2011 (amendment #8) changed the building height controls to 22 metres. In some parts of the Town Centre, height incentives apply where

land area consolidation greater than 1,500 sqm can be achieved.

The subject site has a combined land area that is greater than 1,500 sqm, a scenario that Council did not envisage in its feasibility modelling at the time of the development of the Rockdale Town Centre Master Plan LEP Amendment. Therefore, the site is not currently subject to benefit from additional height based on existing land size incentives.

*Conclusion:* The site's proximity to a significant transport interchange and railway station makes it an opportune site for consideration of building height increase, particularly given the site area. The site is also part of the Rockdale Town Centre. Therefore, the proposed height increase is supported, subject to some minor amendments to reflect reference and contextual documents more accurately.

### **Floor Space Ratio:**

The Rockdale LEP 2011 has no Floor Space Ratio Controls for the subject site .

### **Urban Design Analysis and Report**

The Planning Proposal is supported by an Urban Design analysis and report, that considers the surrounding built form context and how the proposed changes would deliver an improved and consistent outcome.

#### *Development Scenarios*

This proponent of this Planning Proposal represents the owners of 75-81 Railway Street Rockdale. As part of preliminary discussions with Council Officers, the applicant was advised to include the adjoining property (83-85 Railway Street Rockdale) as part of the Planning Proposal. The intent of this approach is to deliver an integrated and cohesive urban form outcome. As a result, the Urban Design Report provides the justification for the proposed changes to the RLEP 2011 across the whole site comprising 75-81 and 83-85 Railway Street Rockdale. It also provides outline detail on three separate development scenarios providing massing diagrams of potential development envelopes:

**Scenario 1 (Figure 5):** Development of 75-81 Railway Street, with separate development of 83-85 Railway Street under the current DA Approval (expires January 2016),

Note: this development scenario will not result in the public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.

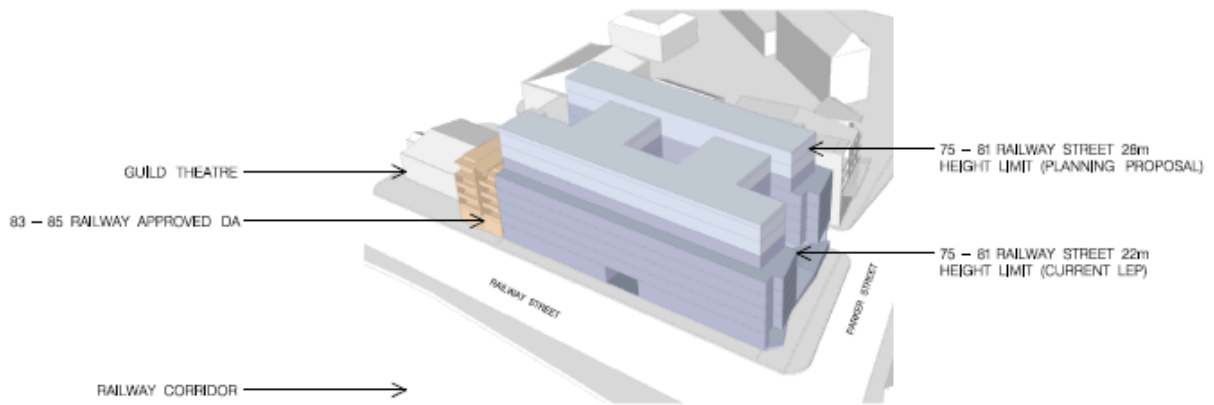
**Scenario 2 (Figure 6):** Integrated development of 75-85 Railway Street

Note: this development scenario has the capacity to provide public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.

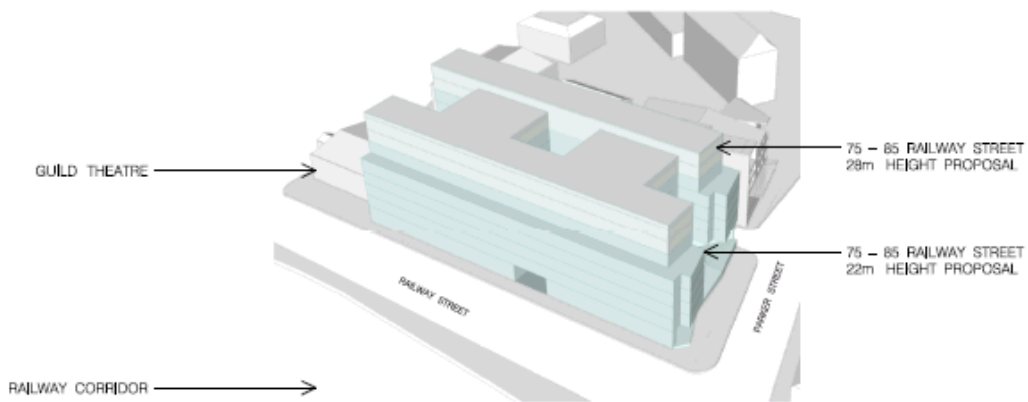
**Scenario 3 (Figure 7):** Separate cohesive development of 75-81 Railway Street and 83-85 Railway Street

Note: this development scenario requires agreement between all land owners/developers to ensure the provision of public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.

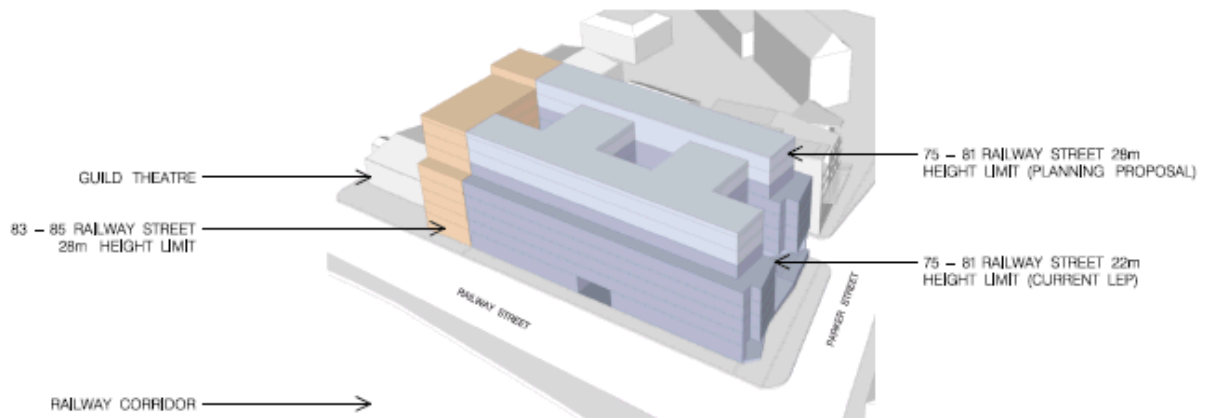




**Figure 5 - Scenario 1**



**Figure 6 - Scenario 2**



**Figure 7 - Scenario 3**

The development scenarios are an indication of the massing types that could be achieved on the site. They are not intended to suggest adherence to any specific development controls other than those proposed in the Planning Proposal. Issues such as setbacks, articulation zones, etc would be assessed through a Development Application (DA) process. This will also include assessment relating to SEPP 65 and the new Apartment Design Guide.

**Voluntary Planning Agreement - Laneway Activation**

The Planning Proposal facilitates the creation of a laneway at the rear of the property, which links Walz and Parker Streets, and provides opportunities for additional parking spaces in the locality. This is being defined in a Voluntary Planning Agreement, currently being negotiated, and will be reported to Council separately during the Gateway Determination period.

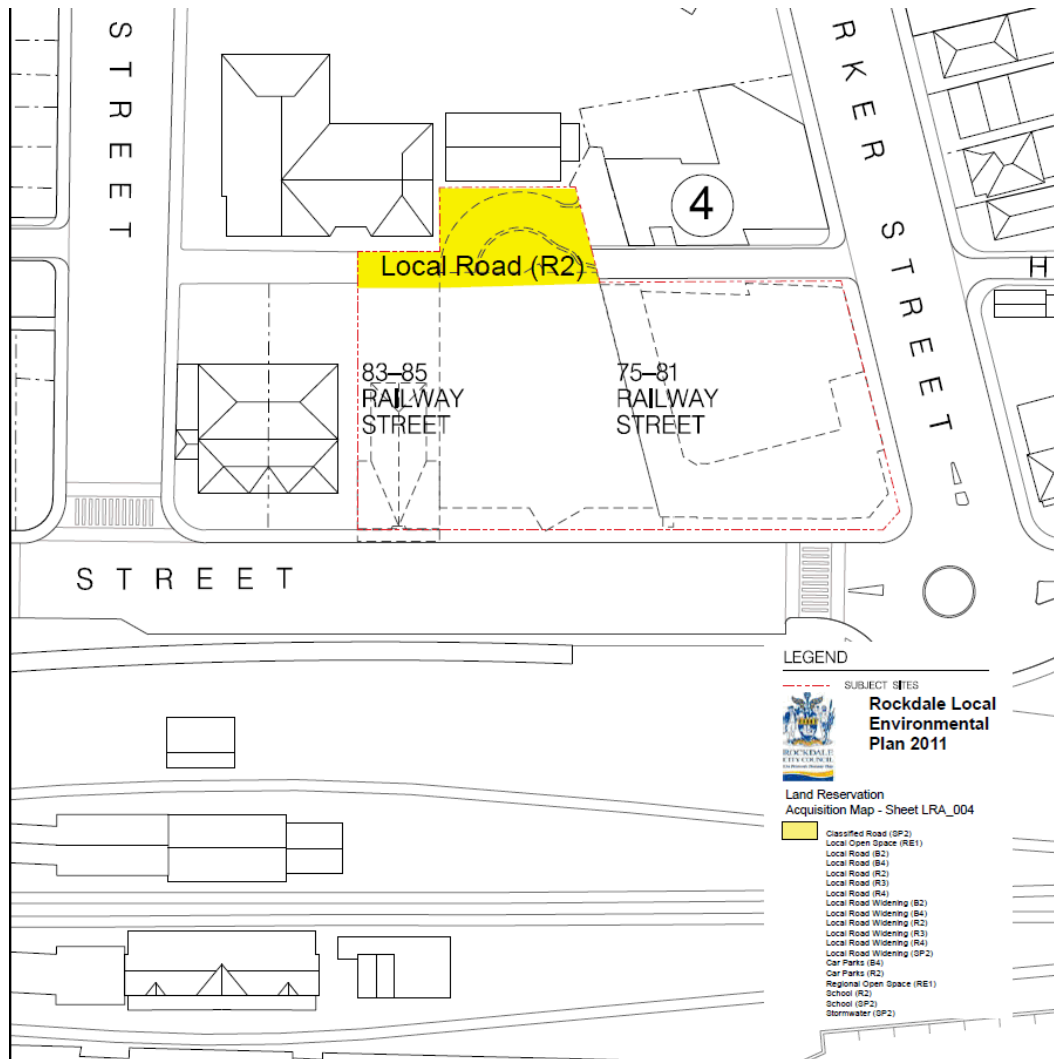
### **Through Access and On-street Parking**

#### *Assessment:*

1. There is currently no laneway or through access connecting Walz Street with Parker Street at the rear of 75-85 Railway Street.
2. The configuration of the existing laneway at the rear of 75-81 Railway Street requires two way traffic movement and, therefore, does not have on street parking capacity.
3. The provision of a laneway at the rear of the Guild Theatre and 75-85 Railway Street connecting Walz Street and Parker Street may have the capacity to allow one way traffic movement and on street parking for 15 cars. This scenario can also trigger the rationalisation of off-street parking at the rear of the Guild Theatre and provide a higher level of amenity and safety.

#### *Conclusion:*

1. Scenarios 2 and 3 (figures 6 and 7) have the capacity to provide public benefit comprising pedestrian and vehicle amenity and additional on street parking within the Walz Street Precinct.
2. It is appropriate that the Land Reservations Acquisitions Map Sheet (LRA 004) in Rockdale LEP 2011 be amended to reflect a reservation on lots 75-85 Railway Street for the provision of an easement for the purpose of a through road and on street parking (**Figure 8**). This can help trigger DA conditions for any future DA associated with 83-85 Railway Street Rockdale to facilitate a public benefit through the provision of a section of laneway.



**Figure 8 - Proposed Amendment to RLEP 2011 Land Reservation Acquisition Map - Sheet LRA\_004**

**Traffic And Transport**

The applicant has submitted a Traffic Report, prepared by Arup (see **Attachment 3**). This report identifies the findings of a SIDRA analysis that was conducted in relation to the site. The report concluded that there would be no adverse impact on levels of service or traffic delays due to the development. The net traffic impact would be minimal.

*Parking*

While the applicant has provided an analysis of off-street parking that meets the Rockdale DCP requirements, the proponent states that the total number of car spaces may not be needed, given the proximity of the site to Rockdale Train Station and the Bus Interchange.

*Conclusion:*

The traffic and transport analysis is supported and any future consideration of parking numbers will be considered as part of a future DA.

**Contamination**

The Proposal did not submit any supporting contamination reports.

*Conclusion:* In light of the site's historical uses, it is considered appropriate to require a Stage 1 Preliminary Site Investigation (PSI) with the lodgement of any subsequent DA.

**Heritage**

The site is not recognised as containing any heritage significance. However, it is in the vicinity of three heritage items:

- Rockdale School of Arts (Guild Theatre) – Local significance. Lot DP3560 (83-85 Railway Street) shared boundary
- Rockdale Railway Station – State significance
- St Joseph’s Convent – Local significance

*Conclusion:*

A heritage report will be required for any Development Application associated with the sites.

## **ADEQUACY OF THE PLANNING PROPOSAL AND SUPPORTING INFORMATION FOR EXHIBITION PURPOSES**

The DP&E's guidelines says that Councils are responsible for the content of planning proposals. In this regard, the Planning Proposal is considered to be consistent with DP&E's guidelines and is supported subject to some minor amendments. The supporting documentation is also considered to be satisfactory for the purposes of this Planning Proposal.

## **CONCLUSION**

It is recommended that this Planning Proposal be submitted for Gateway Determination.

## **Community Engagement**

---

The issues raised in this report do not require community consultation under Council's Community Engagement Policy.

## **Rockdale City Plan**

---

|                   |   |
|-------------------|---|
| Outcome:          | Outcome 2 - Rockdale is a City with a high quality natural and built environment and valued heritage in liveable neighbourhoods . A City that is easy to get around and has good links and connections to other parts of Sydney and beyond. |
| Objective:        | Objective 2.2 - Our City has a well managed and sustainable built environment, quality and diverse development with effective housing choice in liveable neighbourhoods   |
| Strategy:         | 2.2.2 - Promote high quality, well designed and sustainable development and places that enhances the City   |
| Delivery Program: | 2.2.2.A - Demonstrate leadership and commitment in the management of development that enhances the City (DCPD)  |
| Operational Plan: | 2.2.2.A.3 - Manage proposals for major development to ensure growth is appropriately scaled and located and delivers communitiy benefits (MUES)   |

## **Additional Comments:**

## **Financial Implications**

---

### **Additional Comments**

There are no financial implications applicable to this report.

## Supporting Information

---

Action From Resolution  
File Attachments

[Action raised by Anne Suann on 03/09/2015](#)



Attachment 1 - Rockdale PP\_Issue B.pdf



Attachment 2 - 15 43682 Urban Design Report 5724\_150501\_Planning Proposal\_Issue B 5 Aug).pdf



Attachment 3 - 5724\_150311\_PP\_Acoustic.pdf



Attachment 4 - 5724\_150318\_PP\_Electrical.pdf



Attachment 5 - 5724\_150319\_PP\_Hydraulic.pdf



Attachment 6 - 5724\_150324\_PP\_Traffic Report.pdf



Attachment 7 - 5724\_150320\_PP\_Wind.pdf

## Planning Proposal

### 75 – 85 Railway Street, Rockdale



Disclaimer: This document may only be used for the purpose for which it was commissioned. Changes to available information, legislation and schedules are made on an ongoing basis and readers should obtain up to date information. Planning Lab accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report and its supporting material by any third party. Information provided is not intended to be a substitute for site specific assessment or legal advice in relation to any matter. Unauthorised use of this report in any form is prohibited

# Contents

|            |  |           |
|------------|--|-----------|
| <b>1.0</b> | <b>INTRODUCTION</b> .....  | <b>3</b>  |
| <b>2.0</b> | <b>BACKGROUND</b> .....  | <b>4</b>  |
| <b>3.0</b> | <b>THE SITE</b> .....  | <b>5</b>  |
| <b>3.1</b> | <b>Description</b> .....   | <b>5</b>  |
| <b>3.2</b> | <b>Surrounding Context</b> .....   | <b>6</b>  |
| <b>3.3</b> | <b>Rockdale Local Environmental Plan 2011</b> .....  | <b>7</b>  |
| <b>4.0</b> | <b>SUPPORTING DOCUMENTS</b> .....  | <b>9</b>  |
| <b>4.1</b> | <b>Urban Design Study</b> .....  | <b>9</b>  |
| <b>5.0</b> | <b>OBJECTIVES OR INTENDED OUTCOME</b> .....  | <b>10</b> |
| <b>6.0</b> | <b>EXPLANATION OF PROVISIONS</b> .....   | <b>12</b> |
| <b>6.1</b> | <b>Rockdale Local Environmental Plan 2011 (Amendment No. 8)</b> .....  | <b>12</b> |
| <b>7.0</b> | <b>JUSTIFICATION</b> .....   | <b>13</b> |
| <b>7.1</b> | <b>Section A – Need for the Planning Proposal</b> .....  | <b>13</b> |
| 7.1.1      | Is the Planning Proposal a result of a study or report? .....  | 13        |
| 7.1.2      | Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way? .....  | 13        |
| <b>7.2</b> | <b>Section B – Relationship to Strategic Planning Framework</b> .....  | <b>14</b> |
| 7.2.1      | Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)? ..... | 14        |
| 7.2.2      | Is the Planning Proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan? .....  | 14        |
| 7.2.3      | Is the Planning Proposal consistent with applicable state environmental planning policies? .....   | 17        |
| 7.2.4      | Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)? .....  | 17        |
| <b>7.3</b> | <b>Section C – Environmental, Social &amp; Economic Impact</b> .....   | <b>25</b> |
| 7.3.1      | Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal? .....                             | 25        |
| 7.3.2      | Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed? .....   | 25        |
| 7.3.3      | How has the Planning Proposal adequately addressed any social and economic effects? .....  | 25        |
| <b>7.4</b> | <b>Section D – State &amp; Commonwealth Interests</b> .....  | <b>26</b> |
| 7.4.1      | Is there adequate public infrastructure for the Planning Proposal?.....  | 26        |
| 7.4.2      | What are the views of State and commonwealth public authorities consulted in accordance with the gateway determination? .....  | 26        |

|      |   |    |
|------|---|----|
| 8.0  | MAPPING .....   | 27 |
| 9.0  | VOLUNTARY PLANNING AGREEMENTS.....                              | 29 |
| 10.0 | COMMUNITY CONSULTATION.....                                     | 30 |
| 11.0 | CONSEQUENTIAL ROCKDALE DCP AMENDMENTS .....                     | 31 |
| 12.0 | PROJECT TIMELINE.....   | 32 |
| 13.0 | CONCLUSION .....  | 33 |
|      | ANNEXURE 1: URBAN DESIGN STUDY – CANDALEPAS AND ASSOCIATES..... | 34 |
|      | ANNEXURE 2: ACOUSTIC - RENZO TONIN .....                        | 35 |
|      | ANNEXURE 3: ELECTRICAL - NPC.....                               | 36 |
|      | ANNEXURE 4: HYDRAULICS - AJ WHIPPS.....                         | 37 |
|      | ANNEXURE 5: TRAFFIC - ARUP .....                                | 38 |
|      | ANNEXURE 6: WIND - WINDTECH .....                               | 39 |

## **TABLES**

|         |   |    |
|---------|---|----|
| Table 1 | Relevant Objectives of Community Strategic Plan 2013-2025 ..... | 16 |
| Table 2 | S117 Directions .....   | 17 |
| Table 3 | Project Timeline .....  | 32 |



## 1.0 Introduction

Planning Lab acts on behalf of Zoe Holdings Rockdale Pty Ltd in preparing this Planning Proposal for 75-85 Railway Street, Rockdale (referred to as 'the site').

This Planning Proposal has been prepared in accordance with the Department of Planning and Environment's (DP&E) Gateway process and provides justification for the amendment of *Rockdale Local Environmental Plan 2011* (LEP 2011).

The site is located in Rockdale town centre. The Rockdale Town Centre Masterplan (Rockdale Town Centre Masterplan) envisages significant transit oriented urban renewal growth within the centre.

The purpose of this Planning Proposal is to respond to the predicted growth of the immediate station environs by seeking an increase in building height on the site that would allow for an additional two storeys greater than those envisaged by draft Rockdale Town Centre Planning Proposal LEP (which amends Rockdale LEP 2011).

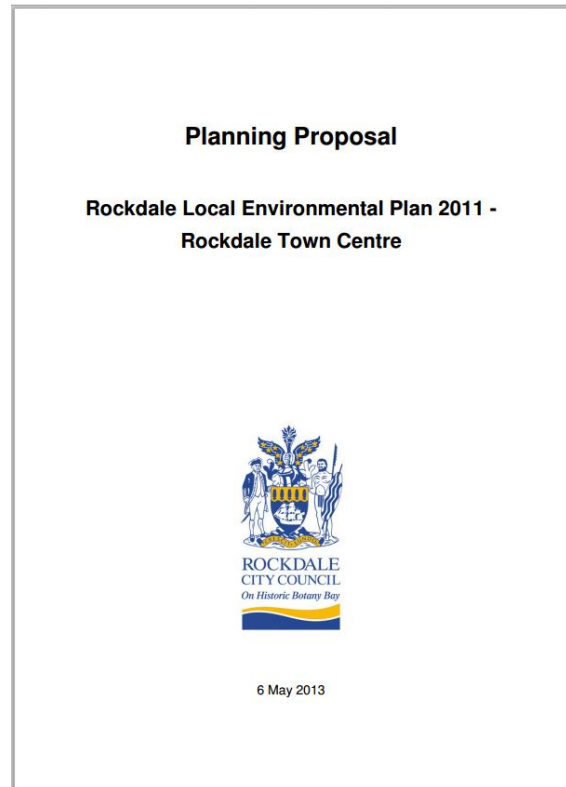
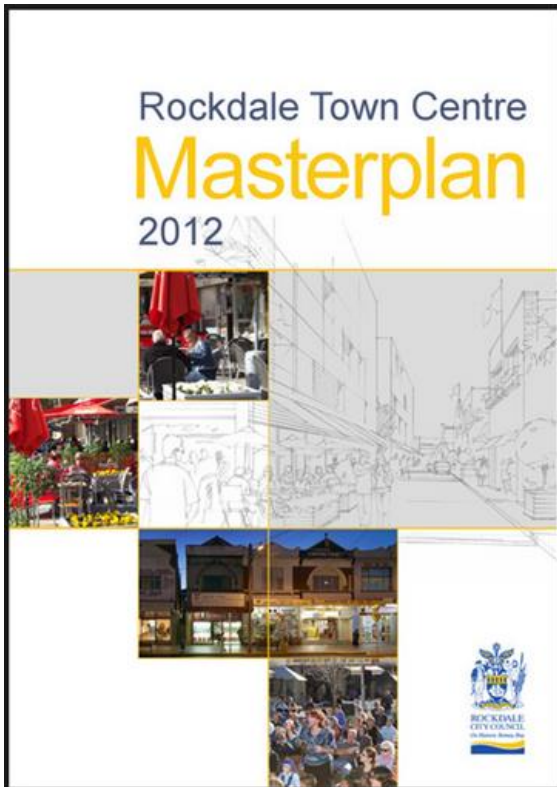
The site is located at a prominent corner of a future north-western gateway to the newly planned Rockdale town centre.

This Planning Proposal seeks to increase the building height of buildings permissible on the site from 22m to 28m in order to provide a prominent and contextually appropriate built form which responds to the 'inner-town-centre' context and maximises the site's development potential in the immediate Rockdale Railway Station interchange area. The increased height will enable an 8 storey corner element to reinforce the focal corner gateway site into the centre.

It is anticipated that future development of the site would comprise mixed uses including a residential flat building above ground level.

## 2.0 Background

On 5 December 2012, Rockdale City Council adopted the Rockdale Town Centre Masterplan. The masterplan sets out the vision and strategies for the growth and revitalisation of the Centre. In order to support the significant growth envisaged in the town centre, Rockdale Council submitted a Planning Proposal for the relevant zone changes and increased density in the city centre.



As part of this Planning Proposal, the amendments included an increase in height to 22m for buildings permissible on the subject site. This Planning Proposal was supported by Council and was the subject of a Gateway Determination on 6 May 2014.

The applicant for this Planning Proposal which amends Rockdale LEP 2011 is the owner of 75-81 Railway Street, Rockdale. This planning proposal has been drafted in consultation with Rockdale City Council.

## 3.0 The Site

### 3.1 Description

The site is described as 75 – 85 Railway Street, Rockdale as shown in the site identification diagram below. The northern portion of the site (75 – 81 Railway Street) comprises 4 allotments under common ownership by Zoe Holdings, being Lot 101 DP771165, Lot 3 DP 82942, Lot 1 DP455421 and Lot 1 DP912313. The additional fourth lot is legally described as Lot 1 DP3560 and is owned by a separate and unrelated party.



**Figure 1 : Site Location (Source: Six Viewer Map)**

The site has an area of approximately 3,227sqm, with about 85m frontage to Railway Street, and 37m frontage to Parker Street. The northern portion of the site is currently occupied by a three storey commercial building with a basement and rooftop parking. Currently, vehicle access to the site is via Hesten Lane.

Lot 1 DP3560 ('the southern lot') of the site is occupied by a two storey mixed use building. On-site parking is provided via a laneway connecting Walz Street.

### 3.2 Surrounding Context

The site is situated within the Rockdale town centre. The centre has visibly declined in recent years as a vibrant local retail hub as a consequence of competition from nearby major centres at Kogarah and Hurstville, but is in the process of an urban renewal led transformation.

The new direction proposed for the centre reflects the community’s desires and aspirations as well as Council’s own strategic land use, integrated transportation planning, urban design, and economic development principles.

As identified in the Rockdale Town Centre Masterplan, the town centre core area is divided into precincts. The site is located within the ‘Walz and Frederick Streets Precinct’. The precinct is currently dominated by two storey buildings; however the permitted building height is up to 22m.

Uses surrounding the site include railway lines to the east, Rockdale Station to the southeast (100m), low density residential to the north and the Walz commercial precinct to the west and south. The following panoramic photos illustrate the existing uses on the site as viewed from Railway Street Rockdale.



Figure 2 : Photograph of 75-81 Railway Street, Rockdale (Source: G Cirillo)



Figure 3 : Photograph of 75-81 Railway Street, Rockdale (Source: G Cirillo)



### 3.3 Rockdale Local Environmental Plan 2011

The site is zoned B2 Local Centre under the Rockdale Local Environmental Plan 2011 (LEP 2011).

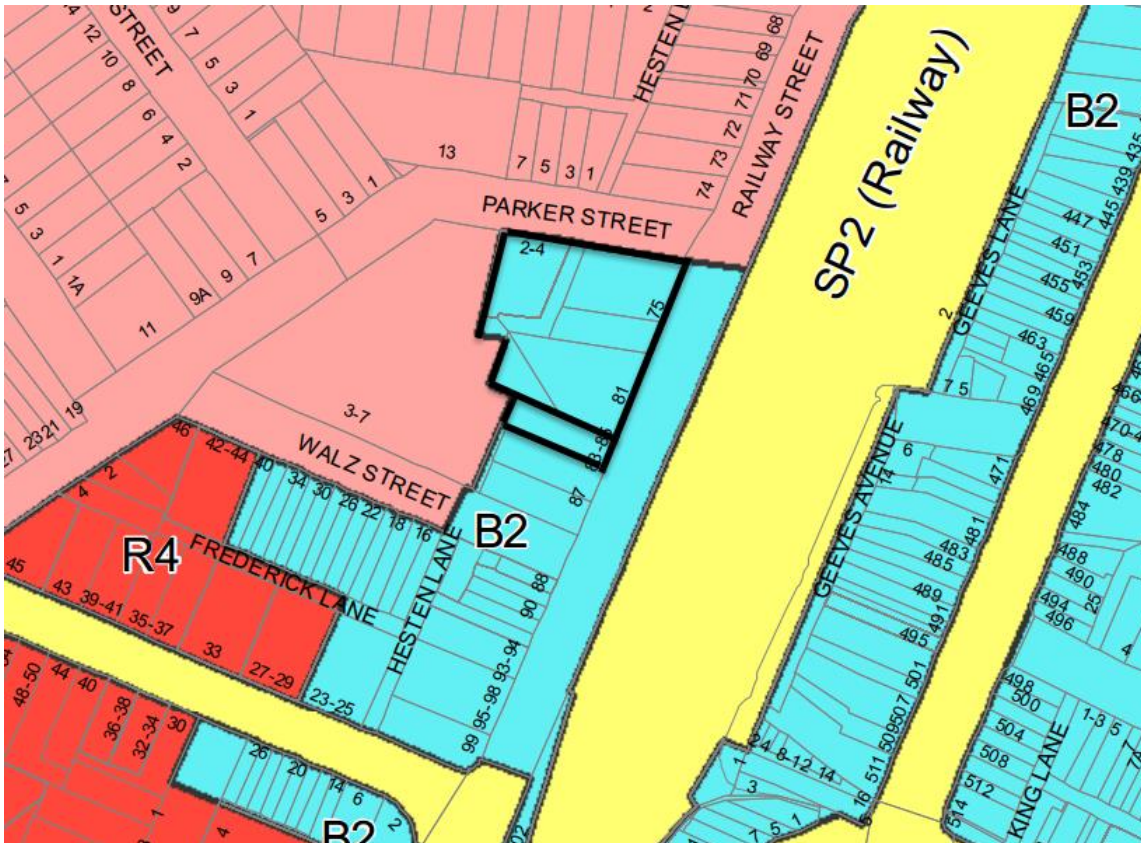


Figure 4 : Zoning Map Extract from Rockdale LEP 2011 (Source: AUSTLII)

The objectives of the zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To encourage residential development where it is complementary to and does not detract from the commercial focus of the Rockdale town centre.

Development permitted with consent in the B2 zone includes:

*Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Group homes; Hostels; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4.*

The maximum permitted building height for the site is currently 22m. Land directly opposite the railway line, between Greeves Avenue and Princes Highway allow a maximum building height of 22m with the opportunity to increase the building height an additional 12m if the lot area is at least 1,500sqm.

As discussed in Section 1.1, Council’s Planning Proposal is currently underway to increase the building height controls for the Rockdale town centre. That adopted Planning Proposal specifically seeks to increase the site from 22 to 28m.

Council’s Planning Proposal also seeks to include an additional area, 471-511 Princes Highway, 6 and 14 Geeves Ave and 2 -16 and 5 Tramway Arcade, to permit buildings to exceed the current 22m building height if the lot area is at least 3,000sqm (identified as Area F).

The permitted variation in height is currently being determined in consultation with Sydney Airport Corporation Limited (SACL). Council’s Planning Proposal proposed maximum building heights are shown below.

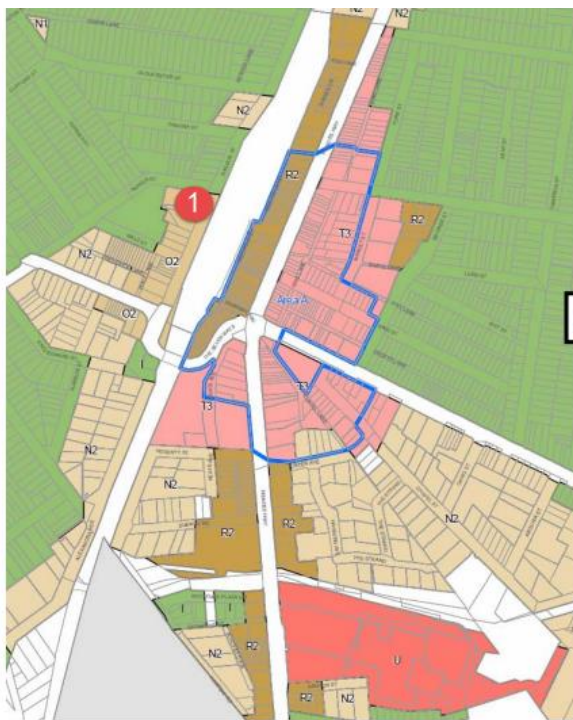


Figure 4 – Current maximum building height controls

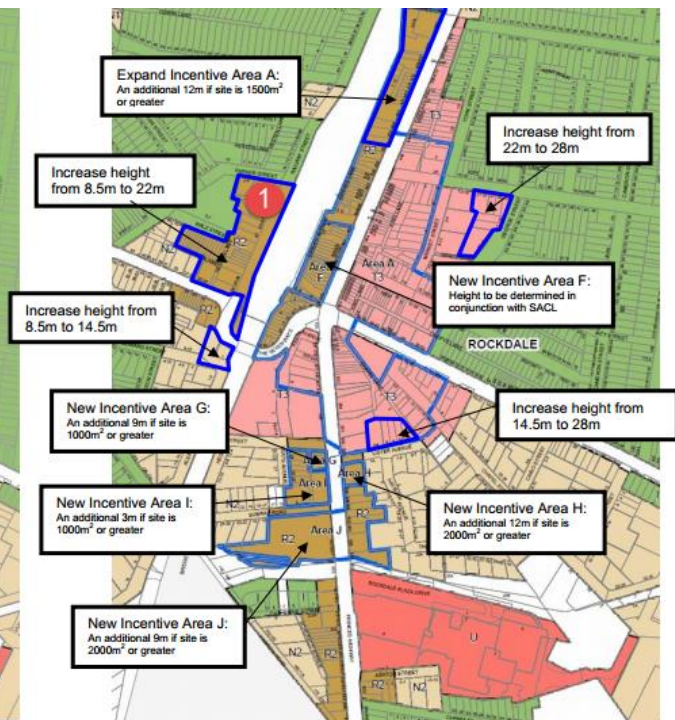


Figure 5 – Proposed maximum building height controls

Figure 5 : Subject Site Marked **1** in Rockdale LEP 2011 and Draft Town Centre Planning Proposal.  
Source: Rockdale City Council 2014/2015.

## 4.0 Supporting Documents

An Urban Design Study has been carried out by Candalepas and Associates in accordance with the requirements of the NSW Department of Planning & Environment and addressing the detailed checklist issued by Rockdale City Council for planning proposals. The study analyses the subject site and have determined appropriate size, bulk, scale and form options for future development, and include more detailed architectural concept drawings for 75 – 81 Railway Street, Rockdale (**Refer: Annexure 1**).

### 4.1 Urban Design Study

The *Urban Design Study* by Candalepas and Associates demonstrates that a suitable and appropriate built form of 8 storeys can be achieved on the site and is considered necessary to initiate the revitalisation of the area with an appropriate density and mass. The Urban Design Study is generally consistent with the strategic vision for an urban renewal led revitalisation of the Rockdale Town Centre and Masterplan.

It is also noted that the site has been identified by Rockdale City Council as being suitable for a through-site-link in the rear of the subject site, which links to the Council car park at the rear of the Council owned Guild Theatre site.

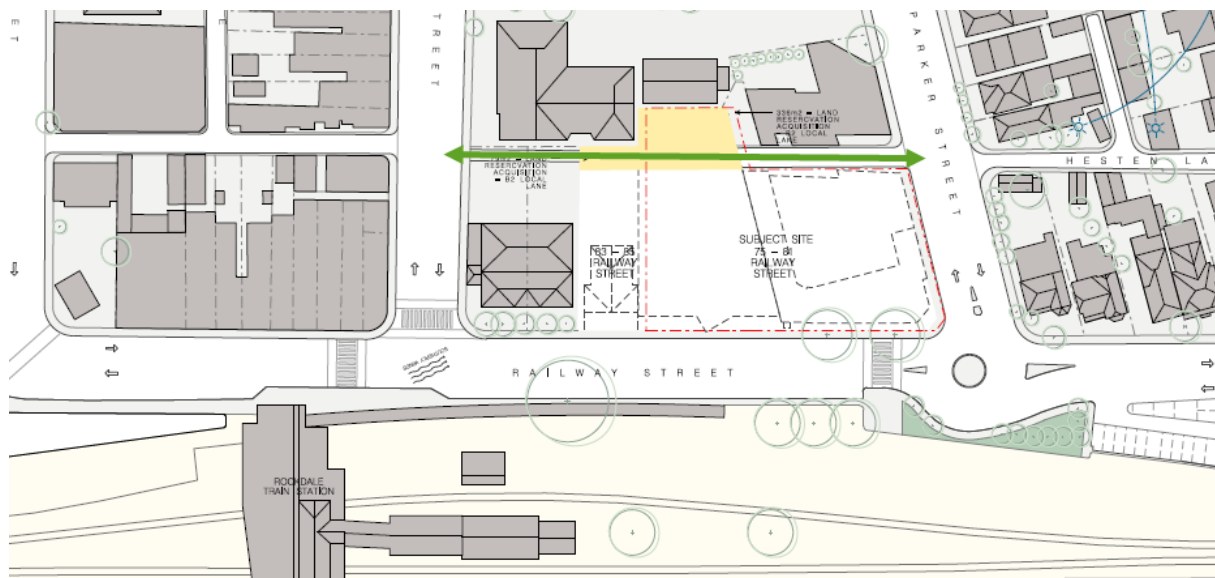


Figure 6 – Through Site Link Proposed Across the Rear of the Subject Site(s)



## 5.0 Objectives or Intended Outcome

The overarching objective of the proposed amendment to draft Rockdale Town Centre LEP 2011 is to facilitate a redevelopment of the site and provide a prominent corner element to reinforce the focal corner gateway to the Centre. The redevelopment will also capitalise on its immediate proximity to Rockdale Railway Station and bus interchange public transport.



**Figure 7 –Aerial Photographs of the Subject Site(s)**

The intended outcome of this Planning Proposal is to provide for an opportunity to revitalise 75-85 Railway Street, Rockdale. This will necessitate an amendment draft LEP 2011, specifically increasing the maximum permitted building height to 28m.

It is noted that building height is proposed to be increased from 8.5m (as it currently exists) to 22m across the western side of Rockdale Station as shown on the attached Urban Design Study by Candalepas and Associates.

It is recommended that Council support the Planning Proposal which changes in the maximum allowable height on the subject site from 22m to 28m.



The amended maximum allowable height will recognise the unique position of the site in immediate proximity to Rockdale Railway Station, and its prominent corner location as a future north-western gateway to the newly planned Rockdale town centre.

The increased height will enable an 8 storey corner element to reinforce this focal corner gateway site.

An appropriate and well considered 8 storey form can be well managed through detailed design incorporating building articulation, façade modulation and a careful selection of external materials with a subsequent DA. The resultant built form can retain a 'human scale' whilst facilitating transformative urban renewal in the Rockdale town centre.

It is considered that there is substantive urban design merit in considering a 28m height limit on this site which would effectively balance the heights proposed on the eastern sector of the town centre, east of Rockdale Station.

The additional height on this site is considered appropriate from an urban design perspective and would define any future residential development as a local landmark, signalling one's arrival at the Rockdale town centre from the north.

The built form will comprise a distinctive built form that would highlight the prominent position of the site and arrival into the new town centre.

This additional height would not impact upon views enjoyed from north from the neighbouring development on Parker Street.

Further, solar access would be required to comply with SEPP 65 and the Residential Flat Design Code. A preliminary shadow analysis has been prepared Candalepas and Associates and it accompanies this Planning Proposal. In any case, these and other particular related design considerations are also to be assessed in full through a future DA.

A 28 metre building height would an appropriate addition to the existing streetscape and it is recommended that the maximum height control be amended accordingly.

## 6.0 Explanation of Provisions

The provisions to be included in Rockdale LEP 2011 are outlined below, in accordance with Section 55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 6.1 Rockdale Local Environmental Plan 2011 (Amendment No. 8)

#### ***Name of Plan***

*This plan is Rockdale Local Environmental Plan 2011 (Amendment No. 8)*

#### ***Aims of the plan***

*This plan aims to:*

- *Amend the Height of Buildings Map to reflect a maximum permissible building height of 28m for the site, and*

#### ***Land to which this plan applies***

*This plan applies to the land shown on the accompanying maps.*

## 7.0 Justification

### 7.1 Section A – Need for the Planning Proposal

#### 7.1.1 Is the Planning Proposal a result of a study or report?

This Planning Proposal relies heavily upon the transit-oriented urban renewal foundations of the Rockdale Town Centre Masterplan and separate independent urban planning analysis by Planning Lab with detailed urban design and architectural analysis by Candalepas and Associates. The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved. Part of the design strategy for the town centre is to increase residential densities in appropriate locations close the public transport, which involves an increase in maximum building height and a provision to remove FSR controls.

This Planning Proposal responds to the vision of the Masterplan, facilitating an increased density on the site to help revitalise the area.

#### 7.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is considered the most appropriate and feasible mechanism to achieve revitalisation and redevelopment of the site, whilst also providing significant public domain benefits. More specifically, the current height controls do not provide sufficient incentive for redevelopment if Council also now wishes for a large section of the site to be dedicated for the purpose of a through site link. As the site is identified within the Rockdale Town Centre Masterplan as being on a prominent corner as a future north-western gateway to the newly planned Rockdale town centre, a compliant development would not achieve the desired entrance statement activation or revitalisation of the area.

An appropriate and well considered eight story built form can facilitate the urban renewal to help revitalise the town centre. The built form can be well managed through detailed design incorporating building articulation and facade modulation to ensure a 'human scale' can be retained.

## **7.2 Section B – Relationship to Strategic Planning Framework**

### **7.2.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

#### **A Plan for Growing Sydney**

A Plan for Growing Sydney is an action plan to meet the vision of Sydney as a strong global city and a great place to live.

This Planning Proposal is consistent with the Plan, in particular Direction 2.2: Accelerate urban renewal across Sydney, providing homes closer to jobs. This direction specifies urban renewal in transport corridors, directly in line with this Planning Proposal. The Planning Proposal is to facilitate urban renewal adjacent to Rockdale Station and bus interchange and within the town centre.

#### **Draft South Subregional Strategy**

The site is located within the South Subregion of the Plan for Growing Sydney. The Department of Planning and Environment is currently preparing the South Subregional Growth Plan.

The Plan for Growing Sydney provides priorities for the south subregion. This Planning Proposal is consistent with these priorities, in particular the goal: *Accelerate housing supply, choice and affordability and build great places to live.*

The actions of the goal are to work with councils to identify suitable locations for housing intensification and urban renewal, particularly around key transport corridors.

This Planning Proposal supports this priority, seeking increased density for urban renewal within the town centre in immediate proximity to Rockdale Station.

### **7.2.2 Is the Planning Proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan?**

#### **Rockdale City Community Strategic Plan 2013-2015**

The Community Strategic Plan 2013-2025 is part of the Rockdale City Plan 2013-2025. The Community Strategic Plan identifies the long term aspirations the communities of Rockdale want to see delivered.

The vision is built around four strategic community outcomes of:

- Outcome 1 – Rockdale is a welcoming and creative City with active, healthy and safe communities.
- Outcome 2 – Rockdale is a City with a high quality natural and built environment and valued heritage in liveable neighbourhoods. A City that is easy to get around and has good links and connections to other parts of Sydney and beyond.
- Outcome 3 – Rockdale is a City with a thriving economy that provides jobs for local people and opportunities for lifelong learning.
- Outcome 4 – Rockdale is a City with engaged communities, effective leadership and access to decision making.

The following table discusses the consistency of the proposal in relation to the relevant actions contained within the Community Strategic Plan.

**Table 1 Relevant Objectives of Community Strategic Plan 2013-2025**

| <b>Objective</b>  | <b>Strategy</b>   | <b>Comment</b>   |
|---|---|--|
| <b>Outcome 2</b>  |   |  |
| 2.2 Our City has a well -managed and sustainable built environment, quality and diverse development with effective housing choice | 2.2.2 Promote high quality, well designed and sustainable development and places that enhances the City | The Planning Proposal would assist in promoting high quality, sustainable development in the Rockdale town centre. |
| <b>Outcome 3</b>  |   |  |
| 3.3 Our City has vibrant town centres that provide a range of services and experiences for our residents, workers and visitors    | 3.3.1 Ensure Town Centres are improved on a rolling program   | The Planning Proposal will revitalise the town centre to create a vibrant space for residents and employees.       |

### **Rockdale Town Centre Masterplan**

The Rockdale Town Centre Masterplan guides future change to ensure the community’s vision is achieved, not just how it looks and functions, but also what role it will play economically and culturally.

| <b>Design Strategy</b>                                 | <b>Objective</b>   | <b>Comment</b>   |
|--|--|--|
| <b>Community vision and design strategy</b>            |  |  |
| Design Strategy 3: Increase the vitality and lifestyle | The lifestyle of the Centre will be improved by encouraging elements in the Town Centre with a social or public focus: open spaces, dining, entertainment, markets, community services | The Planning Proposal would assist in developing a viable mixed use development, encouraging the revitalisation of the town centre and improving local amenity.  |
|  | Vibrancy and activity in the Centre will be generated through increased residential densities  | The Planning Proposal promotes an increase in residential density within the Rockdale town centre.   |
| Design Strategy 4: Improve the pedestrian experience   | The different precincts of the centre will be connected by laneways and a pedestrian network making the Centre easy to explore for visitors and enjoyable for residents                | A through-site-link is proposed through the site, incorporating 415sqm of land to form part of a VPA, and to form part of a VPA accompanying the Planning Proposal. This will enhance the permeability of site and improve the pedestrian experience envisaged by Council. |

### **7.2.3 Is the Planning Proposal consistent with applicable state environmental planning policies?**

The proposal is consistent with all relevant state planning policies (SEPPs). The following SEPPs apply to the site.

#### ***State Environmental Planning Policy No. 65- Design Quality of Residential Flat Buildings***

SEPP 65 aims to improve the design quality of residential flat development. The Policy recognises that the design quality of development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.

In accordance with the requirements of the SEPP, all matters for consideration under SEPP 65 would be addressed in full at the development application stage. The Urban Design Strategy by Candalepas and Associates demonstrates that the development of the site can comply with the requirements of SEPP 65. In this regard appropriate cross ventilation, solar access and residential amenity can be achieved.

#### ***State Environmental Planning Policy 55- Remediation of Land***

SEPP 55 introduces planning controls for the remediation of contaminated land. The policy states that the planning authority must consider whether the land is contaminated, and if so that the land is suitable in its contaminated state for the permitted uses in the zone, or that the land requires remediation before the land is developed for that purpose.

No changes to the permissible uses of the site are proposed other than those envisaged by draft Rockdale LEP 2011 (and as amended for the Rockdale town centre). Site investigations would be carried out as part of any future development application for the redevelopment of the site. Any areas of contamination would be remediated prior to development of the land, in accordance with all relevant statutory requirements and policy guidelines.

### **7.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?**

The relevant Section 117 Directions are considered in the table below.

#### **Table 2 S117 Directions**



| Direction                                       | Requirement  | Comment   |
|---|--|---|
| <p><b>1.1 Business and Industrial Zones</b></p> | <p>This direction applies when a relevant planning authority prepares a Planning Proposal that would affect land within an existing or proposed business or industrial zone</p> <p>The objectives of this direction are to:</p> <ol style="list-style-type: none"> <li>1. <i>encourage employment growth in suitable locations,</i></li> <li>2. <i>protect employment land in business and industrial zones, and</i></li> <li>3. <i>support the viability of identified strategic centres.</i></li> </ol> <p>A Planning Proposal must:</p> <ol style="list-style-type: none"> <li>(a) <i>give effect to the objectives of this direction,</i></li> <li>(b) <i>retain the areas and locations of existing business and industrial zones,</i></li> <li>(c) <i>not reduce the total potential floor space area for employment uses and related public services in business zones,</i></li> <li>(d) <i>not reduce the total potential floor space area for industrial uses in industrial zones, and</i></li> <li>(e) <i>ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</i></li> </ol> | <p>The Planning Proposal involves an increase in the height, but is not proposing any other change to the zoning provisions</p> <p>The Planning Proposal would still support business uses on the land.</p>   |
| <p><b>3.1 Residential Zones</b></p>             | <p><b>Objectives</b></p> <p>(1) The objectives of this direction are:</p> <ol style="list-style-type: none"> <li>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</li> <li>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</li> <li>(c) to minimise the impact of residential development on the environment and resource lands.</li> </ol>   | <p>The Planning Proposal is consistent with the objectives of this direction. It would enable an intensification of residential development on the site in an area well-served by both road and public transport and with access to all necessary services.</p> |

| Direction  | Requirement   | Comment   |
|--|---|---|
|  | <p><b>What a relevant planning authority must do if this direction applies:</b></p> <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> |   |
| <p><b>3.4 Integrating land use and transport</b></p> | <p><b>Objectives</b></p> <p>(1) The objectives of this direction are:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and providing for the efficient movement of freight.</p>   | <p>The site is well serviced by public transport. It is located about 100m from Rockdale Station and the associated rail/bus interchange.</p> |

| Direction  | Requirement  | Comment   |
|--|--|---|
|  | <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice –Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>  |   |
| <p><b>3.5 Development Near Licensed Aerodromes</b></p> | <p><b>Objective</b></p> <p>(a) to ensure the effective and safe operation of aerodromes, and</p> <p>(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</p> <p>(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,</p> <p>(b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,</p> | <p>The Planning Proposal increases total building height to approximately RL 48.</p> <p>It is understood that the site is located within 25 ANEF contour of the ANEF 2033 map.</p> <p>The planning proposal may be required to be referred to Air Services Australia to determine whether any air navigation issues arise in relation to the Obstacle Limitation Surface of Sydney Airport.</p> <p>Any future development is to comply with the relevant airport and air navigation requirements.</p> |

| Direction | Requirement   | Comment |
|-----------|---|---------|
|           | <p>(c) for land affected by the OLS:</p> <p>(i) prepare appropriate development standards, such as height, and</p> <p>(ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(5) A planning proposal must not rezone land:</p> <p>(a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or</p> <p>(b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or</p> <p>(c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.</p> <p>(6) A planning proposal that rezones land:</p> <p>(a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or</p> <p>(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or</p> <p>(c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.</p> |         |

| Direction                            | Requirement   | Comment   |
|--------------------------------------|---|---|
| <p><b>4.1 Acid Sulfate Soils</b></p> | <p><b>Objective</b></p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or</p> <p>(b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).</p> | <p>The site is identified as Class 5 Acid Sulfate Soils in LEP 2011.</p> <p>The need for an Acid Soils Management Plan will be determined at DA stage, as required by Clause 6.1 of LEP 2011.</p> |

| Direction  | Requirement   | Comment  |
|--|---|--|
| <p><b>6.1 Approval and referral requirements</b></p> | <p><b>Objective</b></p> <p>(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>(i) the appropriate Minister or public authority, and</p> <p>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment,</p> <p>(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> | <p>This Planning Proposal does not include the provision to require concurrence, consultation or referral to a Minister or public authority; and is therefore it is consistent with the direction.</p> |
| <p><b>6.3 Site Specific Provisions</b></p>           | <p><b>Objective</b></p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p>   | <p>This Planning Proposal does not propose restrictive site-specific provisions but seeks to amend the LEP to increase the building height control.</p>  |



| Direction   | Requirement  | Comment  |
|---|--|--|
|   | <p>(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p> | <p>In order to ensure a built form and scale that are appropriate in the context, an Urban Design Study has been prepared for the site <b>(Refer Annexure 1)</b>.</p> <p>It is considered appropriate to include this information with the Planning Proposal as demonstration of the potential merits of the proposed LEP amendment.</p> |
| <p><b>7.1<br/>Implementation<br/>of A Plan for<br/>Growing Sydney</b></p> | <p><b>Objective</b></p> <p>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>Planning proposals shall be consistent with the NSW Government's A Plan for Growing Sydney published in December 2014.</p>  | <p>The Planning Proposal is generally consistent with A Plan for Growing Sydney published in December 2014 as indicated in the discussion at Section 6.2.1.</p>  |

### **7.3 Section C – Environmental, Social & Economic Impact**

#### **7.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The site is currently developed with commercial buildings with no natural areas on site. There are no critical habitats or threatened species, populations or ecological communities, or their habitats that will be adversely affected by the Planning Proposal.

#### **7.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

Specialist reports accompany this Planning Proposal which directly address the environmental effects as a result of the Planning Proposal, specifically addressing considerations such as overshadowing and traffic related impacts.

#### **7.3.3 How has the Planning Proposal adequately addressed any social and economic effects?**

The predominance of housing in this part of Rockdale is largely in the form of detached housing. Housing affordability pressures and an increase in population for those over 55 years of age, raises the demand for new housing types, including a mix of apartment sizes with ready access to shops, transport, recreational and open space facilities. The introduction of improved housing choice is consistent with one of the key principles from A Plan for Growing Sydney to increase housing choice around all centres through urban renewal in established areas. This Planning Proposal facilitates housing choice by providing additional residential units in an ideal location with easy access to retail facilities, public transport and local neighbourhood services.

It is also noted that the applicant proposes to make provision for a through-site-link, incorporating 415sqm of land to be acquired by Council and / or dedicated via a VPA to be negotiated and agreed prior to exhibition of the Planning Proposal.

It is not anticipated that the Planning Proposal will have any negative economic effects which need to be addressed as part of the proposal.

## **7.4 Section D – State & Commonwealth Interests**

### **7.4.1 Is there adequate public infrastructure for the Planning Proposal?**

The site is currently well serviced by Rockdale Train Station and the accompanying bus interchange.

In terms of adequacy of public infrastructure for the Planning Proposal, technical reports accompany this Planning Proposal addressing urban design, acoustics, electrical, hydraulic, traffic and wind impacts in the vicinity of the site:

**Annexure 1: Urban Design Study – Candalepas and Associates**

**Annexure 2: Acoustic - Renzo Tonin**

**Annexure 3: Electrical - NPC**

**Annexure 4: Hydraulics - AJ Whipps**

**Annexure 5: Traffic - Arup**

**Annexure 6: Wind - Windtech**

Any required upgrades to infrastructure arising from the redevelopment of the site will also be assessed at DA stage.

### **7.4.2 What are the views of State and commonwealth public authorities consulted in accordance with the gateway determination?**

This would be determined following consultation with the State and Commonwealth Authorities identified in a Gateway Determination. Any issues raised by these authorities would be addressed as appropriate.

# 8.0 Mapping

The Planning Proposal seeks to modify the Height of Building Map for the site as set out below:

PRELIMINARY

|   |   |   |   |
|---|---|---|---|
| <p>DATE: 10/19/11</p> <p>DESIGNED BY: [Signature]</p> <p>CHECKED BY: [Signature]</p> <p>SCALE: AS SHOWN</p> | <p>PROJECT: 100% PRELIMINARY</p> <p>CLIENT: [Signature]</p> <p>PROJECT NO.: 1002</p> <p>PP - 1002</p> | <p>DATE: 10/19/11</p> <p>DESIGNED BY: [Signature]</p> <p>CHECKED BY: [Signature]</p> <p>SCALE: AS SHOWN</p> | <p>PROJECT: 100% PRELIMINARY</p> <p>CLIENT: [Signature]</p> <p>PROJECT NO.: 1002</p> <p>PP - 1002</p> |
|---|---|---|---|

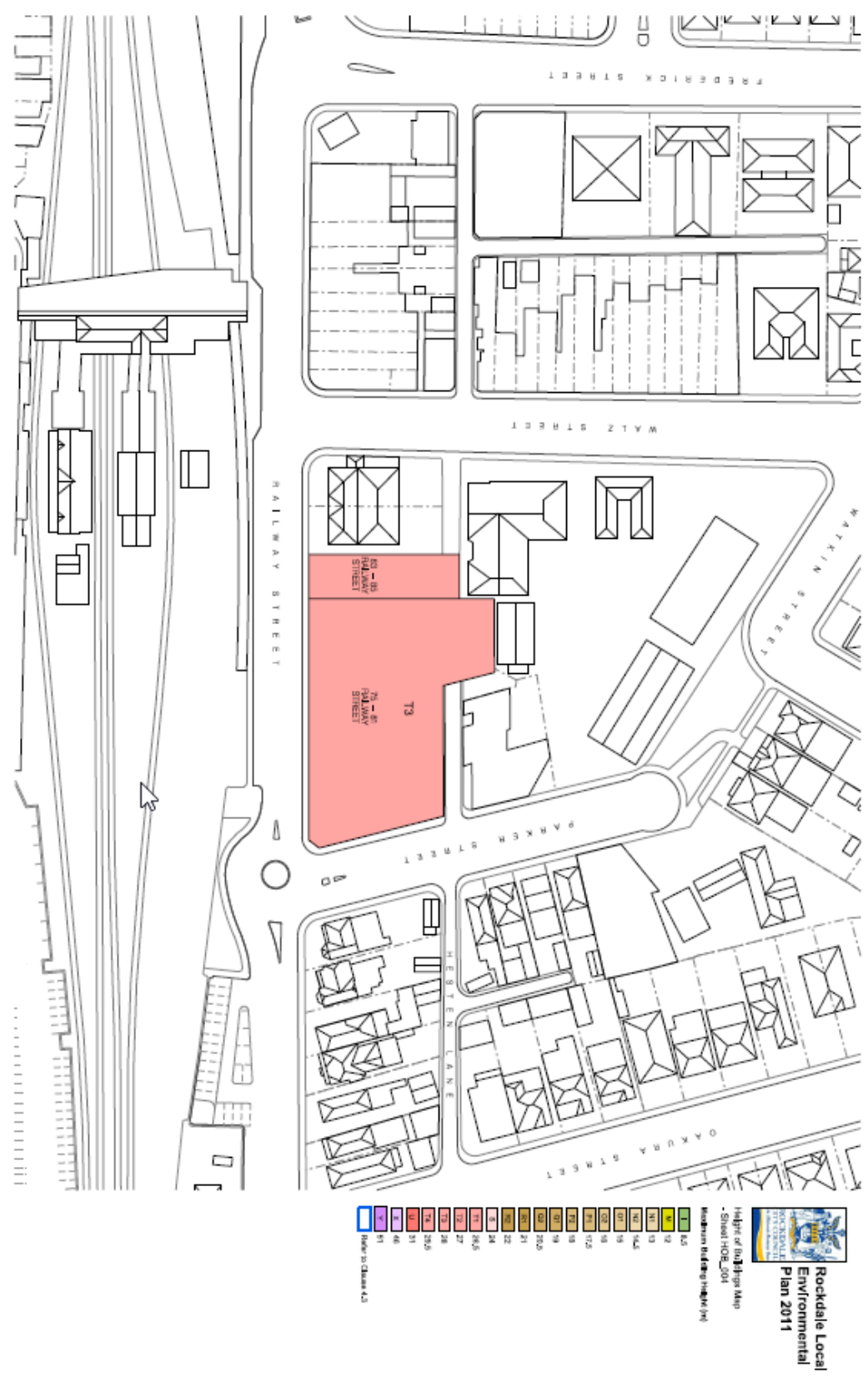


Figure 8 : Amendment to "Height of Buildings Map" Showing 28m Applicable to the Subject Site

## 9.0 Voluntary Planning Agreements

A Voluntary Planning Agreement (VPA) is to be entered into between the owners of land which is the subject of this Planning Proposal, and is to be agreed in principle between the parties prior to exhibition of the Planning Proposal.

The VPA is to identify the change in the developable value of the land arising from this Planning Proposal in accordance with the Rockdale City Council Voluntary Planning Agreement Policy 2007 and the *“Methodology for valuing public benefits under a planning agreement”* cited in Section 2.13 of that policy having regard to the increase in the allowable height by 2 storeys and also to the reservation of land for a public purpose, being the through-site-link across the rear of the subject properties.

Council is required to ensure that a proposed planning agreement is publicly notified as part of, in the same manner as and, where practicable, at the same time as the application for instrument change or development application to which it relates. The planning agreement must therefore be negotiated and documented before it is publicly notified as required by the Act and Regulation. The Planning Proposal is to be concurrently exhibited with the draft VPA.

It is understood that Council will generally require a planning agreement to provide that the developer’s obligations under the agreement take effect when the first development consent operates in respect of development that is the subject of the agreement, and will operate progressively, in accordance with its terms, as the relevant development proceeds from the issue of the first construction certificate in respect of that development until the grant of the final occupation certificate.



## 10.0 Community Consultation

A Gateway Determination would specify community consultation to be undertaken, in accordance with Section 56 (2)(c) of the EP&A Act as part of the LEP amendment process.

Community consultation would be commenced by the placing of a public notice in the local newspaper and on the Rockdale Council website and/or the DP&E.

The DP&E's 'A guide to preparing local environmental plans' provides timeframes for the exhibition. It is considered this application is to undertake a 28 day exhibition period. Normal exhibition material would be made available by the relevant planning authority during the exhibition period. The community consultation process would be completed when the relevant planning authority has considered any submissions received concerning the proposed LEP amendment and has forwarded those reports to the DP&E for final consideration by the Minister.

## **11.0 Consequential Rockdale DCP Amendments**

In parallel with the Planning Proposal, it is intended to make consequential changes to Rockdale DCP – Part 7.5 Rockdale Town Centre – Amendment 3 in so far as it relates to podium heights fronting streets and laneway frontages. It is intended to raise the podium height to 5 storeys both at Railway Street and the Hesten Lane frontages. These amendments are shown and justified in the Urban Design Study by Candalepas and Associates.

## 12.0 Project Timeline

The project timeline is outlined below.

**Table 3 Project Timeline**

| <b>Milestone</b>  | <b>Proposed Date</b>     |
|---|--------------------------|
| Anticipated commencement date (date of Gateway determination)   | May 2015                 |
| Anticipated timeframe for the completion of required technical information                                  | July 2015                |
| Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) | July 2015                |
| Commencement and completion dates for public exhibition period  | August 2015              |
| Dates for public hearing (if required)  | NA                       |
| Timeframe for consideration of submissions  | September - October 2015 |
| Timeframe for the consideration of a proposal post exhibition   | November 2015            |
| Date of submission to the department to finalise the LEP  | December 2015            |
| Anticipated date RPA will make the plan (if delegated)  | February 2016            |
| Anticipated date RPA will forward to the department for notification  | February 2016            |

## 13.0 Conclusion

This report has considered the context of the area, the future vision of the Rockdale town centre, as well as the relevant site specific outcomes for the site.

In order to promote the revitalisation of the Rockdale Town Centre, this Planning Proposal facilitates the future development of 75 – 85 Railway Street. It aims to increase the maximum permitted height of a building in order to allow for a prominent and focal gateway into the town centre.

This Planning Proposal relies heavily upon the transit-oriented urban renewal foundations of the Rockdale Town Centre Masterplan and separate independent urban planning analysis by Planning Lab with detailed urban design and architectural analysis by Candalepas and Associates.

The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved. Part of the design strategy for the town centre is to increase residential densities in appropriate locations close the public transport, which involves an increase in maximum building height and a provision to remove FSR controls.

This Planning Proposal responds to the vision of the Masterplan, facilitating an increased density on the site to help revitalise the area.

The Planning Proposal is considered the most appropriate and feasible mechanism to achieve revitalisation and redevelopment of the site, whilst also providing significant public domain benefits. More specifically, the current height controls do not provide sufficient incentive for redevelopment if Council also now wishes for a large section of the site to be dedicated for the purpose of a through-site-link.

As the site is identified within the Rockdale Town Centre Masterplan as being on a prominent corner as a future north-western gateway to the newly planned Rockdale town centre, a compliant development would not achieve the desired entrance statement activation or revitalisation of the area.

An appropriate and well considered eight story built form can facilitate the urban renewal to help revitalise the town centre. The built form can be well managed through detailed design incorporating building articulation and facade modulation to ensure a 'human scale' can be retained.

This Planning Proposal has demonstrated that an increase in the permitted building height of this site is justified, appropriate and can be supported by Rockdale City Council.

# **Annexure 1: Urban Design Study – Candalepas and Associates**



## **Annexure 2: Acoustic - Renzo Tonin**

## **Annexure 3: Electrical - NPC**

## **Annexure 4: Hydraulics - AJ Whipps**

## **Annexure 5: Traffic - Arup**

## **Annexure 6: Wind - Windtech**

# URBAN DESIGN REPORT SUPPORTING A PLANNING PROPOSAL – ISSUE TO COUNCIL

PROJECT:  
75–81 RAILWAY STREET  
AND  
83–85 RAILWAY STREET,  
ROCKDALE  
CLIENT:  
ZOE HOLDINGS ROCKDALE PTY. LTD.

PROJECT No:  
5724

DATE:  
1 MAY 2015

ISSUE:  
A

ARCHITECT:

**CANDALEPAS  
ASSOCIATES**

19, 219 CASTLEREAGH ST  
SYDNEY NSW 2000  
T: 9283 7755 F: 9283 7477



## DRAWING SCHEDULE:

|          |   |
|----------|---|
| PP-1.01  | COVERSHEET  |
| PP-2.01  | INTRODUCTION, METHODOLOGY AND SITE LOCATION                 |
| PP-3.01  | PURPOSE AND AIMS  |
| PP-4.01  | LOCAL CONTEXT /LAND USE                                     |
| PP-4.02  | LOCAL CONTEXT /BUILDING HEIGHT                              |
| PP-4.03  | LOCAL CONTEXT /ADOPTED BUILDING HEIGHT                      |
| PP-4.04  | LOCAL CONTEXT /TYPOLOGIES                                   |
| PP-4.05  | LOCAL CONTEXT /HERITAGE                                     |
| PP-4.06  | LOCAL CONTEXT /STREET NETWORK                               |
| PP-4.07  | LOCAL CONTEXT /PUBLIC TRANSPORT                             |
| PP-4.08  | LOCAL CONTEXT /FACILITIES                                   |
| PP-5.01  | SITE CONTEXT /ANALYSIS                                      |
| PP-5.02  | SITE CONTEXT /PHOTOS  |
| PP-6.01  | SITE CHALLENGES AND CONSTRAINTS                             |
| PP-7.01  | OPTION TESTING /A   |
| PP-7.02  | OPTION TESTING /B   |
| PP-8.01  | DESIGN PRINCIPLES   |
| PP-9.01  | PROPOSAL /LAND USE  |
| PP-9.02  | PROPOSAL /BUILDING HEIGHT                                   |
| PP-9.03  | PROPOSAL /PEDESTRIAN AND VEHICULAR ACCESS                   |
| PP-9.04  | PROPOSAL /OPEN SPACE  |
| PP-9.05  | PROPOSAL /BUILDING ENVELOPE AND SETBACKS                    |
| PP-9.10  | PROPOSAL /INDICATIVE GROUND FLOOR PLAN                      |
| PP-9.11  | PROPOSAL /INDICATIVE TYPICAL LOWER & UPPER LEVEL FLOOR PLAN |
| PP-9.12  | PROPOSAL /INDICATIVE TYPICAL SECTION                        |
| PP-9.13  | PROPOSAL /INDICATIVE RAILWAY & PARKER STREET ELEVATION      |
| PP-9.20  | PROPOSAL /INDICATIVE DEVELOPMENT CALCULATIONS               |
| PP-9.30  | PROPOSAL /INDICATIVE SHADOW DIAGRAMS 21 MARCH               |
| PP-9.31  | PROPOSAL /INDICATIVE SHADOW DIAGRAMS 21 JUNE                |
| PP-9.32  | PROPOSAL /INDICATIVE SHADOW DIAGRAMS 21 DECEMBER            |
| PP-9.40  | PROPOSAL /INDICATIVE PHOTOMONTAGE 1                         |
| PP-9.41  | PROPOSAL /INDICATIVE PHOTOMONTAGE 2                         |
| PP-9.42  | PROPOSAL /INDICATIVE PHOTOMONTAGE 3                         |
| PP-10.02 | HEIGHT OF BUILDINGS MAP                                     |



**INTRODUCTION, METHODOLOGY AND SITE LOCATION**

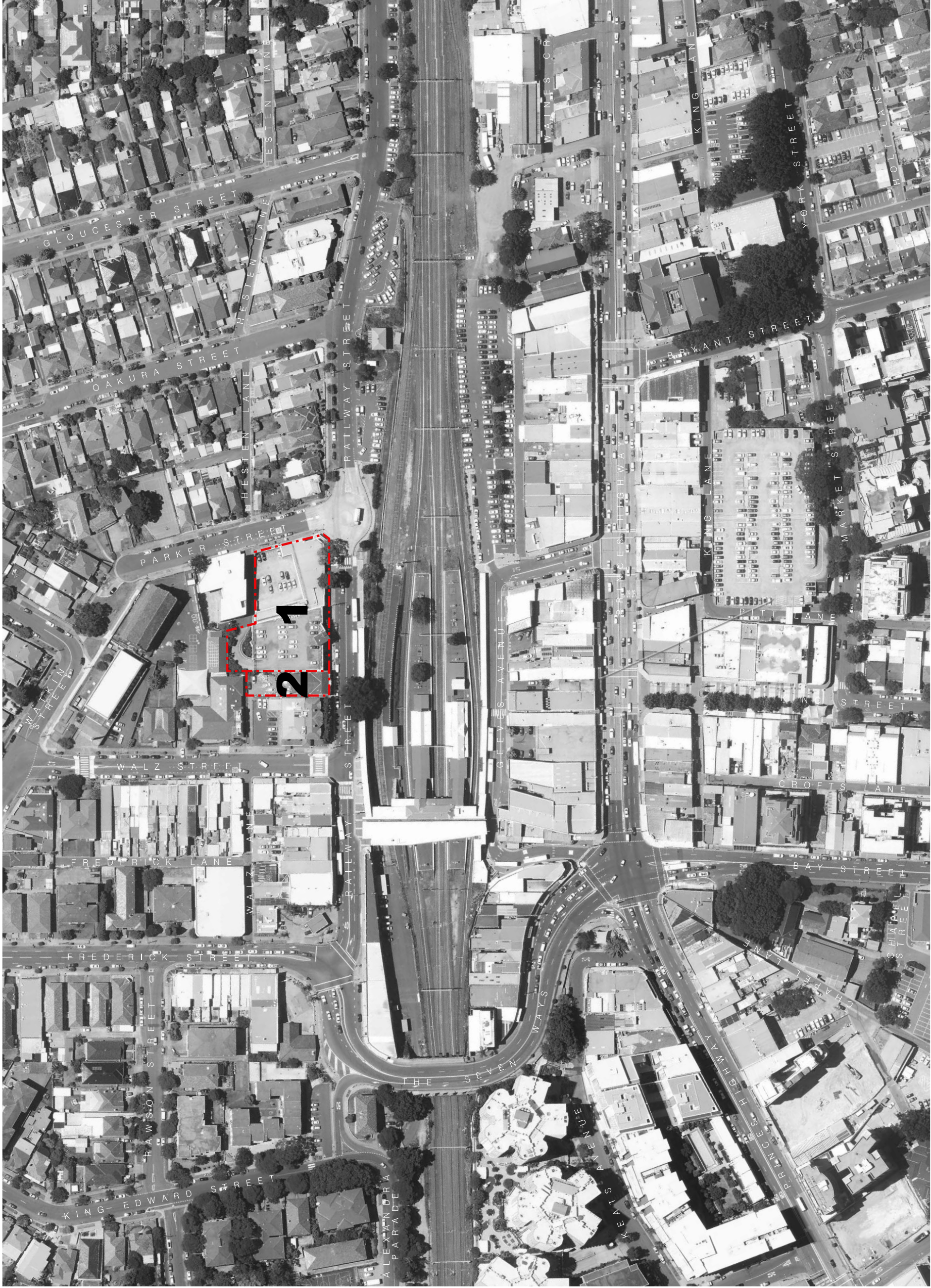
Candalepas Associates have been engaged by Zoe Holdings Rockdale Pty Limited to prepare this Urban Design Report (the Report) as part of a Planning Proposal for the 75-85 Railway Street, Rockdale (the Site).

This Report has been prepared in accordance with Rockdale City Council's draft guidelines for urban design reports and in consultation with the Council's town planning staff. The Report is based on several site visits, a review of the current controls for the Site and Council's strategic vision for urban renewal of the Rockdale Town Centre as set out in the Rockdale Town Centre Planning Proposal and the associated Town Centre Masterplan. The Report and proposal also draw on Candalepas Associates' extensive experience with projects of similar use, context and density.

The two subject sites, 75-81 Railway Street and 83-85 Railway Street, are located between Walz Street and Parker Street immediately to the west of Rockdale Railway Station. 75-81 Railway Street sits on the corner of Railway and Parker Street. It also has a frontage to Walz Lane to the west. 83-85 Railway Street has a frontage with Railway Street and also limited access via remnants of a former lane to the west. It is also shares a boundary to the Council owned Guild Theatre. The subject sites are located on the edge of the Rockdale Town Centre which does not extend beyond Parker Street.

**LEGEND**

- SUBJECT SITES**
- 1  SITE 1  
75-81 RAILWAY STREET  
LOT 101 IN DP 771165  
LOT 3 IN DP82942  
LOT 1 IN DP455421  
LOT 1 IN DP912313
  - 2  SITE 2  
83-85 RAILWAY STREET  
LOT 1 IN DP5660



|  |  |   |   |                          |                                  |
|--|--|---|---|--------------------------|----------------------------------|
| <b>FOR PLANNING PROPOSAL PURPOSES ONLY</b>   | <b>ARCHITECT:</b><br>CANDALEPAS ASSOCIATES<br>LEVEL 9 210 CASTLEREAGH ST.<br>STONEY NSW 2000<br>T: 02 9283 7755<br>E: info@candalepas.com.au<br>NSW ARCHITECTS REG. NO. = 5773 | <b>PROJECT:</b><br>75-81 RAILWAY STREET AND<br>83-85 RAILWAY STREET, ROCKDALE | <b>CLIENT:</b><br>ZOE HOLDINGS ROCKDALE PTY LIMITED<br>SCALE: 1:2000@A3<br>0 1m 2m 5m | <b>DATE:</b><br>MAY 2015 | <b>DRAWING NO.:</b><br>PP - 2.01 |
| <b>© COPYRIGHT</b>   | <b>ISSUE TO COUNCIL</b>  | <b>CHECKED 1:</b><br>SM   | <b>CHECKED 2:</b><br>-  | <b>ISSUE</b>             | <b>JOB NO.</b><br>5724           |
| <b>NOT FOR CONSTRUCTION</b>  | <b>Drawing Original Size</b>   |   |   |                          |                                  |
| <b>THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECTS MUST BE APPROVED BY THE LOCAL COUNCIL PRIOR TO COMMENCEMENT OF ANY WORK.</b> | <b>Issue Date</b>  |   |   |                          |                                  |
| <b>A</b>   | <b>01/05/15</b>  |   |   |                          |                                  |



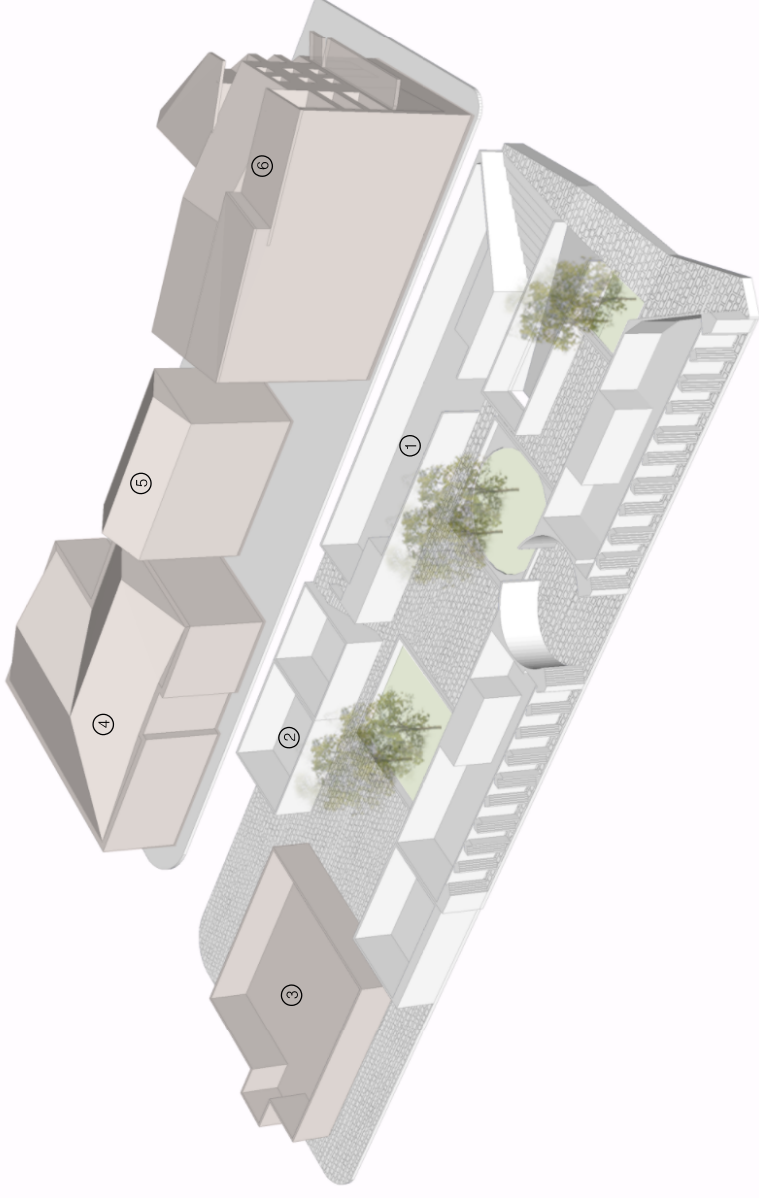
## PURPOSE AND AIMS

The Planning Proposal seeks to increase the maximum permissible height for the Sites from 22 metres as adopted by Council in October 2014 to 28 metres.

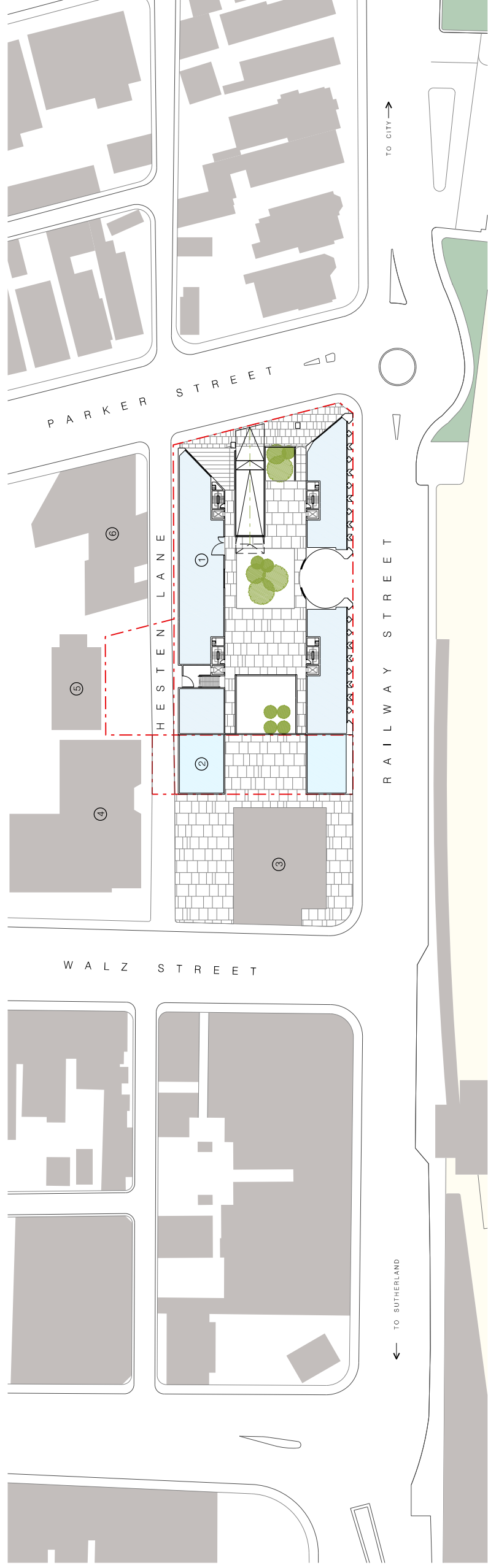
The proposal aims to contribute to the enhancement of the public domain by including a new lane to the west of the Site and a public forecourt in Parker Street. The extension of Hesten Lane through to Walz Street will repair a broken link in the lane network which is characteristic for the Town Centre. The proposal also has the potential to contribute to the creation of a new public precinct surrounding Guild Theatre, an important public institution within the Rockdale Local Government Area.

This Report explores an appropriate size, bulk, form and architectural expression for the Site. It argues that the increase in height of six metres will have a minimal additional environmental impact. At the same time the creation of a new lane and potentially forecourt to the theatre will make a positive contribution to the character, urban quality and vitality of the Site and its context.

02\_ FUTURE PRECINCT AXONOMETRIC



01\_ FUTURE PRECINCT PLAN\_1:1000



### LEGEND

- SUBJECT SITES
- ① 75 - 81 RAILWAY STREET
- ② 83 - 85 RAILWAY STREET
- ③ GUILD THEATRE / 87 RAILWAY STREET
- ④ 3 - 13 WATKIN STREET
- ⑤ 3 - 13 WATKIN STREET
- ⑥ 2 - 4 PARKER STREET

| Issue | Date     | Description      |
|-------|----------|------------------|
| A     | 01/05/15 | Issue to Council |
| 3     |          | Issue to Council |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 ARCHITECT: ANDALEPAS ASSOCIATES PTY LTD  
 LEVEL 9, 210 CASTLEREAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@andalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9, 210 CASTLEREAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@andalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:1000@A3  
 0 1m 20m 50m



DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWN BY: DA, FT, LC

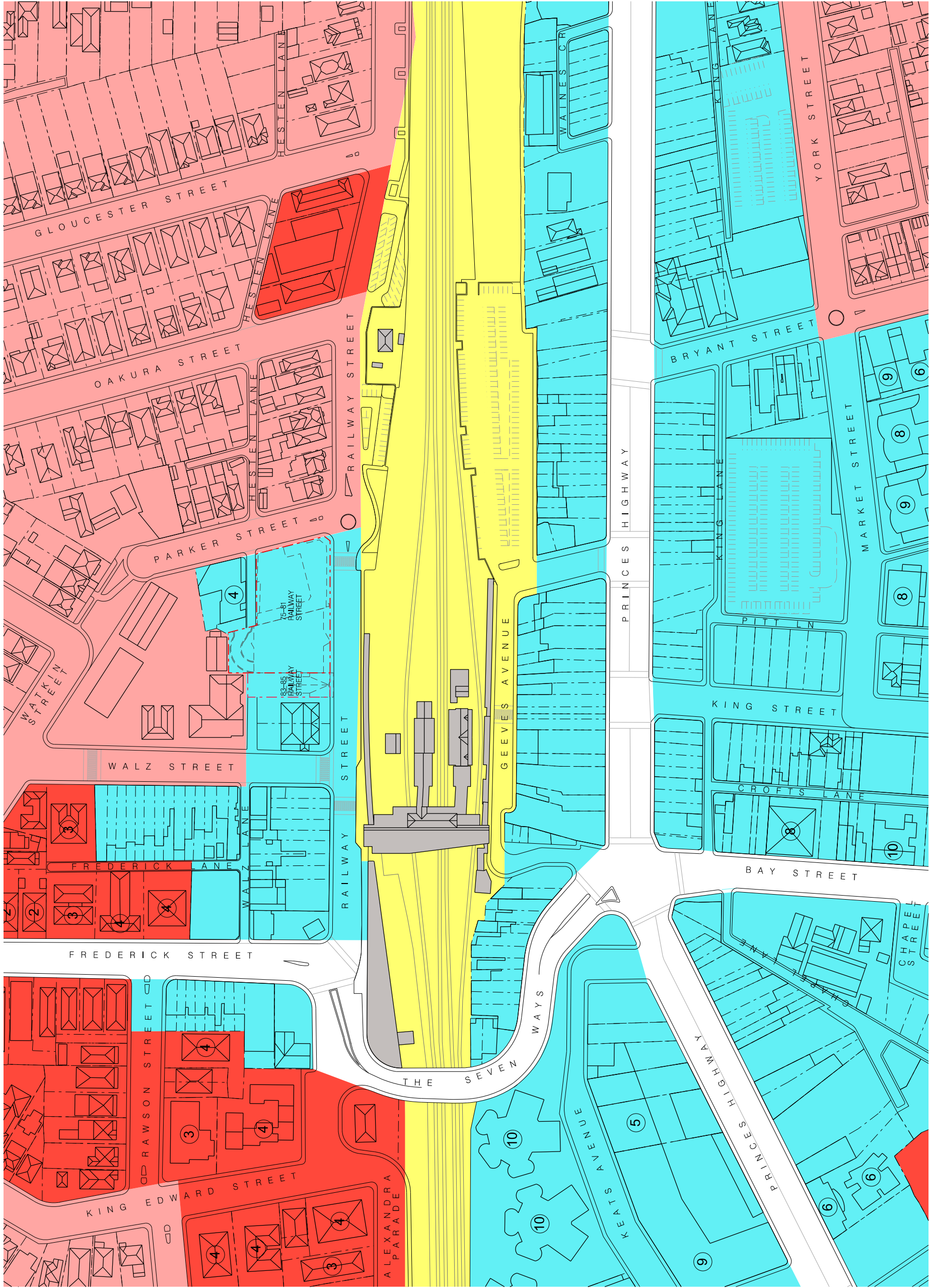
DRAWING: **PURPOSE AND AIMS**  
 DRAWING No. **PP - 3.01**

JOB No. **5724**  
 ISSUE **A**

**LAND USE**

The two subject sites are within the Rockdale Town Centre as defined in the Rockdale DCP Part 7.5 Amendment 3. The land is zoned B2 Local Centre. Most of the Town Centre is located on the opposite side of the Railway Station along Princes Highway between Bay Street and Bryant Street. Existing land uses within the vicinity of the site include public buildings such as the Guild Theatre, St Joseph's Church and Primary School. All of which are located in the same city block together with a small mixed use development to the west of 75-81 Railway Street.

To the north, on the opposite side of Parker Street, the zoning changes to R2 Local Density Residential which is consistent with the predominantly single and double storey dwellings. The southern site of Walz Street is dominated by a row of single storey shops, some of which have a one storey residential use above them.



**LEGEND**

- SUBJECT SITES
- ⑦ NUMBER OF STOREYS
- [Cyan Box] LAND ZONING - B2 LOCAL CENTRE ROCKDALE LEP2011
- [Red Box] LAND ZONING - R2 LOCAL DENSITY RESIDENTIAL ROCKDALE LEP2011
- [Red Box] LAND ZONING - R4 HIGH DENSITY RESIDENTIAL ROCKDALE LEP2011
- [Yellow Box] LAND ZONING - SP2 INFRASTRUCTURE ROCKDALE LEP2011

|           |               |                  |
|-----------|---------------|------------------|
| Issue No. | 01/05/15      | Issue to Council |
| Drawing   | Original Size |                  |
| <b>33</b> |               |                  |

**FOR PLANNING PROPOSAL PURPOSES ONLY  
NOT FOR CONSTRUCTION  
© COPYRIGHT**

THIS DOCUMENT IS THE PROPERTY OF ANDREAS CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECT SITE VISUALIZATION AND RENDERING IS FOR INFORMATION ONLY AND SHOULD NOT BE USED FOR ANY DECISIONS OR COMMENCEMENT OF ANY WORK. CONSULTATION REQUIRED TO OBTAIN APPROVAL AND FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

**ARCHITECT:** CANDALEPAS ASSOCIATES  
LEVEL 9 909 CASTLEREAGH ST. STONEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7756  
E: architect@candalepas.com.au  
NSW ARCHITECTS REG. NO. - 5773

**CLIENT:** ZOE HOLDINGS ROCKDALE PTY LIMITED

**PROJECT:** 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE

SCALE: 1:200@A3  
0 1m 2m 5m

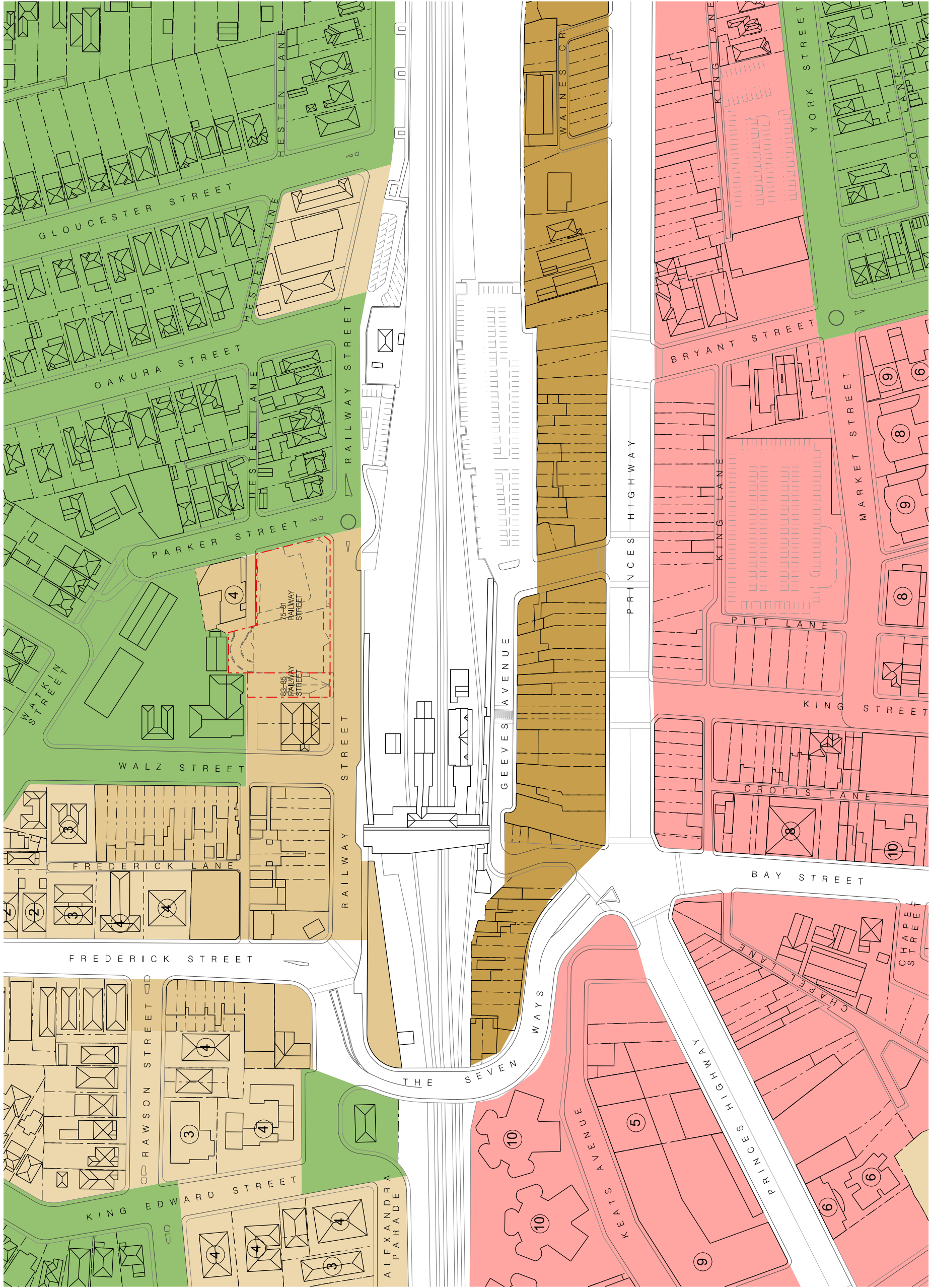
**DATE:** MAY 2015  
**CHECKED 1:** SM  
**CHECKED 2:** -  
**DRAWN BY:** DA, FT, LC  
**DRAWING No.:** PP - 4.01

**ISSUE** A  
**JOB No.** 5724  
**DRAWING** LOCAL CONTEXT / LAND USE



# BUILDING HEIGHT

Buildings heights in the Rockdale Town Centre vary from single storey shops to ten storey residential flat buildings. Taller buildings, which are typically residential in use, are located on the eastern side of Rockdale Railway Station. Building heights can reach nine and ten storeys there. To the west of the station building heights are predominantly one to three storeys. There is a recently constructed four storey mixed use development in 2-4 Parker Street immediately to the west of the subject sites. The single residential dwellings on the northern side of Parker Street are one to two storeys in height. Permitted building heights in the Rockdale Town Centre vary from 14.5 to 16 metres on the western side of the station to 22 to 28 metres east of the station.



## LEGEND

- SUBJECT SITES
- ⑦ NUMBER OF STOREYS
- 1-8.5m ROCKDALE LEP2011
- 9-14.5m ROCKDALE LEP2011
- 15-16m ROCKDALE LEP2011
- 17-22m ROCKDALE LEP2011
- 23-28m ROCKDALE LEP2011

DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 ARCHITECT: CANDALEPAS ASSOCIATES  
 LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. = 5773

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECTS MUST BE APPROVED BY CANDALEPAS ASSOCIATES PRIOR TO THE COMMENCEMENT OF ANY WORK.

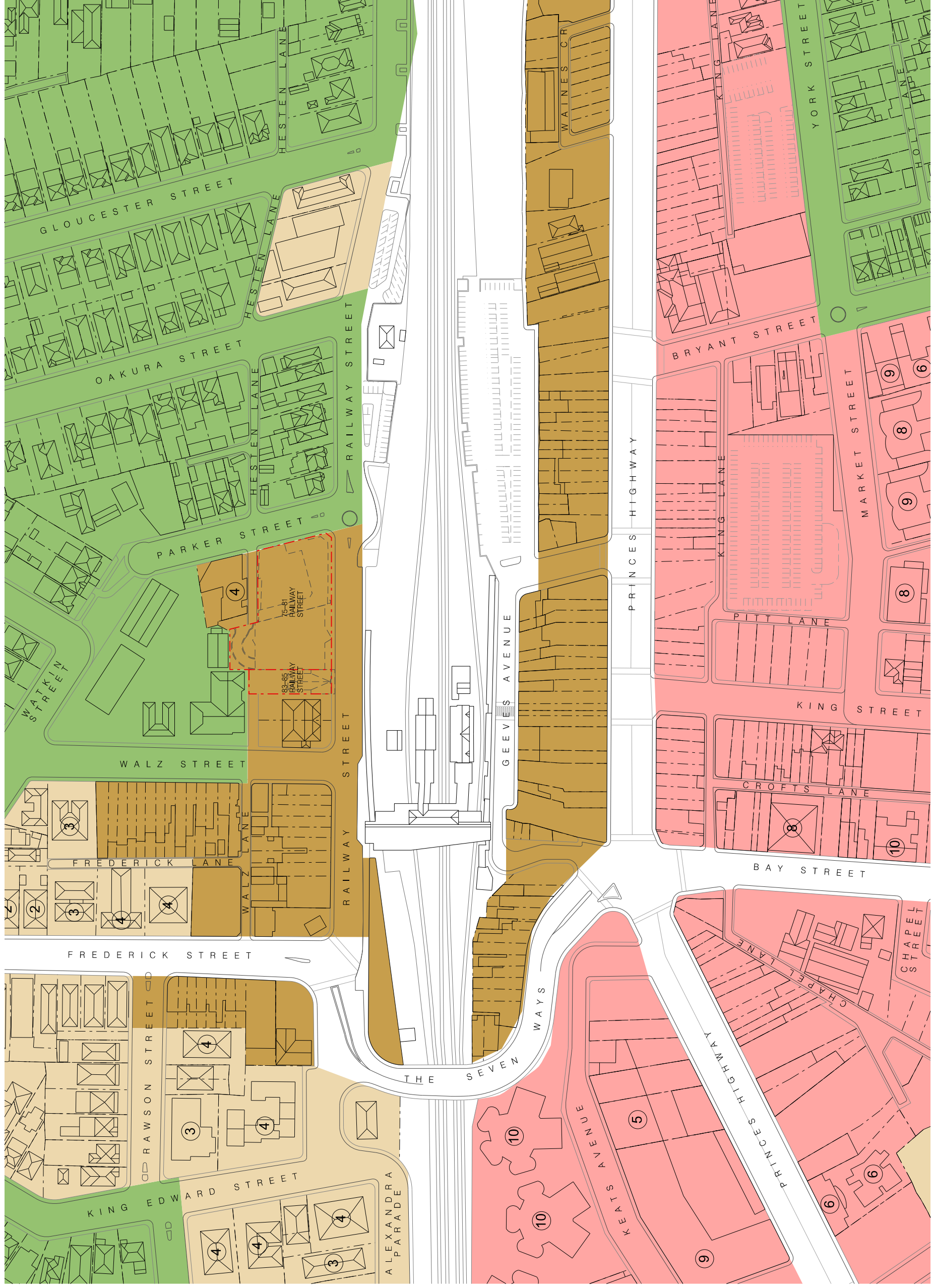
ISSUE 15  
 ISSUE TO COUNCIL  
 Drawing Original Size  
 Scale: 1:200 @ A3  
 0 1m 2m 5m  
 NORTH

DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 ARCHITECT: CANDALEPAS ASSOCIATES  
 LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. = 5773

DRAWING NO. PP - 4.02  
 ISSUE 15  
 JOB NO. 5724  
 ISSUE A

**ADOPTED BUILDING HEIGHT**

In its recent Planning Proposal for the Rockdale Town Centre which was adopted in October 2014, Council has increased the building heights on the western side of the railway station to 22 metres. East of the station the building heights have been kept at 22 to 28 metres.



**LEGEND**

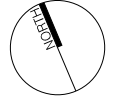
- SUBJECT SITES
- ⑦ NUMBER OF STOREYS
- 1-8.5m RTC PLANNING PROPOSAL
- 12-14.5m RTC PLANNING PROPOSAL
- 16m RTC PLANNING PROPOSAL
- 22m RTC PLANNING PROPOSAL
- 28m RTC PLANNING PROPOSAL

|          |                  |             |
|----------|------------------|-------------|
| Issue    | Date             | Description |
| 01/05/15 | Issue to Council |             |
| 23       | Original Size    |             |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THE DOCUMENT IS THE PROPERTY OF ANDALEPAPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT NO: 15000@A3  
 E: andalepapas@andalepapas.com.au  
 NSW ARCHITECTS REG. NO. = 5773

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 210 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 E: andalepapas@andalepapas.com.au  
 NSW ARCHITECTS REG. NO. = 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:2000@A3  
 0 1m 2m 5m



DATE:  
 MAY 2015  
 CHECKED 1:  
 SM  
 CHECKED 2:  
 -  
 DRAWING No.  
**PP - 4.03**  
 DRAWN BY:  
 DA, FT, LC  
 ISSUE  
**A**  
 JOB #  
**5724**



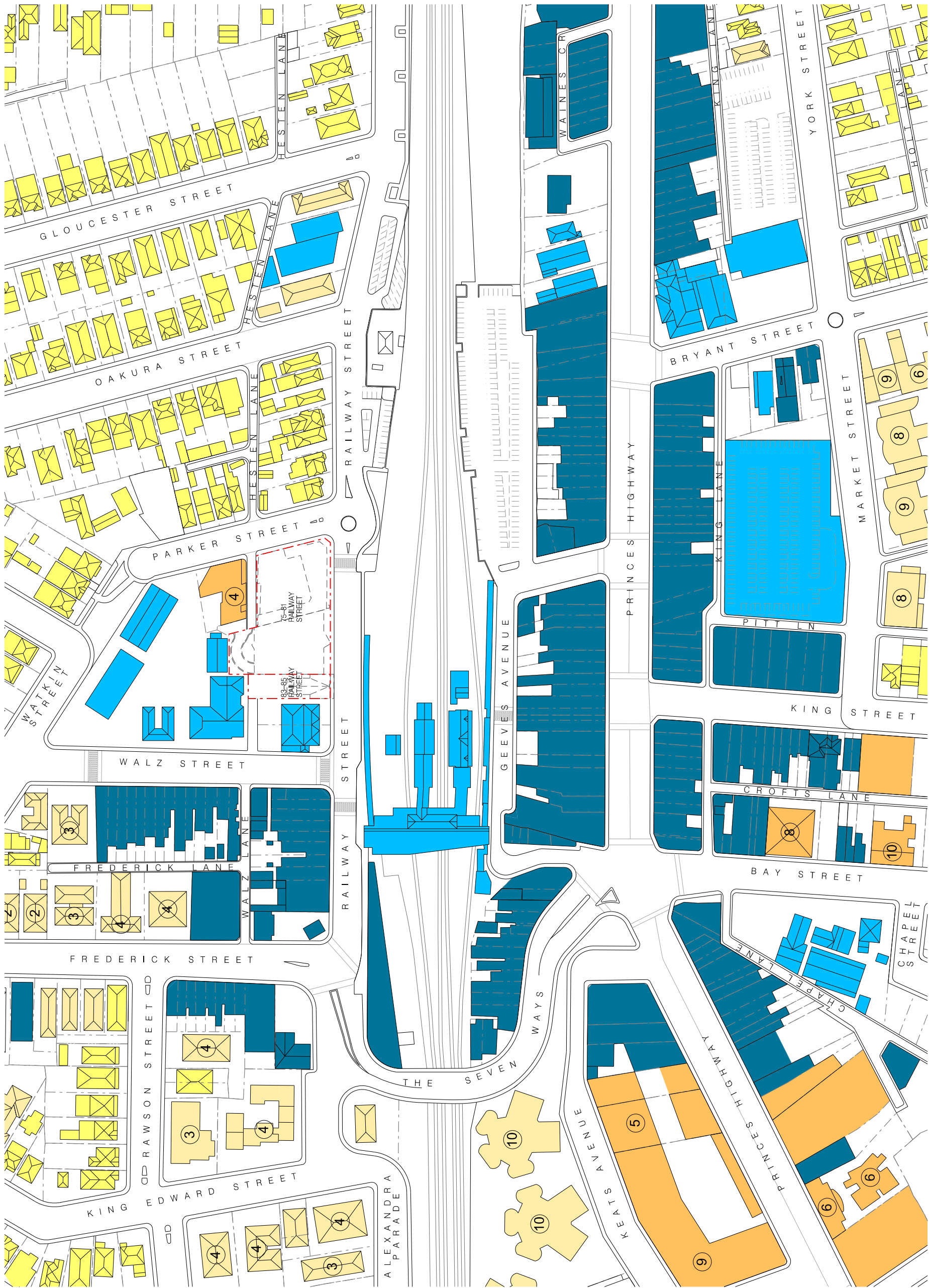
**TYPOLOGIES**

The area around the two subject sites is heterogeneous in use, height and building type. Immediately east and west of the station single and two storey rows of shops dominate the streetscape. In the back of these traditionally small and narrow main street type buildings sites have been consolidated.

East of the station more recently built typologies include eight to ten storey residential flat buildings and mixed-use developments with retail on the ground floor. West of the station buildings are smaller and include two and three storey apartment buildings.

In addition, free-standing public buildings are dotted through-out the Rockdale Town Centre.

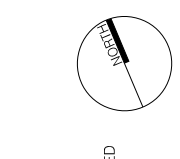
As the two subject sites are on the edge of the Rockdale Town Centre there are also single dwellings in the immediate vicinity.



**LEGEND**

- SUBJECT SITES
- ⑦ NUMBER OF STOREYS
- MIXED USE DEVELOPMENT
- RESIDENTIAL FLAT BUILDINGS
- SINGLE RESIDENTIAL DWELLINGS
- RETAIL
- PUBLIC BUILDINGS

DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2:  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 ARCHITECT: CANDALEPAS ASSOCIATES  
 LEVEL 9 219 CASTLEREAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. = 5773



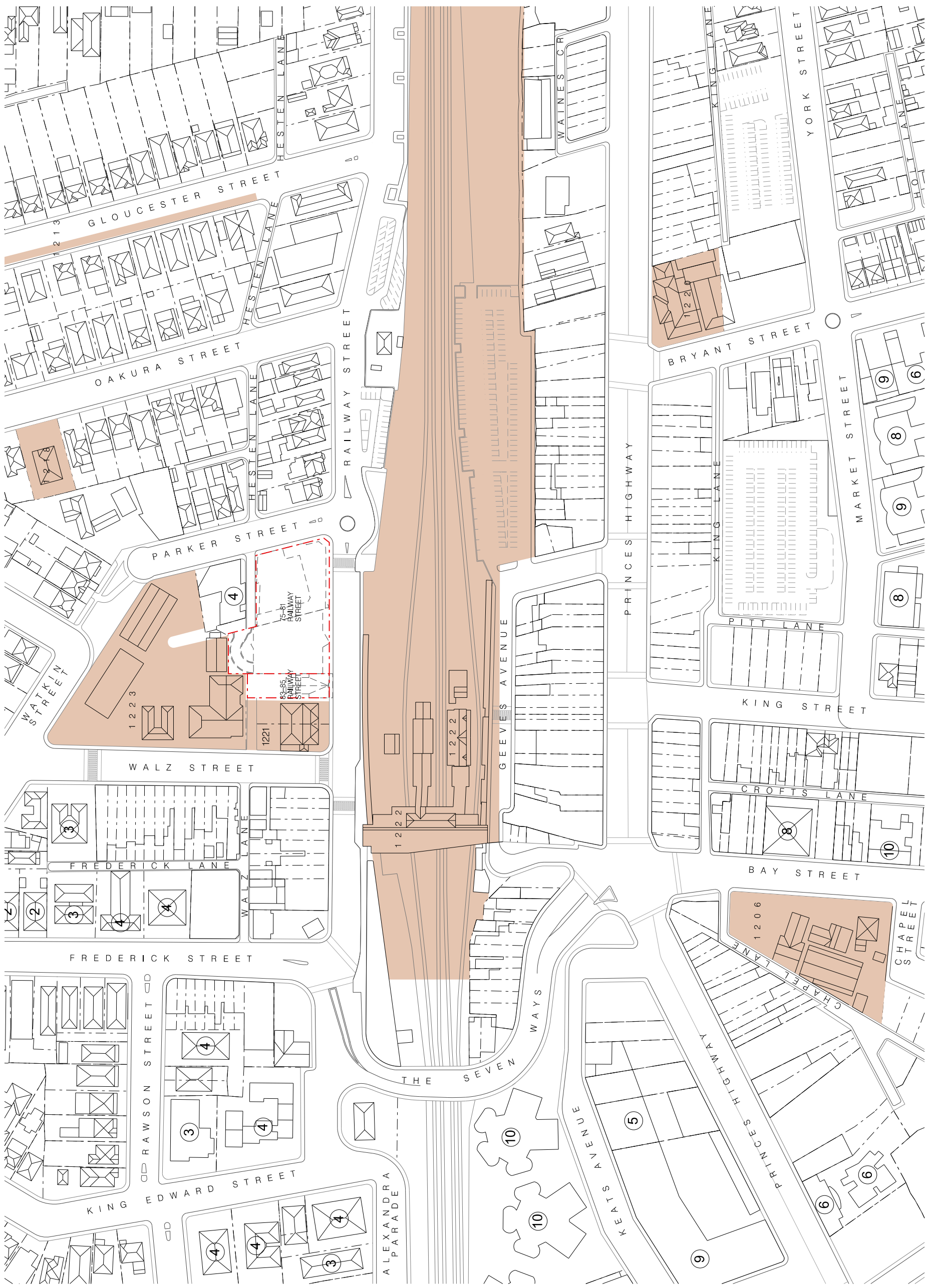
FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECT SITE INFORMATION AND DIMENSIONS SHALL BE VERIFIED BY THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK.

|       |          |                       |
|-------|----------|-----------------------|
| Issue | Date     | Description           |
| A     | 01/05/15 | Issue to Council      |
| B3    |          | Drawing Original Size |

DRAWING NO. PP - 4.04  
 ISSUE 5724

**HERITAGE**

There are five heritage items located within the Rockdale Town Centre. 83-85 Railway Street is right adjacent to the Rockdale School of Arts building which is also known as the Guild Theatre. Both sites share a boundary with the listed St Joseph's Convent. The convent fronts onto Walz Street, Walkin Street and Parker Street. It turns its back to the subject sites and used to be separated from them by a lane.



**LEGEND**

- SUBJECT SITES
- ITEM - HERITAGE
- 1206 UNITING CHURCH AND BUILDINGS
- 1213 PALMS TREES ON VERGE
- 1218 FEDERATION HOUSE
- 1220 ROCKDALE TOWN HALL
- 1221 ROCKDALE SCHOOL OF ARTS (GUILD THEATRE)
- 1222 BRICK BUILDINGS ON PLATFORMS, SIGNAL BOX AND OVERHEAD BOOKING OFFICE
- 1223 ST JOSEPH'S CONVENT

DATE: MAY 2015  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 ARCHITECT: CANDALEPAS ASSOCIATES  
 CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 DRAWING NO: PP - 4.05  
 ISSUE: A  
 JOB NO: 5724

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECT SITE INFORMATION: 75-81 RAILWAY STREET, ROCKDALE NSW. ANY REVISIONS TO THIS DRAWING SHALL BE APPROVED BY CANDALEPAS ASSOCIATES PTY LIMITED PRIOR TO THE COMMENCEMENT OF ANY WORK.

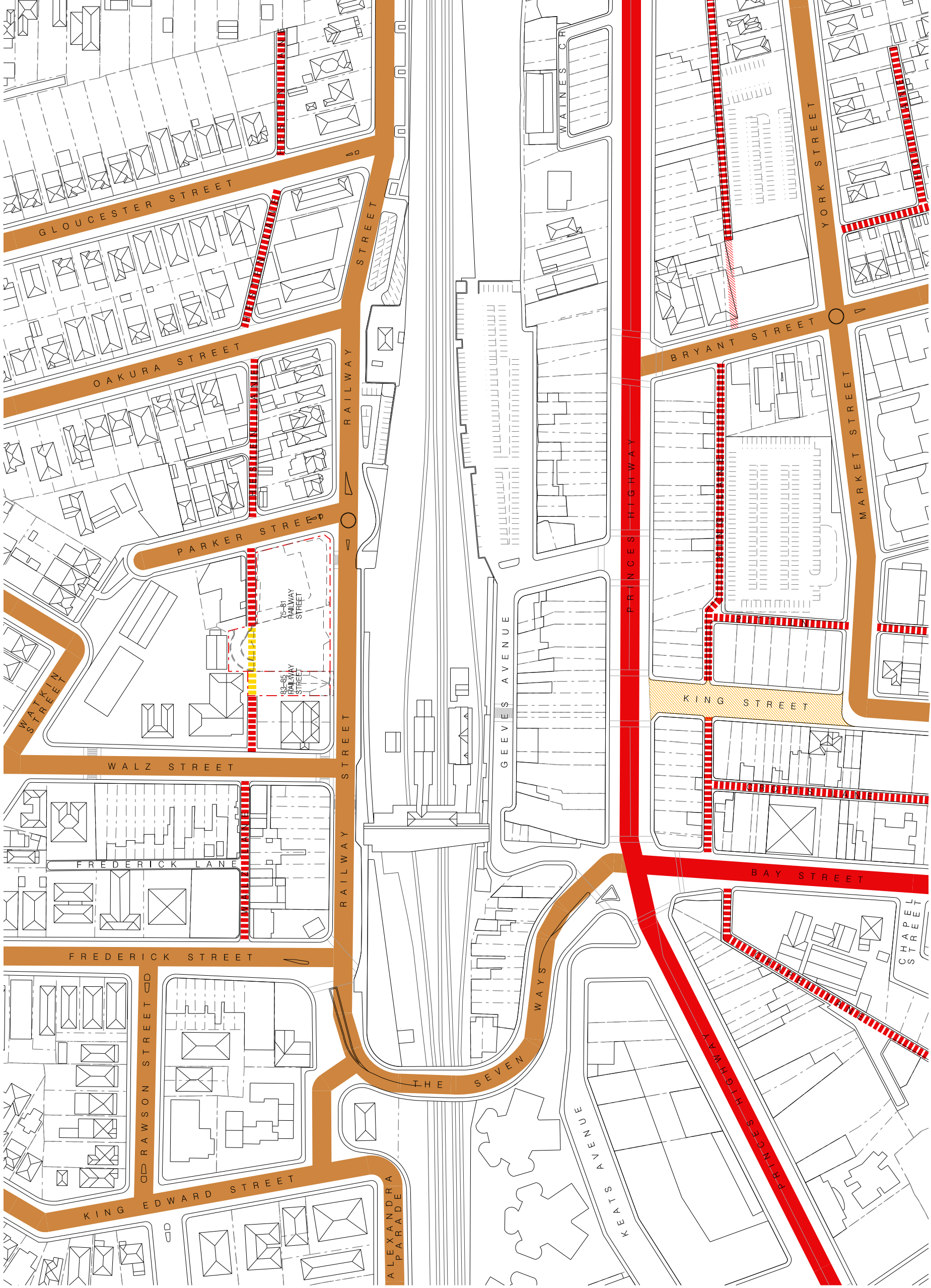
DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2:  
 DRAWN BY: DA, FT, LC  
 SCALE: 1:200 @ A3  
 0 1m 2m 5m  
 NORTH

Issue Date Description  
 01/05/15 Issue to Council  
 23  
 Drawing Original Size  
 A



# STREET NETWORK

Rockdale Town Centre is characterised by a network of roads and lanes. Major roads are located on the eastern side of the station. The Princes Highway as Rockdale's traditional main street runs in a north-south direction one block east of the station connecting southern parts of Greater Sydney to the CBD. It has its main intersection with Bay Street which connects Rockdale to Botany Bay. There is a pedestrian zone in King Street between the highway and Market Street. The subject sites are serviced by local roads, such as Railway Street, which links to Princes Highway via a bridge across the rail tracks. The roads are supported by a network of lanes, which provides delivery access to a lot of properties but also a more pleasant pedestrian environment. King Lane runs parallel to Princes Highway, Walz and Heston lane follow Railway Street. At the back of the subject sites, between Walz Street and Parker Street, the lane is discontinuous due to built structures in 75-81 Railway Street.



## LEGEND

- SUBJECT SITE
- MAIN ROADS
- LOCAL ROADS
- PEDESTRIAN ZONE
- LANES
- PEDESTRIAN THROUGH SITE LINK
- POTENTIAL LANEWAY CONNECTION

DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWING No. PP - 4.06  
 ISSUE 5724  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 ARCHITECT: CANDALEPAS ASSOCIATES  
 LEVEL 9/30 CASTLEREAGH ST. SYDNEY NSW 2000  
 T: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

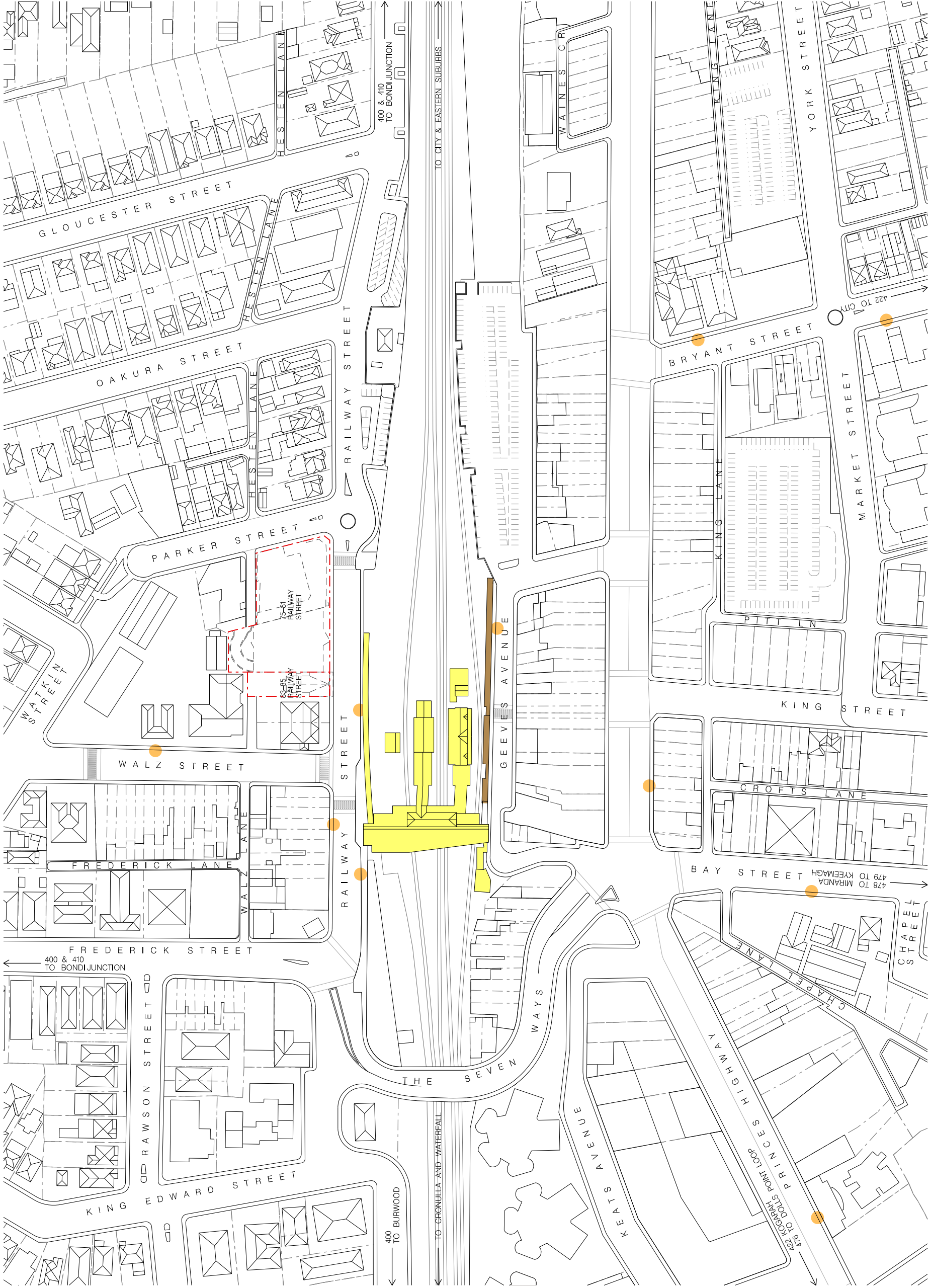


FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECTS AND DRAWINGS ARE THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LIMITED. ANY REPRODUCTION WITHOUT THE CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

| Issue No. | Date     | Description           |
|-----------|----------|-----------------------|
| A         | 01/05/15 | ISSUE TO COUNCIL      |
| 33        |          | Drawing Original Size |

**PUBLIC TRANSPORT**

The subject sites have excellent access to public transport. Rockdale Town Centre is serviced by the Illawarra-Eastern suburbs train line and by numerous bus services which provide connections within the Local Government Area, to the Sydney CBD and also beyond to Greater Sydney. The Sites are located right opposite the train station. A great number of bus stops are either right in front of the property or within short walking distance.



**LEGEND**

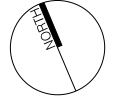
- - - SUBJECT SITES
- ROCKDALE TRAIN STATION
- ILLAWARRA-EASTERN SUBURBS LINE
- ROCKDALE BUS TERMINAL
- 476 ROCKDALE – DOLLS POINT LOOP
- 478 ROCKDALE STATTO – MIRANDA
- 479 ROCKDALE – KYEEMARCH LOOP
- BUS STOP
- 400 BURWOOD – BONDI JUNCTION VIA AIRPORT
- 410 ROCKDALE – BONDI JUNCTION
- 422 KOGARAH – CITY
- 452 ROCKDALE – BONDI JUNCTION
- 473 ROCKDALE – CAMPSIE
- 492 ROCKDALE – DRUMMOYNE
- 493 ROCKDALE – ROSELANDS

DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWING No. PP - 4.07  
 ISSUE A

PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 ARCHITECT: CANDALEPAS ASSOCIATES  
 LEVEL 9 219 CASTLEREAGH ST. SYDNEY NSW 2000  
 T: 02 9285 7755  
 F: 02 9285 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. No. - 5773

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECTS AND DRAWINGS ARE THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LIMITED. ANY REPRODUCTION OR DISTRIBUTION WITHOUT THE WRITTEN PERMISSION OF CANDALEPAS ASSOCIATES PTY LIMITED IS STRICTLY PROHIBITED. APPROVED FOR THE COMMITTEE OF ANY WORK.

| Issue | Date     | Description           |
|-------|----------|-----------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL      |
| B3    |          | Drawing Original Size |

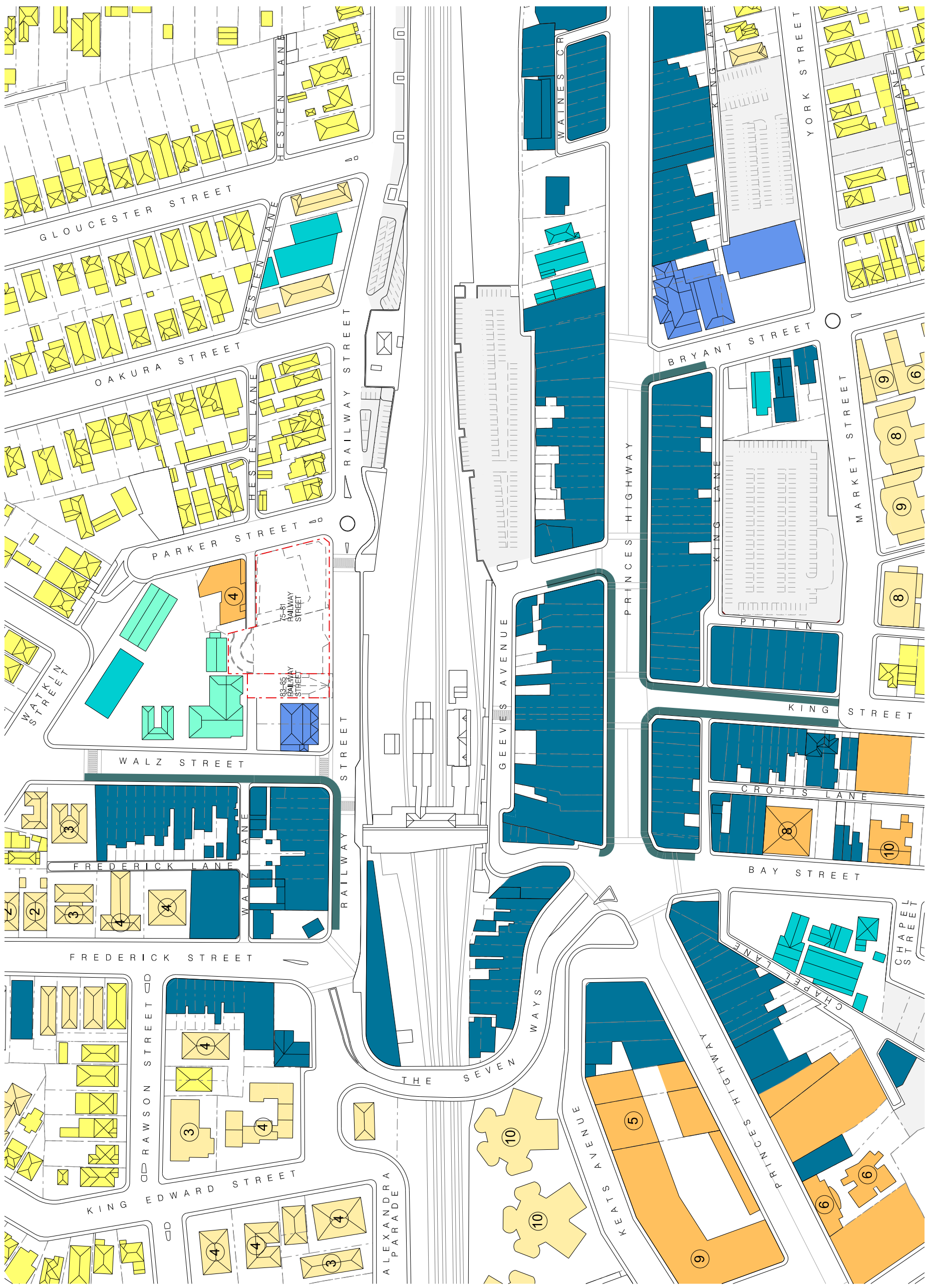


SCALE: 1:200@A3  
 0 1m 2m 5m



**FACILITIES**

As the subject sites are located within the Rockdale Town Centre they are in close proximity of all facilities required in day to day life. These facilities include small, main street type shops and cafes along Walz Street and Princess Highway, a primary school adjacent on the western edge of the property and various churches on both sides of the railway lines. Council chambers are also only a short walk away.



**LEGEND**

- SUBJECT SITES
- ⑦ NUMBER OF STOREYS
- MIXED USE DEVELOPMENT
- RESIDENTIAL FLAT BUILDINGS
- SINGLE RESIDENTIAL DWELLINGS
- RETAIL
- SERVICES
- SCHOOLS
- CHURCHES
- PARKING
- PRIMARY RETAIL

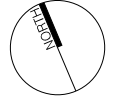
DATE: MAY 2015  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 CHECKED 1: SM  
 CHECKED 2:  
 DRAWING No. PP - 4.08  
 DRAWN BY: DA, FT, LC  
 ISSUE 5724

ARCHITECT: CANDALEPAS ASSOCIATES  
 LEVEL 9/219 CASTLEBRAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. No. - 5773

CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:200@A3  
 0 1m 20m 50m

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECTS MUST BE APPROVED BY THE ARCHITECTS BEFORE ANY COMMENCEMENT OF WORK. CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

|           |                       |
|-----------|-----------------------|
| Issue No. | Issue Description     |
| 01/05/15  | Issue to Council      |
| 23        | Drawing Original Size |



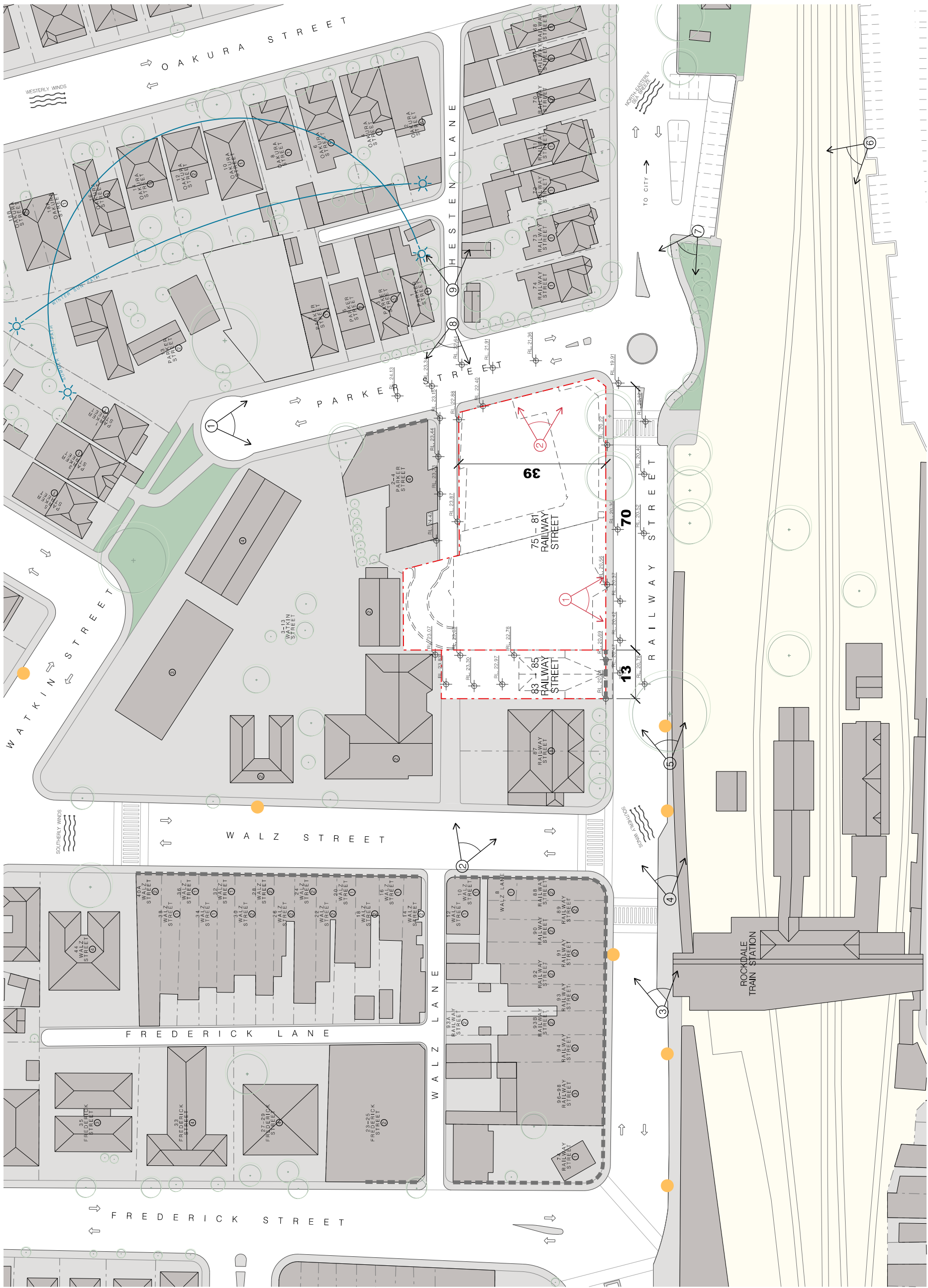
**ANALYSIS**

75-81 Railway Street is rectilinear in shape and runs in a north-south direction. It has an approximately 70m long eastern frontage to Railway Street and a just under 40m frontage to Parker Street. The site also has a frontage to Heston Lane. The total site area is 2,942sqm. Prevailing winds are southerly in winter and north-easterly sea breezes in summer. The site has its low point on the corner of Railway Street and Parker Street as it falls by approximately one metre along its eastern boundary and by approximately three metres from Heston Lane to Railway Street. With low level structures to the north and the east the subject sites will offer views to the City and Botany Bay. Further, the corner position on the edge of the Rockdale Town Centre will ensure its prominence.

75-81 Railway Street is currently occupied by two office buildings. The building in 81 Railway Street is three storeys in height with a roof top carpark which has its access from the lane. It also has a basement carpark with a driveway off Railway Street. The building in 75-79 Railway Street is one to two storeys in height. Parking is provided at street level off the lane. Both buildings have their entry foyers in Railway Street. The buildings on the subject sites are approximately three storeys lower than the recently finished development in the building faces north onto Parker Street and also has units looking across Heston Lane and the subject site to the east. The lane is about six metres wide and has a footpath on its western side.

**LEGEND**

- SUBJECT SITES
- NUMBER OF STOREYS
- HERITAGE ITEMS
- BUS STOP
- RETAIL / COMMERCIAL FRONTAGE
- ⇄ VEHICULAR TRAFFIC FLOW
- ⇄ SHARED PEDESTRIAN / VEHICLE ZONE (SERVICE / LOADING VEHICLES ONLY)
- 🚲 CYCLE PATH (SHARED ZONE WHEN ON FOOTPATH)
- 👁️ SIGNIFICANT VIEWS TO THE SITE
- 👁️ SIGNIFICANT VIEWS FROM THE SITE
- 🌳 EXISTING TREE

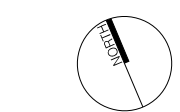


| Issue | Date     | Description      |
|-------|----------|------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL |
| B     |          |                  |
| C     |          |                  |
| D     |          |                  |
| E     |          |                  |
| F     |          |                  |
| G     |          |                  |
| H     |          |                  |
| I     |          |                  |
| J     |          |                  |
| K     |          |                  |
| L     |          |                  |
| M     |          |                  |
| N     |          |                  |
| O     |          |                  |
| P     |          |                  |
| Q     |          |                  |
| R     |          |                  |
| S     |          |                  |
| T     |          |                  |
| U     |          |                  |
| V     |          |                  |
| W     |          |                  |
| X     |          |                  |
| Y     |          |                  |
| Z     |          |                  |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECT SUCCESS ONLY CONSULTING ENGINEERS ARCHITECTS AND INTERIORS DESIGNERS AND RECORDING TO BE USED FOR INFORMATION PURPOSES ONLY. THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. NO LIABILITY FOR THE COMPLETION OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 210 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:1000@A3  
 0 1m 20m 50m

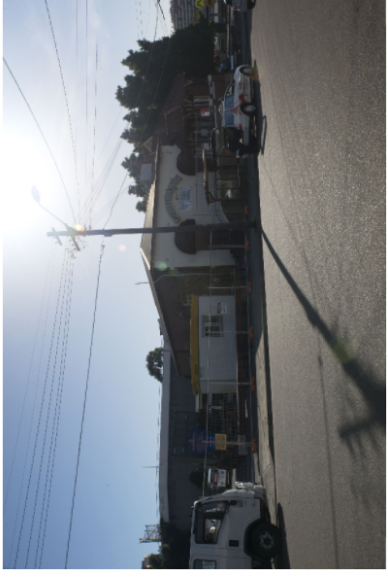


DATE:  
 MAY 2015  
 CHECKED 1:  
 SM  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC  
 DRAWING No.  
**PP - 5.01**  
 ISSUE  
**5724**  
 JOB No.





01\_ VIEW EAST ALONG PARKER STREET



02\_ VIEW NORTH FROM WALZ STREET



03\_ VIEW NORTH ALONG RAILWAY STREET



04\_ VIEW NORTH ALONG RAILWAY STREET



05\_ VIEW NORTH ALONG RAILWAY STREET



06\_ VIEW WEST FROM RAILWAY



07\_ VIEW WEST FROM RAILWAY STREET



08\_ VIEW SOUTH ALONG HESTEN LANE



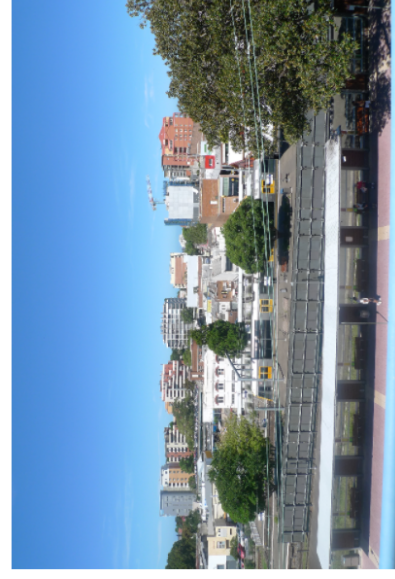
09\_ VIEW NORTH ALONG HESTEN LANE

LEGEND

SIGNIFICANT VIEWS TO THE SITE



SIGNIFICANT VIEWS FROM THE SITE



01\_ VIEW NORTH TOWARDS THE CITY FROM 75 - 81 RAILWAY STREET ROOF

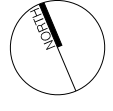
02\_ VIEW EAST TOWARDS BOTANY BAY FROM 75 - 81 RAILWAY STREET ROOF

| Issue | Date     | Description      |
|-------|----------|------------------|
| A     | 01/05/15 | Issue to Council |
| 3     |          | Original Size    |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 ©COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANDERSON CORRIJN & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 THE CLIENT ACCEPTS FULL RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECTS FOR QUANTIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 210 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:100@A3  
 0 1m 20m 50m



DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWN BY: DA, FT, LC

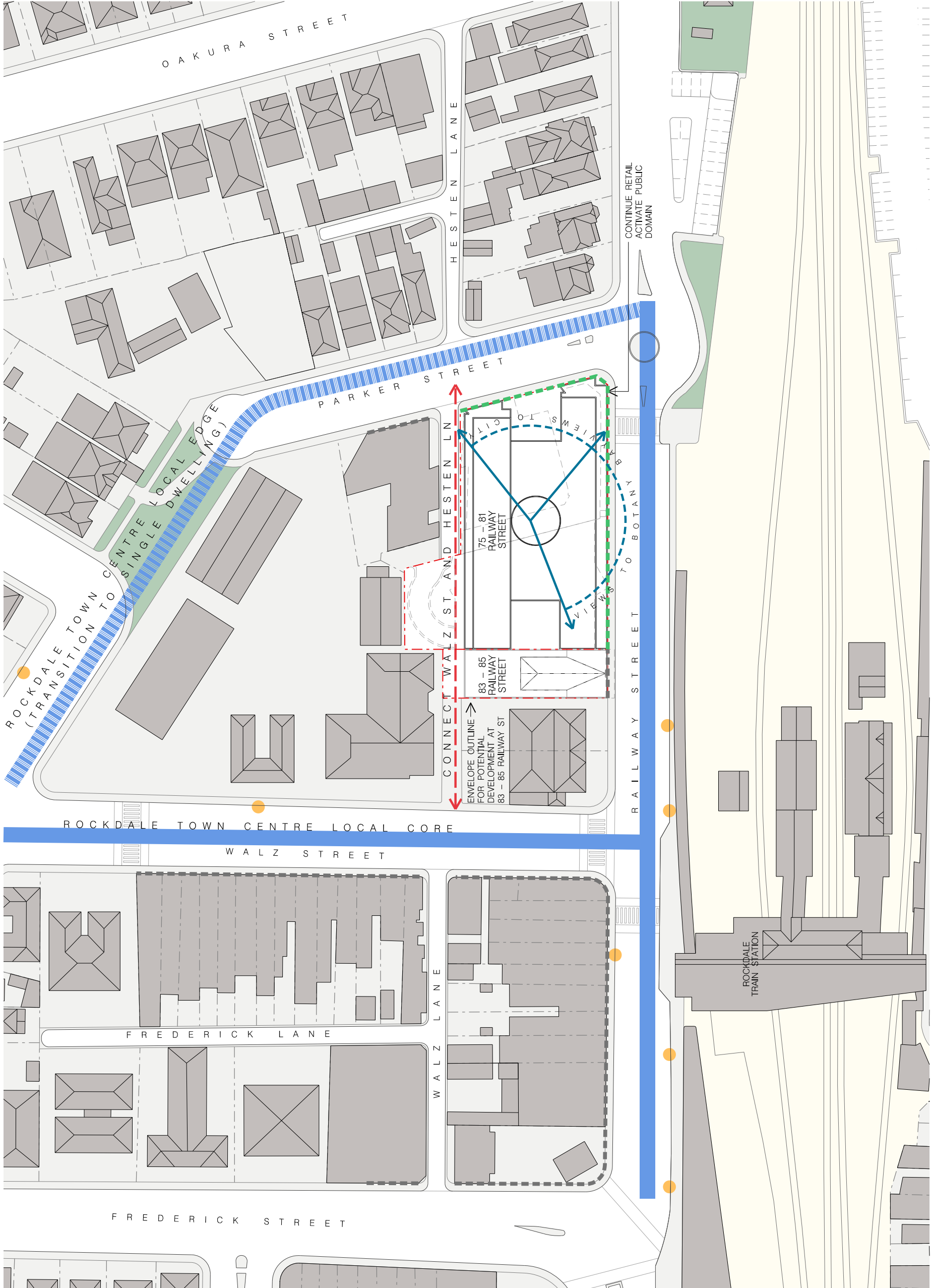
DRAWING: SITE CONTEXT / PHOTOS  
 DRAWING No. PP - 5.02

JOB No. 5724  
 ISSUE A



# SITE CHALLENGES AND OPPORTUNITIES

The subject sites are located on the edge of the Rockdale Town Centre, adjacent to the railway tracks and present an opportunity to create a prominent gateway which at the same time reinstates a broken street pattern by the introduction of a new lane. The sites are adjacent to the Guild Theatre and may be able to create a new public and active precinct on the western side of the railway lines. Being on the edge of the Town Centre and right across from the railway the sites will enjoy expansive views to the Sydney CBD and to Botany Bay. While being part of a dense urban precinct the proposal will also need to address the sudden change in density to single storey single dwellings on the northern side of Parker Street. A challenging aspect of the site is also its topography. The land falls by one storey from the west to the east.



## LEGEND

- - - SUBJECT SITES
- BUS STOP
- - - RETAIL / COMMERCIAL FRONTAGE
- - - PROPOSED RETAIL / COMMERCIAL FRONTAGE
- ROCKDALE TOWN CENTRE LOCAL CORE
- ▨ ROCKDALE TOWN CENTRE LOCAL EDGE

|             |            |
|-------------|------------|
| DATE:       | MAY 2015   |
| CHECKED 1:  | SM         |
| CHECKED 2:  |            |
| DRAWN BY:   | DA, FT, LC |
| DRAWING No. | PP - 6.01  |
| ISSUE       | A          |
| JOB No.     | 5724       |

PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE

CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED

ARCHITECT: CANDALEPAS ASSOCIATES  
LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7755  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG. No. - 5773

SCALE: 1:100@A3  
0 1m 20m 5m

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
© COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECTS AND DRAWINGS ARE THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LIMITED. ALL RIGHTS RESERVED. NO LIABILITY FOR QUANTIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

| Issue | Date     | Description           |
|-------|----------|-----------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL      |
| 23    |          | Drawing Original Size |

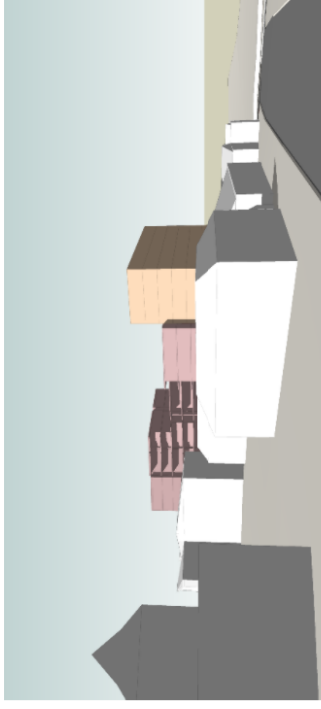
OPTION TESTING / A

Two options were explored for the Site as part of the investigations. Both options rely on establishing a lane connection between Walz Street and Parker Street.

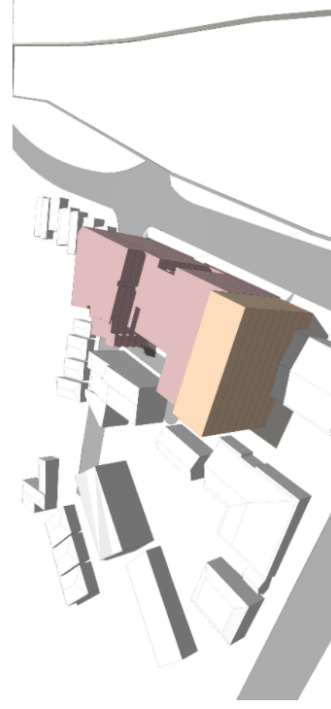
Option A locates most of building mass against Railway Street and provides a backyard to the lane. This option assumes compact floor plates with the least possible building perimeter and relies on deep apartments to capture the floor space. The proposal has an eight to six storey frontage to Parker Street and creates considerable bulk on the edge of the Town Centre. This built form does not follow the existing street pattern by setting back from the lane.



1. NORTH EAST VIEW FROM PARKER STREET



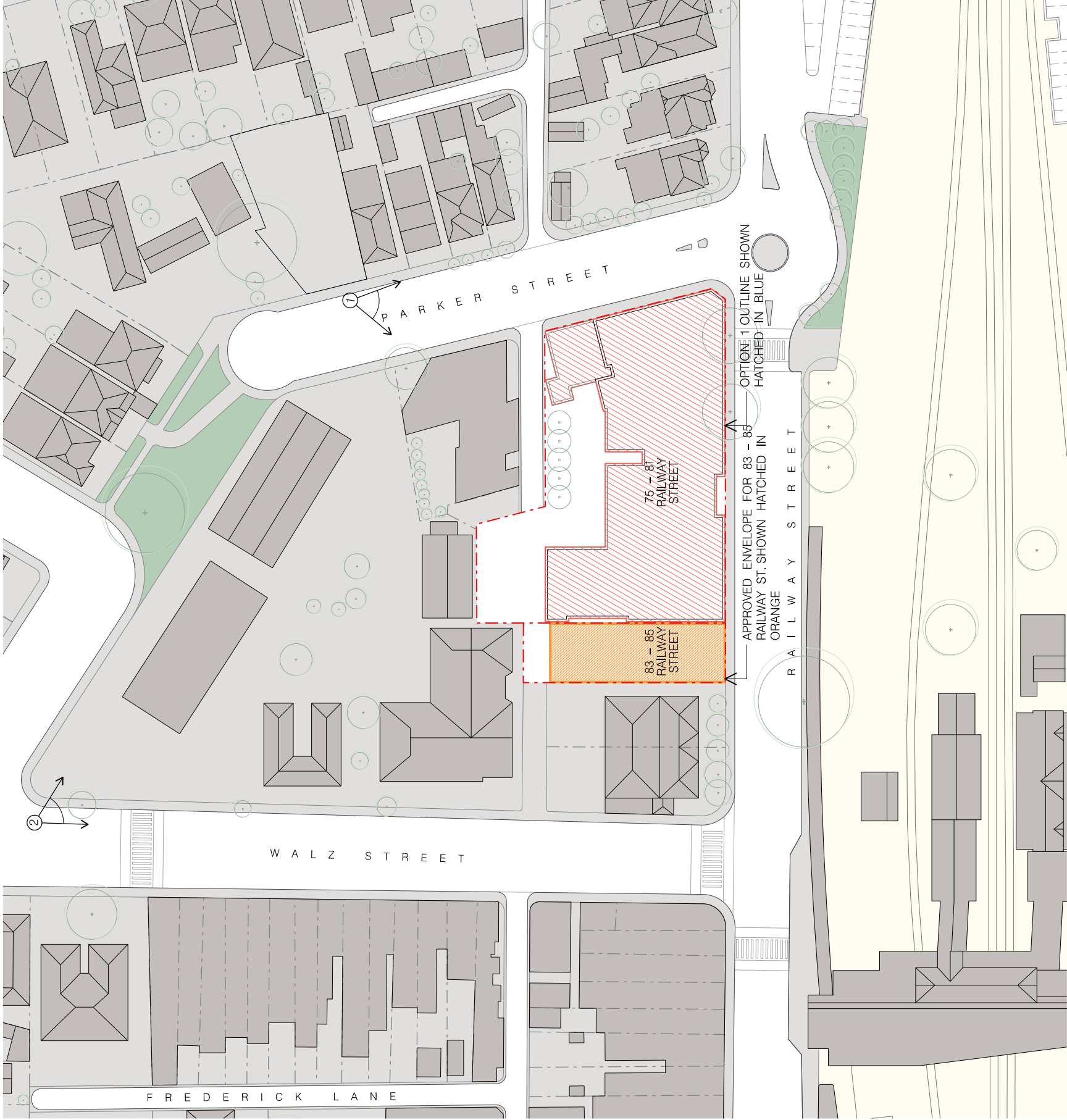
2. EAST VIEW ALONG WALZ STREET



3. BIRD EYE VIEW

LEGEND

- SUBJECT SITE
- ▨ PROPOSED DEVELOPMENT AT 83 - 85 RAILWAY STREET
- ▨ PROPOSED DEVELOPMENT AT 75 - 81 RAILWAY STREET
- 👁 VIEWS TO THE SITE



01 OPTION 1  
1:1000

| Issue | Date     | Description      |
|-------|----------|------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL |
| 3     |          |                  |

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9/210 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:1000@A3  
 0 1m 5m



DATE:  
 MAY 2015

CHECKED 1:  
 SM

CHECKED 2:  
 -

DRAWN BY:  
 DA, FT, LC

DRAWING NO.  
**PP - 7.01**

ISSUE  
**A**

JOB NO.  
**5724**

OPTION TESTING / A

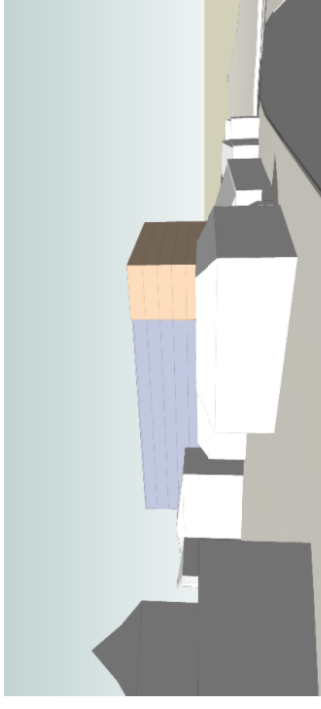


**OPTION B**

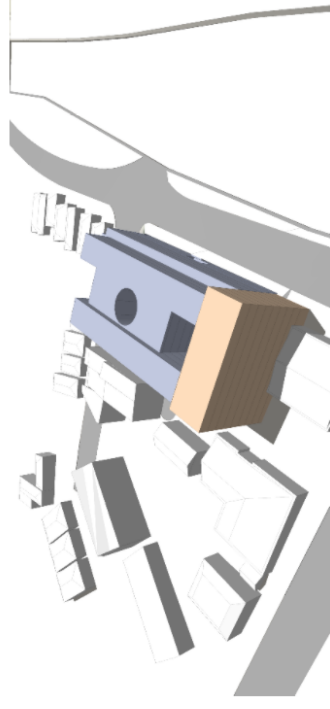
Option B establishes a street edge to Railway Street and to the lane. Three generous voids are being created in the centre of plan to assist with cross ventilation and solar access. One of the voids acts as a forecourt to Parker Street. It provides an extension to the public domain and also helps to break down the bulk of the building against the single dwellings on the northern side of Parker Street. In this building configuration apartments are kept fairly shallow to maximise unit amenity.



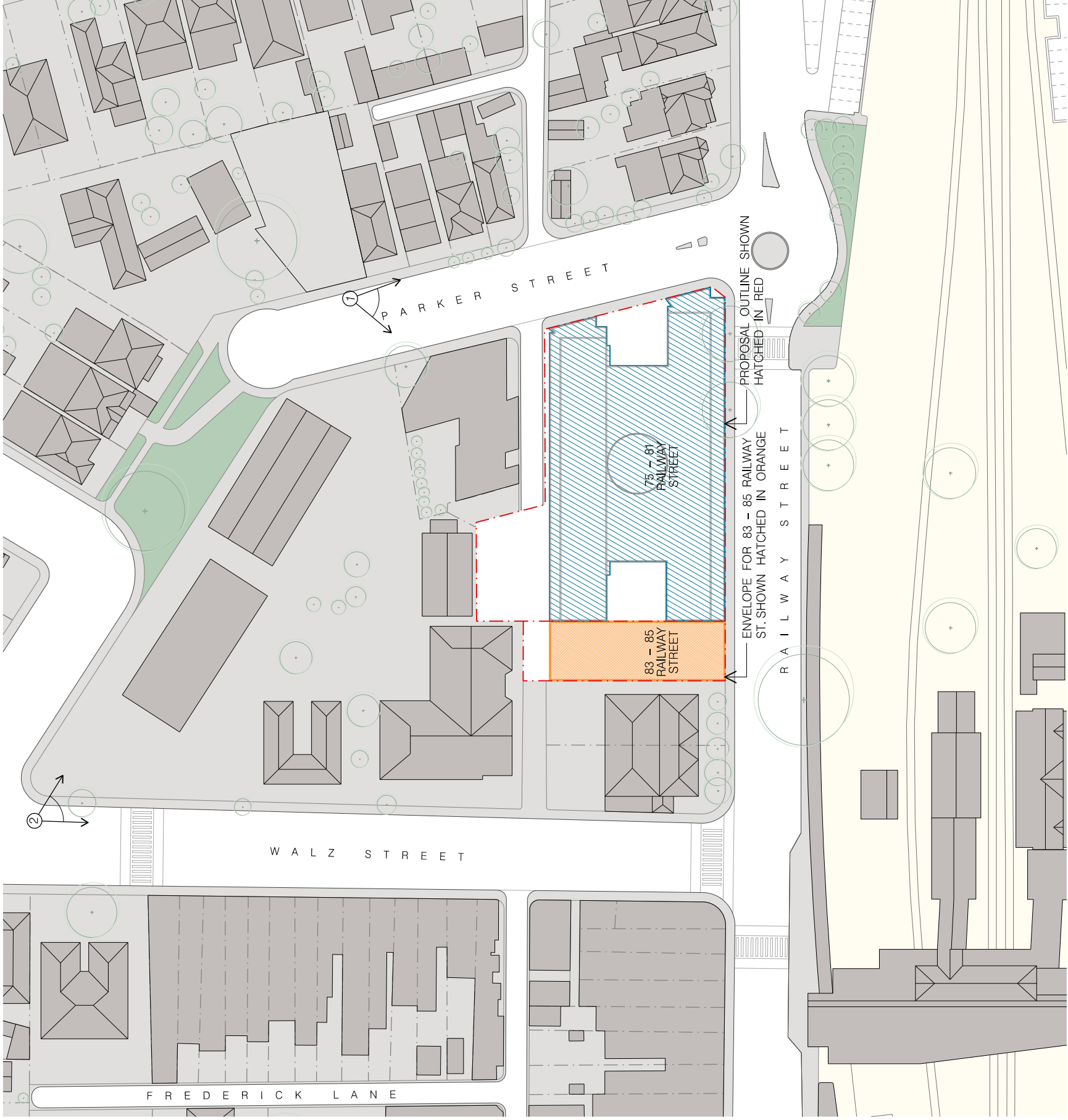
1. NORTH EAST VIEW FROM PARKER STREET



2. EAST VIEW ALONG WALZ STREET



3. BIRD EYE VIEW



01 PROPOSAL CONTEXT PLAN

1:1000

**LEGEND**

- SUBJECT SITES
- ▨ PROPOSED DEVELOPMENT AT 83 - 85 RAILWAY STREET
- ▨ PROPOSED DEVELOPMENT AT 75 - 81 RAILWAY STREET
- 👁 VIEWS TO THE SITE

|          |                  |
|----------|------------------|
| 01.05.15 | ISSUE TO COUNCIL |
| A        | ISSUE TO COUNCIL |
| 01.05.15 | ISSUE TO COUNCIL |
| A        | ISSUE TO COUNCIL |

|    |                        |
|----|------------------------|
| 23 | Drawing Original Size  |
| 23 | Issue Date Description |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANDREAS CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT NO. 11000003  
 ARCHITECTS: ANDREAS CANDALEPAS & ASSOCIATES PTY LTD  
 CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 210 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:1000@A3  
 0 1m 20m 50m



DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWN BY: DA, FT, LC

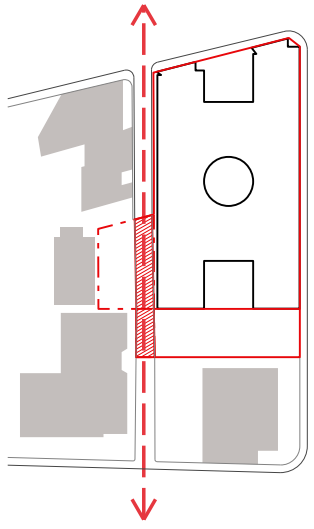
DRAWING: **OPTION TESTING / B**  
 JOB No. **5724**  
 ISSUE **A**  
 DRAWING No. **PP - 7.02**

# DESIGN PRINCIPLES

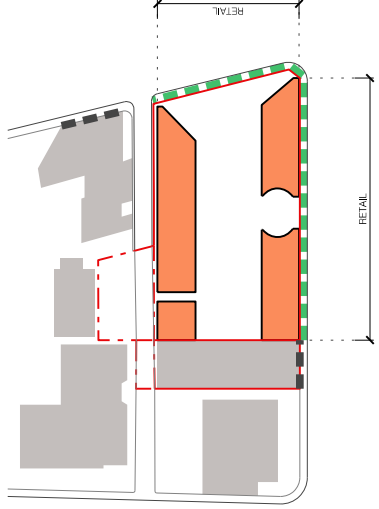
Option B was used as the basis to develop an indicative scheme for the Site.

The key design principles were to enhance the public domain by establishing a new lane, a forecourt to Parker Street and by creating a strong block edge with active uses to Railway Street and Hester Lane. The ground floor is envisaged to be of a semi-public character which allows for permeability and access to all three surrounding streets. At a later stage this ground floor may be extended and opened up towards the Guild Theatre and create a forecourt which could be a great public space to linger before and after performances.

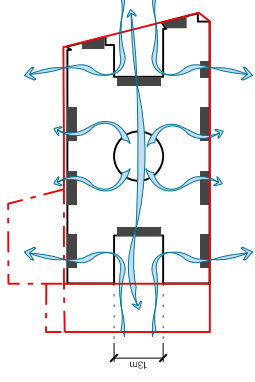
As equally important as the contributions to the public domain are the strategies to maximise the amenity for the residents. This is achieved by creating comfortable apartments, which benefit from the use of the central voids and the increased in building perimeter. In addition, generous communal open spaces on the ground floor and on the roof will contribute to an excellent place to live.



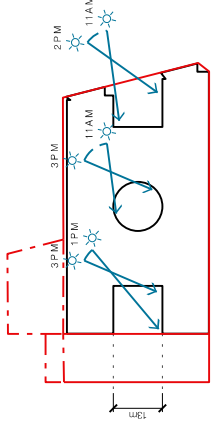
01\_ INCREASED URBAN CONNECTIVITY



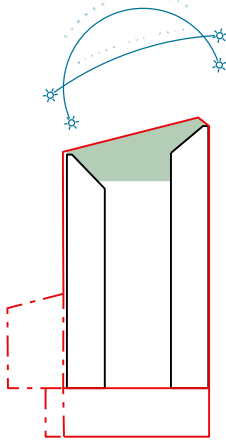
02\_ ACTIVE STREET FRONTAGES



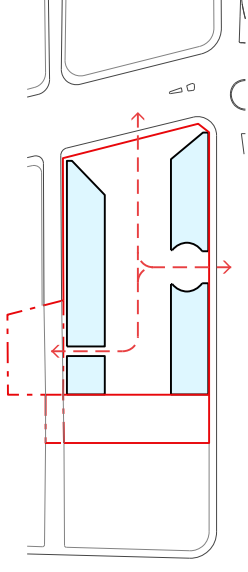
03\_ CROSS VENTILATION



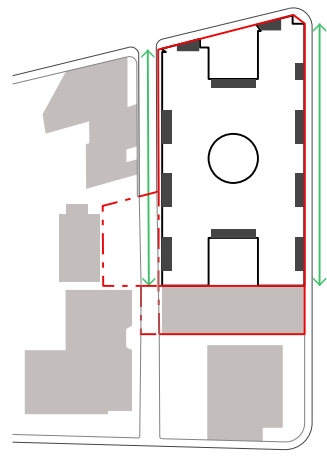
04\_ INCREASED BUILDING PERIMETER FOR SOLAR ACCESS



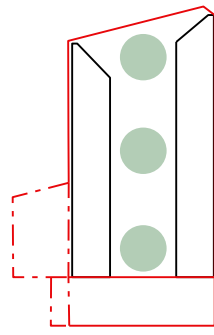
05\_ PUBLIC FORE COURT NORTH FACING



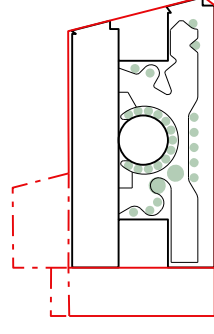
06\_ POROSITY OF GROUND FLOOR



07\_ REINFORCED STREET EDGE URBAN FORM



08\_ GREEN COMMON OPEN SPACE GROUND FLOOR



09\_ GREEN COMMON OPEN SPACE ROOF TOP

## LEGEND

- COUNCIL LAND RESERVATION AREA
- SUBJECT SITES
- COMMERCIAL COMPONENT
- CROSS VENTILATION
- SUN ACCESS DIAGRAM / 21 JUNE
- SOLAR PATH
- EXISTING RETAIL / COMMERCIAL FRONTAGE
- PROPOSED RETAIL / COMMERCIAL FRONTAGE
- PEDESTRIAN MOVEMENT
- NEW LANE
- PROPOSED TREE

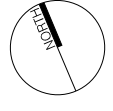
| Issue | Date     | Description           |
|-------|----------|-----------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL      |
| M3    |          | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE  
 ARCHITECT: CANDALEPAS & ASSOCIATES  
 LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. = 5773

ARCHITECT: CANDALEPAS & ASSOCIATES  
 LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. = 5773

CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:500@/A3

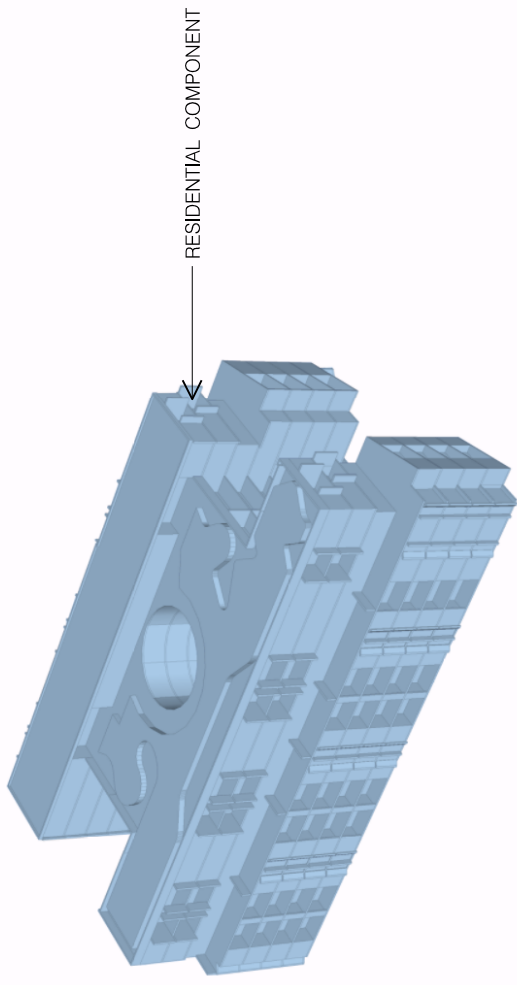
PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE



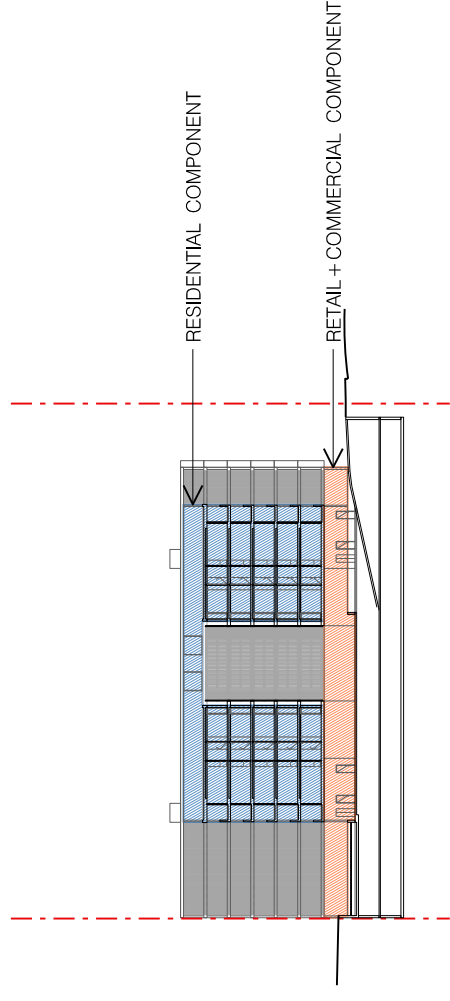
DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWN BY: DA, FT, LC  
 DRAWING No. PP - 8.01  
 ISSUE 5724  
 JOB No. 5724  
 A

**LAND USE**

The proposals consistent with the zoning and anticipated use for the site.  
 The project incorporates retail and commercial uses on ground floor. The retail is facing Railway Street and the corner with Parker Street. Thus activating the public domain.  
 Commercial uses are proposed along Heston Lane. Due to the topography of the site these spaces will not be able to be accessed of Heston Lane but from the generous courtyard in the centre of the proposed development. This courtyard can be reached from all three surrounding streets which will contribute to its semi-public nature.



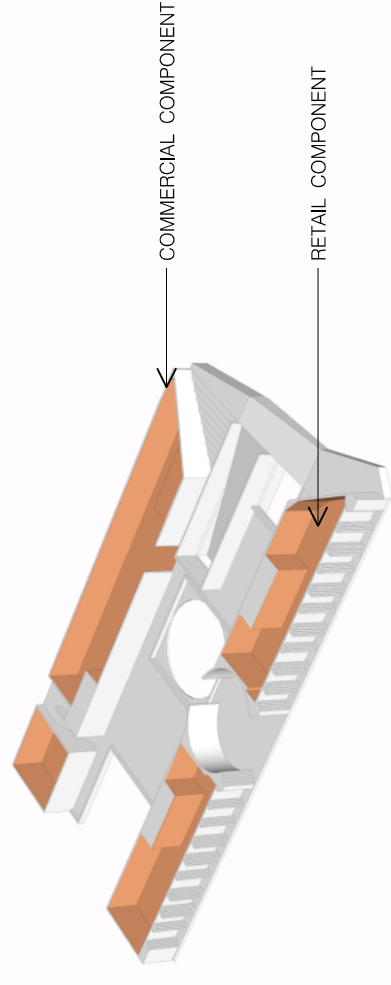
03\_ UPPER LEVELS USE DIAGRAM



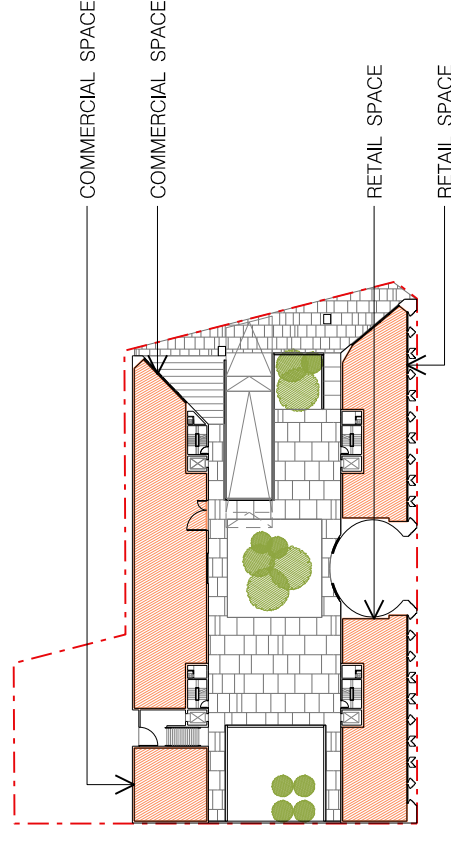
04\_ SECTION C

**LEGEND**

- - - SUBJECT SITES
- RETAIL + COMMERCIAL COMPONENT
- RESIDENTIAL COMPONENT



01\_ GROUND FLOOR USE DIAGRAM



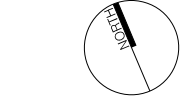
02\_ GROUND FLOOR PLAN

| Issue | Date     | Description           |
|-------|----------|-----------------------|
| A     | 01.05.15 | ISSUE TO COUNCIL      |
| 23    |          | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THE DOCUMENT IS THE PROPERTY OF ANDREAS CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT SITE: 75-81 RAILWAY STREET, ROCKDALE, NSW.  
 DRAWN BY: DA, FT, LC  
 CHECKED BY: SM  
 DATE: MAY 2015

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:100@A3  
 0 1m 20m 5m

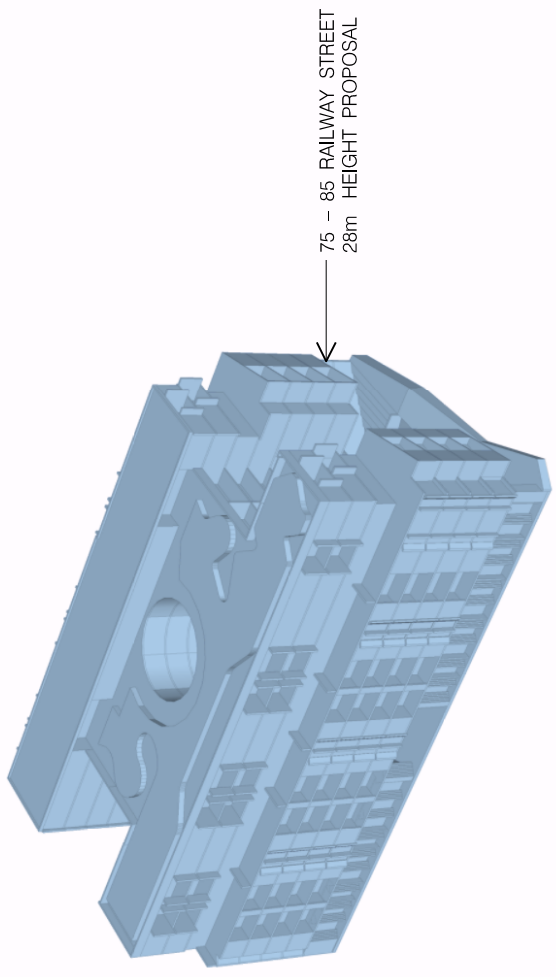


DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWN BY: DA, FT, LC  
 DRAWING No. **PP - 9.01**  
 ISSUE **A**

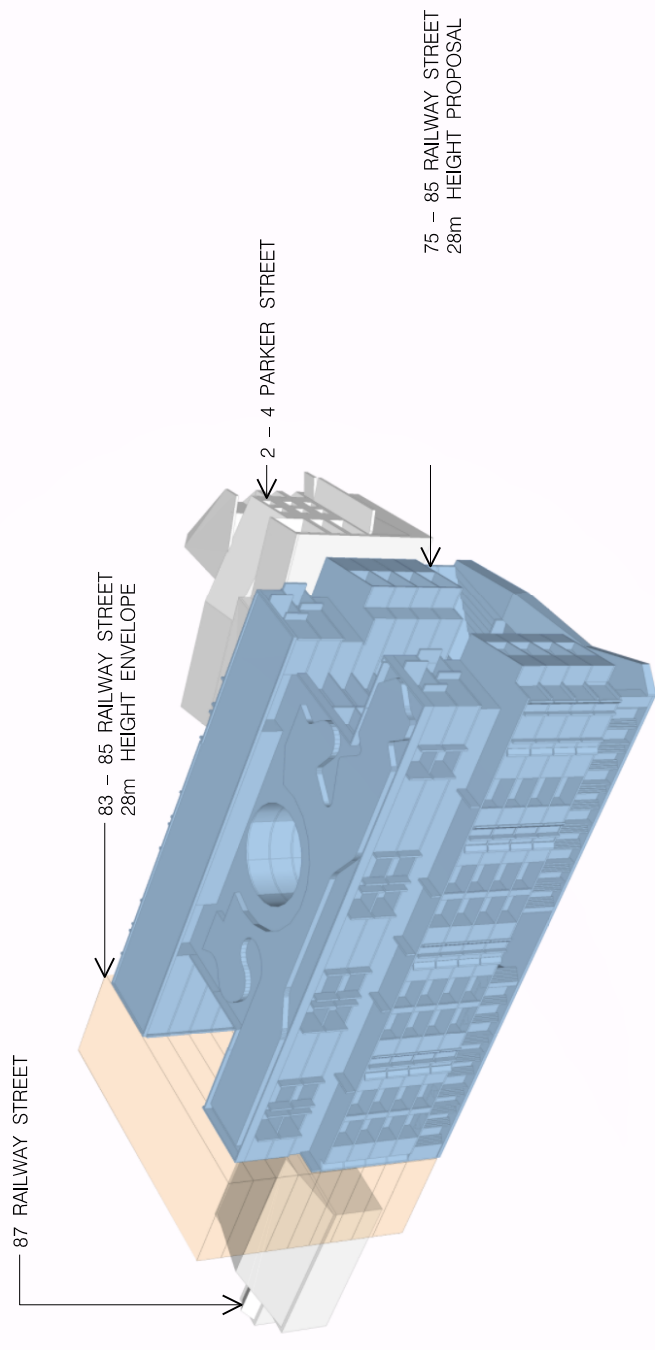
JOB No. **5724**  
 ISSUE **A**

# BUILDING HEIGHT

The Planning Proposal seeks to increase the currently adopted maximum permissible building height of 22 metres to 28 metres. 28 metres are currently permitted in a large portion of Town Centre on the eastern side of the railway station. The height will allow for an eight, part nine storey building. The built form of the proposal also includes setbacks above 5 storeys in order to reduce the bulk. The lower portion of the building relates to the recently finished mixed-use project in 2-4 Parker Street.



03\_ PROPOSAL AXONOMETRIC VIEW



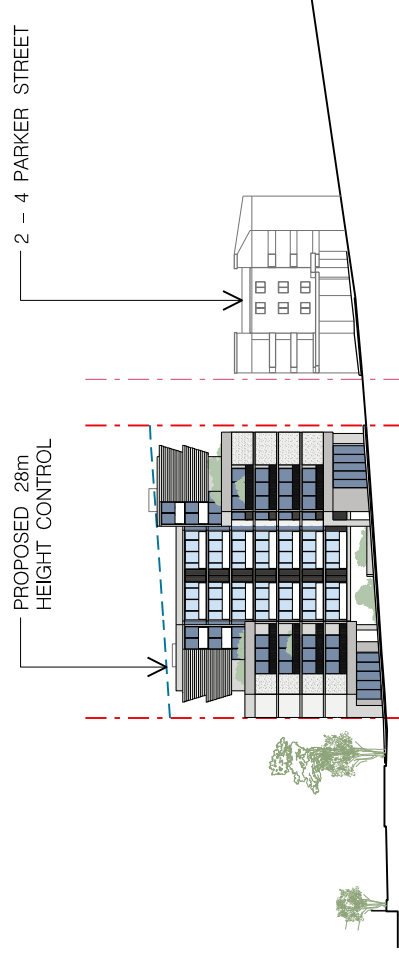
01\_ CONTEXT AXONOMETRIC VIEW



04\_ ELEVATION WEST

## LEGEND

- - - SUBJECT SITES
- 83 - 85 RAILWAY STREET 28m HEIGHT ENVELOPE
- 28m HEIGHT PROPOSAL



02\_ ELEVATION NORTH

|       |          |                  |
|-------|----------|------------------|
| Issue | Date     | Description      |
| A     | 01/05/15 | ISSUE TO COUNCIL |
| 3     |          |                  |
|       |          | Original Size    |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT NO. 1501000300  
 DRAWN BY: DA, FT, LC  
 CHECKED BY: DA, FT, LC  
 NSW ARCHITECTS REG. NO. - 5773

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:100@A3  
 0 1m 20m 5m



DATE:  
 MAY 2015  
 CHECKED 1:  
 SM  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC

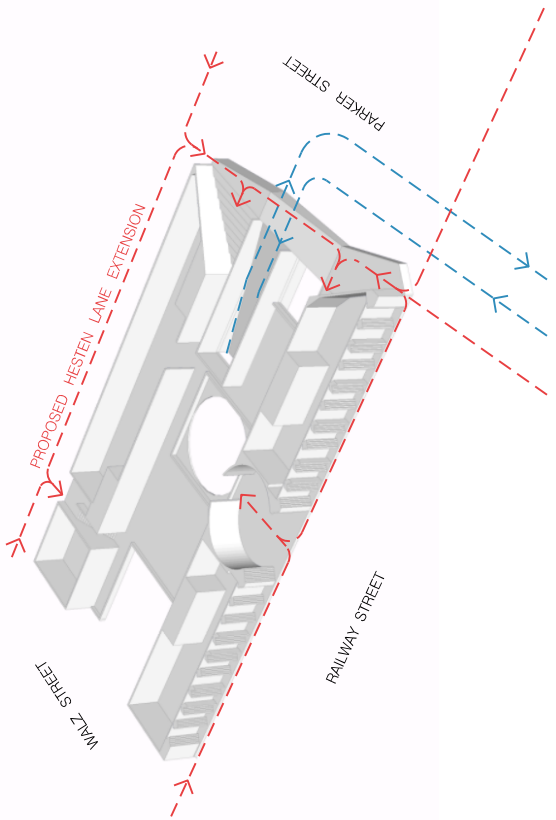
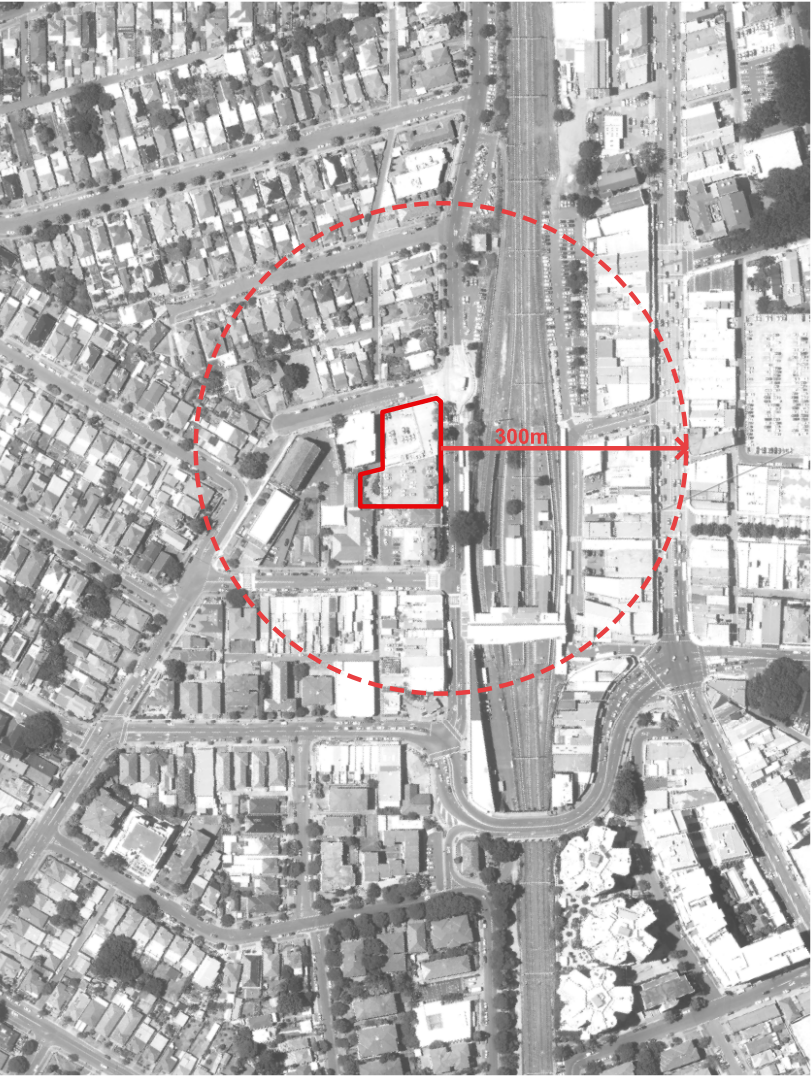
DRAWING: **PROPOSAL / BUILDING HEIGHT**  
 DRAWING No. **PP - 9.02**  
 ISSUE **A**

JOB No. **5724**  
 ISSUE **A**



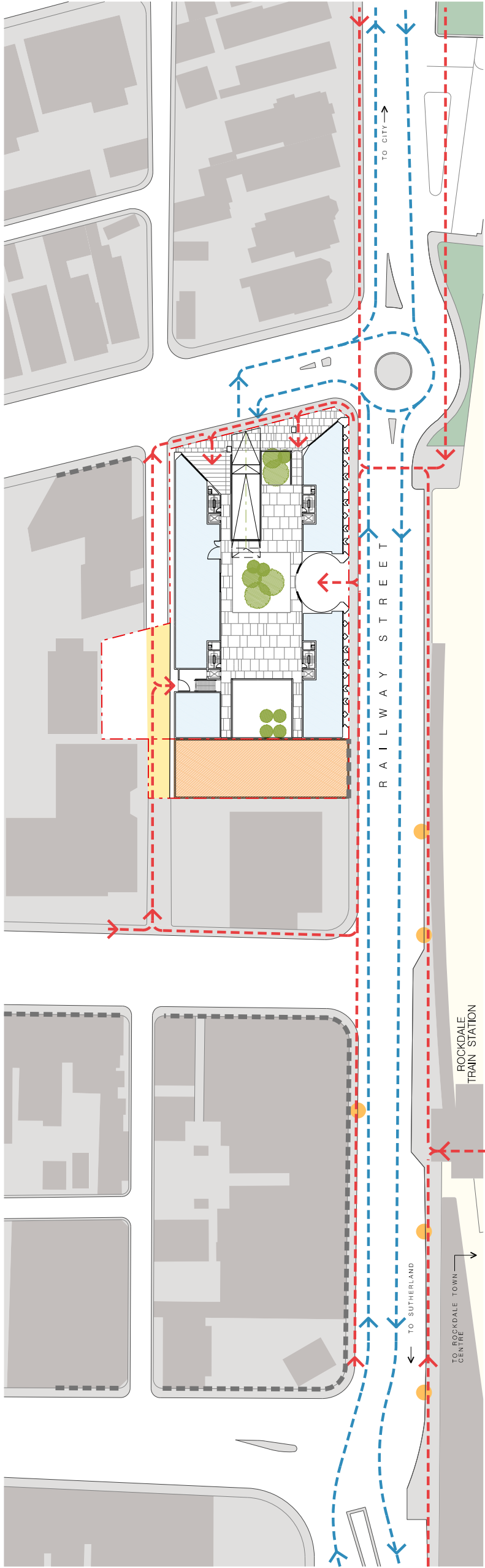
**ACCESS**

The site has excellent exposure having three street frontages. The proposals aim to create a permeable ground plane. It includes pedestrian access points on all street frontages and in addition a generous forecourt area to Parker Street. Four circulation cores can be accessed from the central courtyard and will take residents and visitors to the apartments on the upper levels. Vehicular access will be from Parker Street. Cars will enter the basement via the forecourt area and a partially open ramp.



02\_ GROUND FLOOR VEHICULAR AND PEDESTRIAN ACCESS DIAGRAM

03\_ DISTANCE TO ROCKDALE TOWN CENTRE DIAGRAM\_1:10000



**LEGEND**

- - - SUBJECT SITES
- - - PEDESTRIAN MOVEMENT
- - - CAR MOVEMENT
- - - PROPOSED LANE
- BUS STOP
- - - RETAIL / COMMERCIAL FRONTAGE
- CYCLE PATH (SHARED ZONE WHEN ON FOOTPATH)

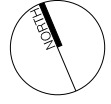
01\_ PEDESTRIAN AND VEHICULAR SITE DIAGRAM\_1:1000

| Issue | Date     | Description      |
|-------|----------|------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL |
| B     |          |                  |
| C     |          |                  |
| D     |          |                  |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECT SITE AND SURROUNDINGS ARE TO BE VERIFIED FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

**ARCHITECT:**  
 CANDALEPAS  
 ASSOCIATES  
 LEVEL 9 210 CASTLEREGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. = 5773

**PROJECT:**  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
**CLIENT:**  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:1000@A3  
 0 1m 20m 50m

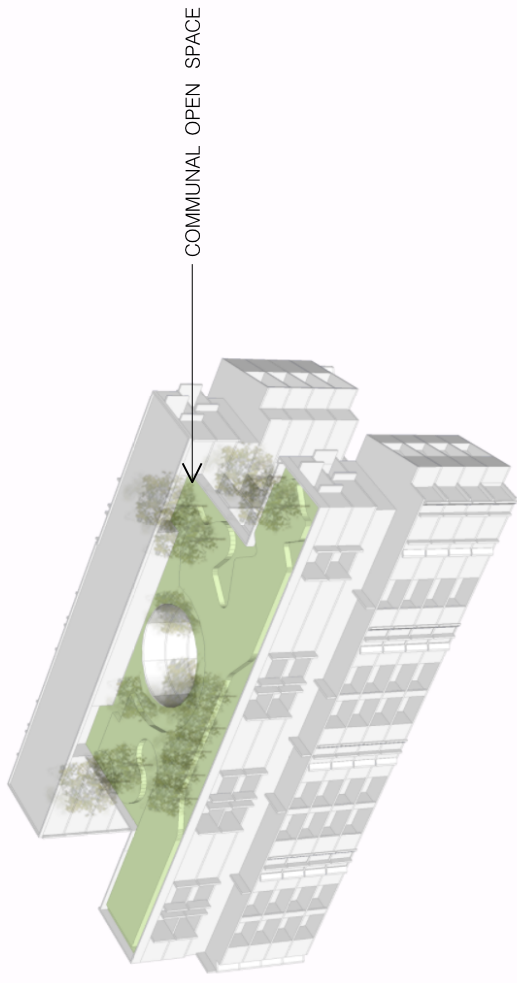


**DATE:**  
 MAY 2015  
**CHECKED 1:**  
 SM  
**CHECKED 2:**  
 -  
**DRAWN BY:**  
 DA, FT, LC

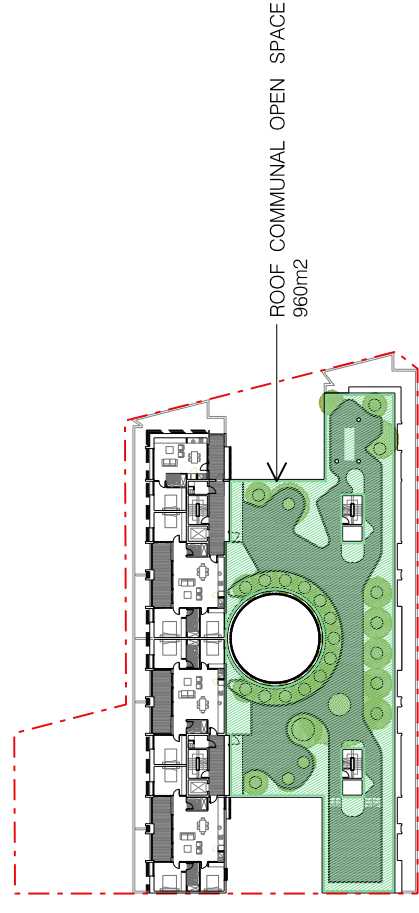
**DRAWING:**  
 PROPOSAL /  
 PEDESTRIAN AND  
 VEHICULAR  
 ACCESS  
**DRAWING No.**  
 PP - 9.03  
**ISSUE**  
 5724  
**JOB No.**  
 A

## OPEN SPACE

The proposal includes three types of open spaces. First, it includes a forecourt area adjacent to Parker Street which will be level with the footpath. This space will be experienced as an extension of the public domain. Second, there will be a centrally located communal open space on ground floor. This space will be semi-public in nature as it facilitates access to the different uses within the development. It runs in a north-south direction and is partially covered by the building and partially open to the sky. It sits lower than the forecourt area. The third space will be a generous communal roof terrace which will be part of the residential component of the development and therefore only accessible by the residents.



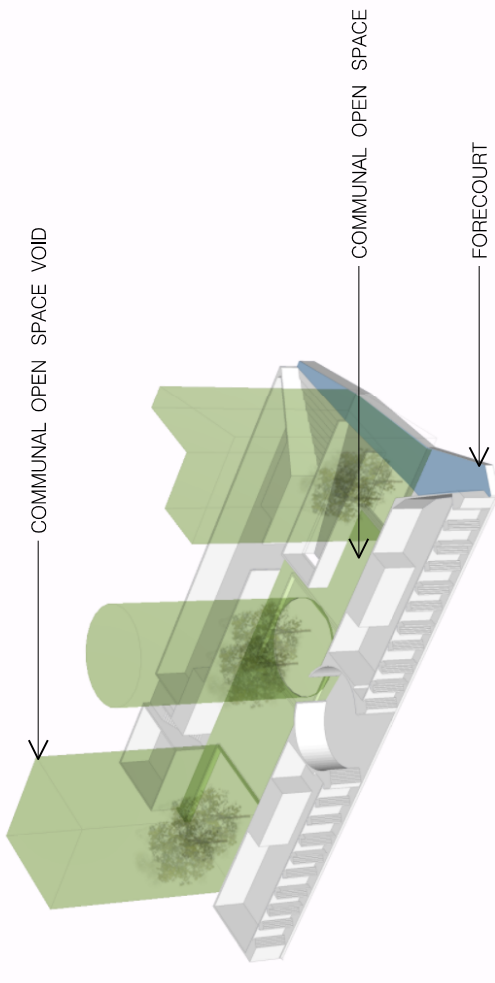
03\_ ROOF LEVEL OPEN SPACE DIAGRAM



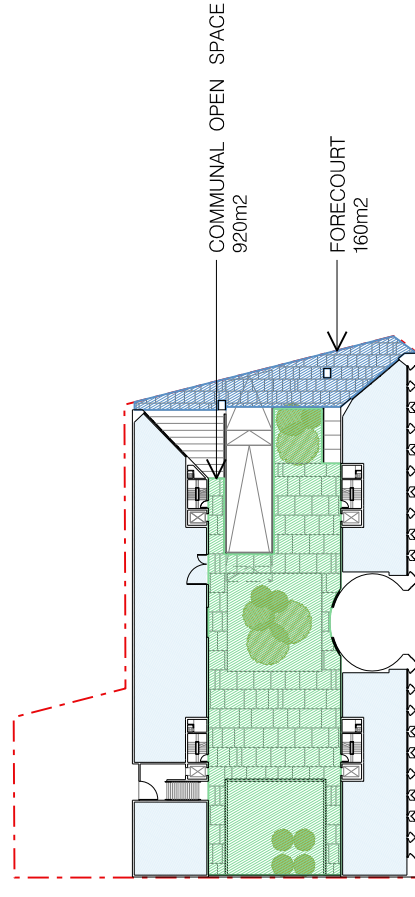
04\_ ROOF LEVEL PLAN

## LEGEND

- - - SUBJECT SITES
- COMMUNAL OPEN SPACE
- PUBLIC OPEN SPACE



01\_ GROUND FLOOR OPEN SPACE DIAGRAM



02\_ GROUND FLOOR PLAN

| Issue | Date     | Description      |
|-------|----------|------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL |

Drawing Original Size  
33

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
PROJECT: 75-81 RAILWAY STREET, ROCKDALE  
ARCHITECT: CANDALEPAS & ASSOCIATES  
LEVEL 9/319 CASTLEREAGH ST.  
STONEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7755  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG. NO. = 5773

ARCHITECT:  
CANDALEPAS  
&  
ASSOCIATES  
LEVEL 9/319 CASTLEREAGH ST.  
STONEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7755  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG. NO. = 5773

CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED  
SCALE: 1:100@A3  
0 1m 20m 5m

PROJECT:  
75-81 RAILWAY STREET AND  
83-85 RAILWAY STREET, ROCKDALE

DATE:  
MAY 2015

CHECKED 1:  
SM

CHECKED 2:  
-

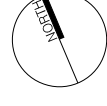
DRAWN BY:  
DA, FT, LC

DRAWING No.  
**PP - 9.04**

ISSUE  
**A**

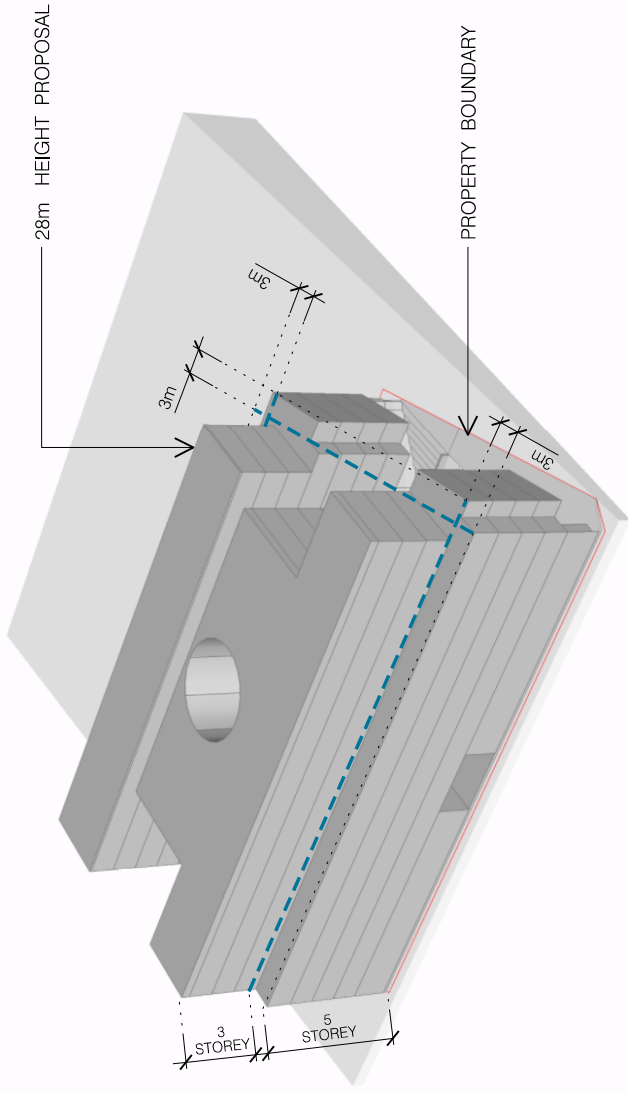
JOB No.  
**5724**

DRAWING:  
PROPOSAL /  
OPEN SPACE

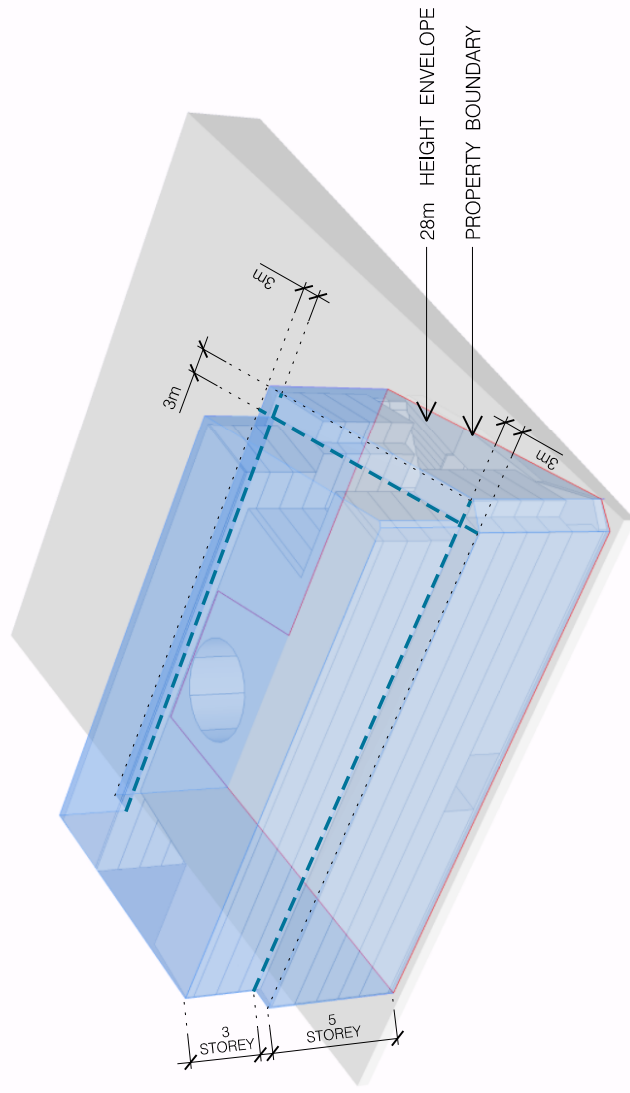


# ENVELOPE AND SETBACKS

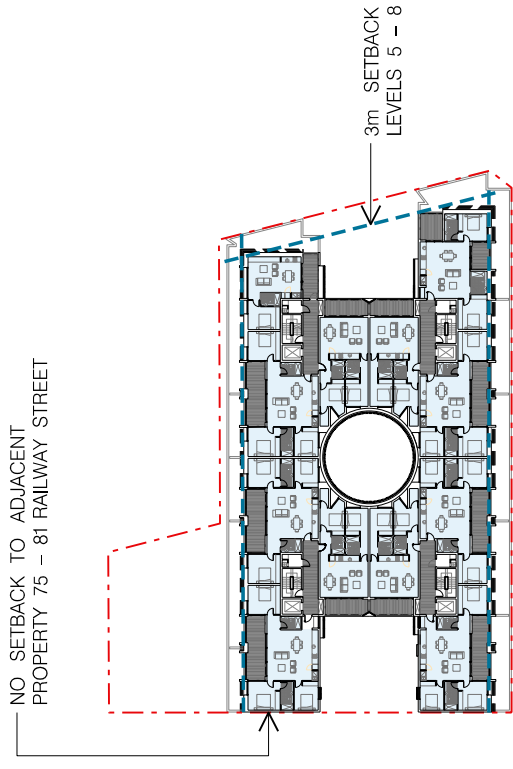
The proposed envelope is aligned with the site boundaries in Railway Street and Parker Street. There is a one metre primary setback to Heston Lane. The Planning Proposal also seeks to vary the secondary setback control for the site as set out in the Rockdale Development Control Plan. It proposes a 3m setback above level 5 which will be applicable to all three street frontages.



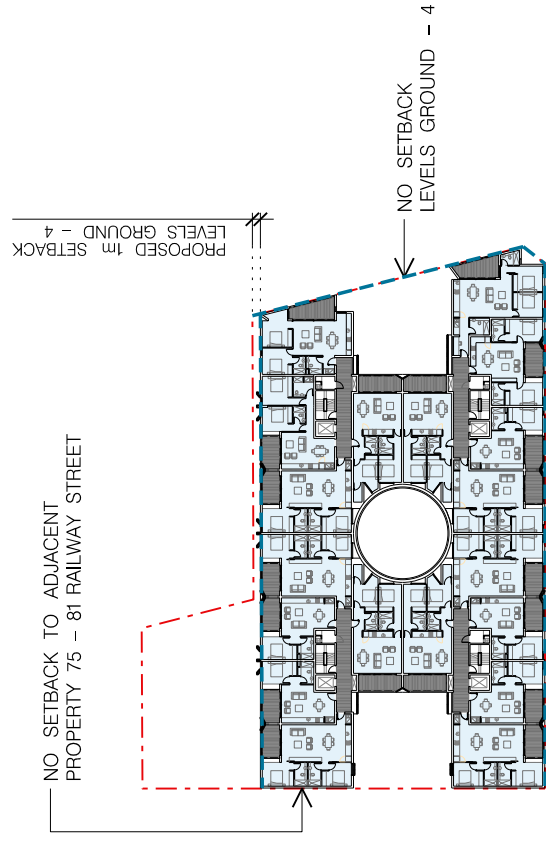
03\_ PROPOSED BUILDING WITHIN ENVELOPE



01\_ PROPOSED 28m HEIGHT ENVELOPE



04\_ LEVEL 7 FLOOR PLAN



02\_ LEVELS 2 - 4 FLOOR PLAN

## LEGEND

- - - SUBJECT SITES
- - - SETBACK LINE
- PROPOSED ENVELOPE

| Issue | Date     | Description      |
|-------|----------|------------------|
| 1     | 01/05/15 | ISSUE TO COUNCIL |
| 2     |          |                  |
| 3     |          |                  |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**  
 THE DOCUMENT IS THE PROPERTY OF ANDALS CONSULTANTS & ASSOCIATES PTY LTD. THIS DOCUMENT SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT NO: 150100003  
 DRAWING NO: 01000003  
 QUANTIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

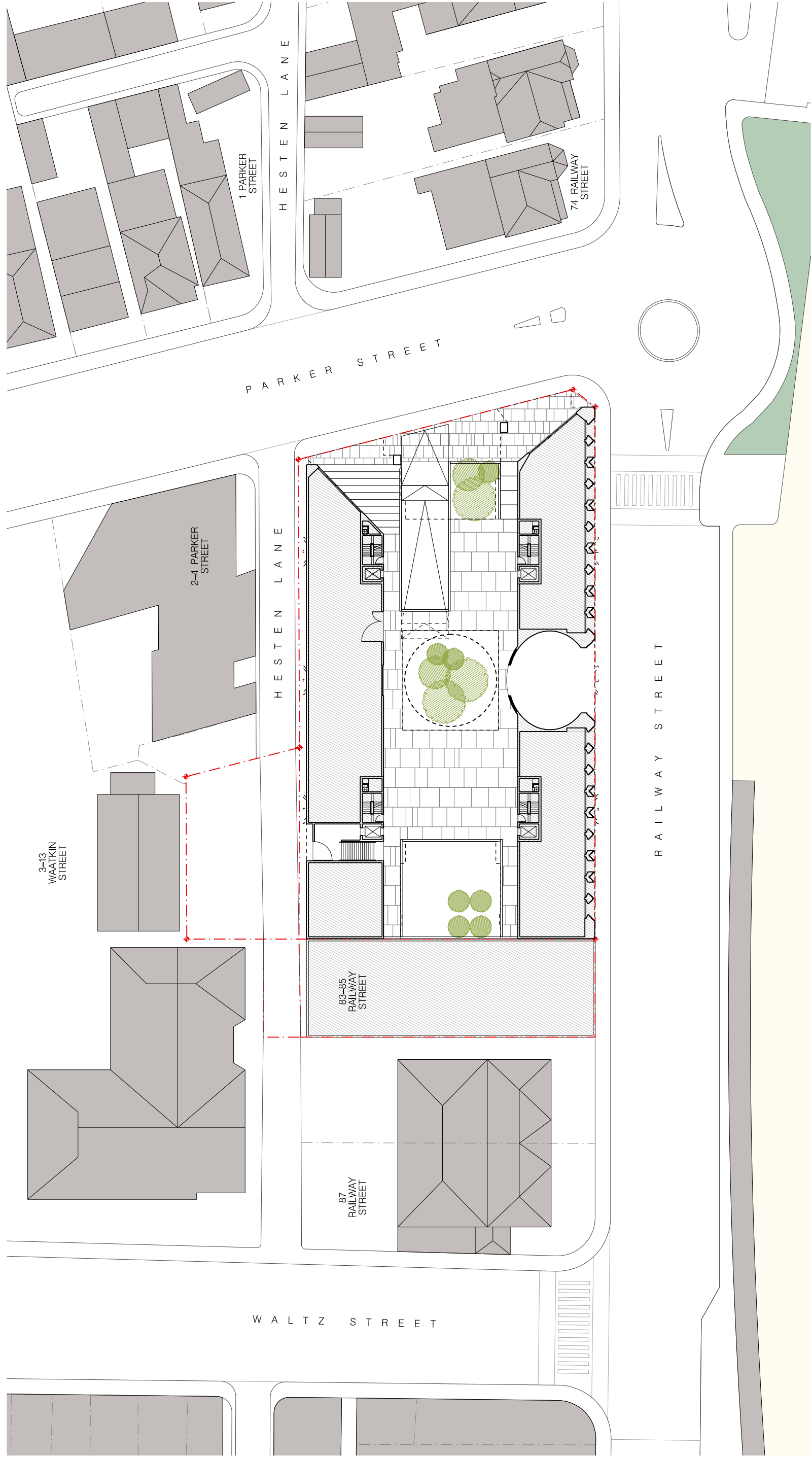
ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:100@A3  
 1m 5m



DATE:  
 MAY 2015  
 CHECKED 1:  
 SM  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC  
**PP - 9.05**  
 DRAWING NO.  
**PP - 9.05**  
 ISSUE  
**A**  
 JOB NO.  
**5724**



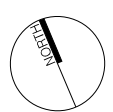


| Issue | Date     | Description           |
|-------|----------|-----------------------|
| A     | 01/05/15 | ISSUE TO COUNCIL      |
| 3     |          | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 ©COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANDALEPAS ASSOCIATES & LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000. THE ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE. ARCHITECT: CANDALEPAS ASSOCIATES  
 DRAWING NO. 5724  
 ISSUE A

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 210 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

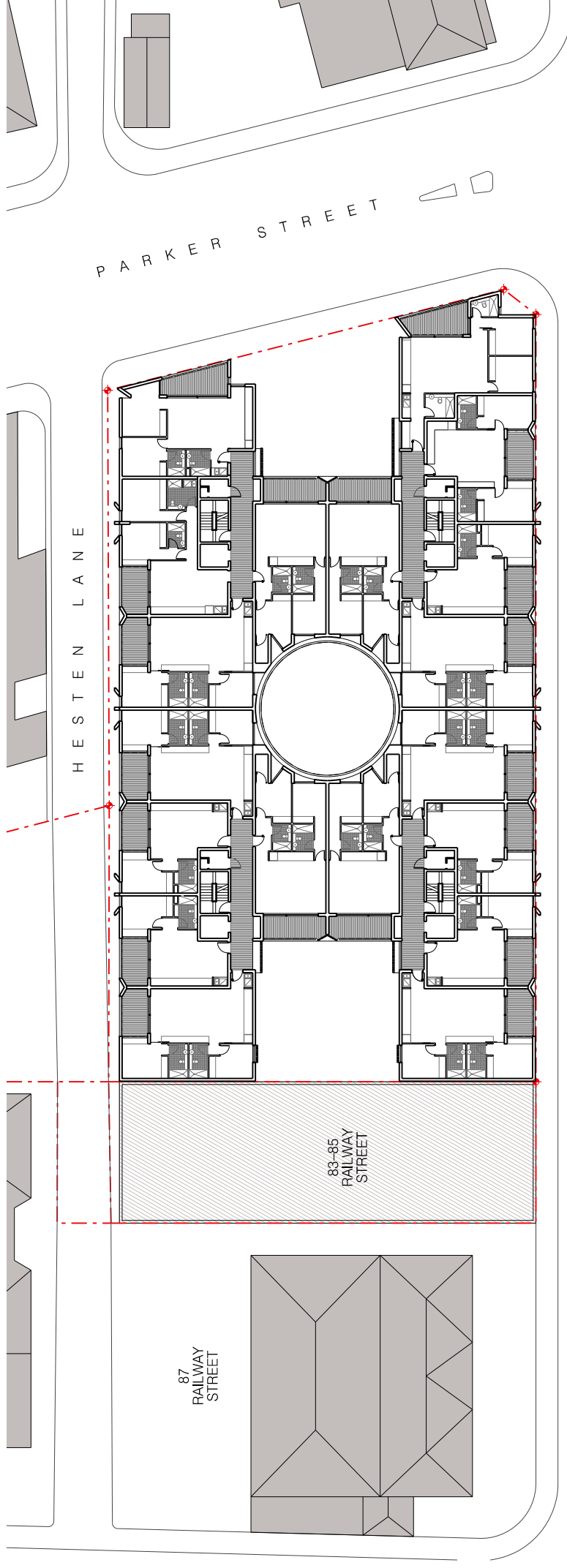
PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:500@A3



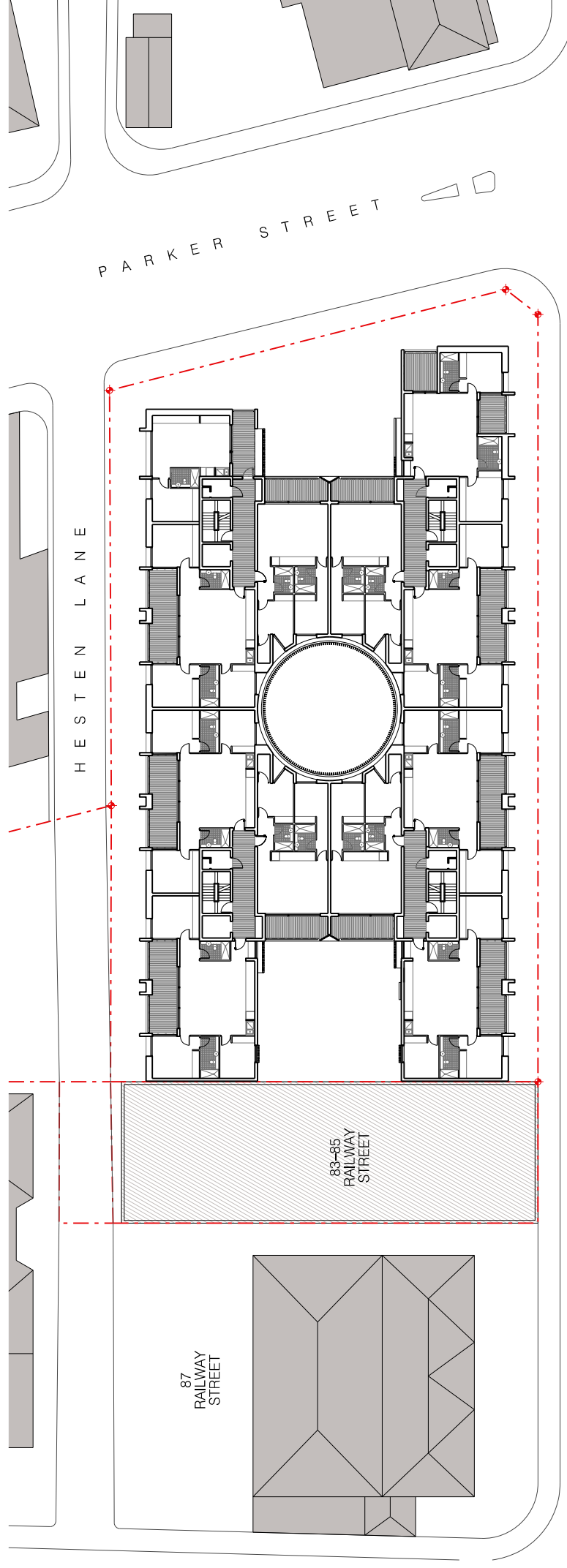
DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWN BY: DA, FT, LC

DRAWING: PROPOSAL / INDICATIVE GROUND FLOOR PLAN  
 DRAWING No. PP - 9.10

JOB No. 5724  
 ISSUE A



01\_ PROPOSAL /INDICATIVE LOWER LEVEL FLOOR PLAN



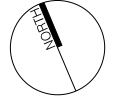
02\_ PROPOSAL /INDICATIVE UPPER LEVEL FLOOR PLAN

| Issue No. | Date     | Description      |
|-----------|----------|------------------|
| A         | 10/05/15 | ISSUE TO COUNCIL |
| 3         |          |                  |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT NO. 15000/03  
 DRAWING NO. 5724  
 DRAWING ORIGINAL SIZE

ARCHITECT:  
**CANDALEPAS & ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

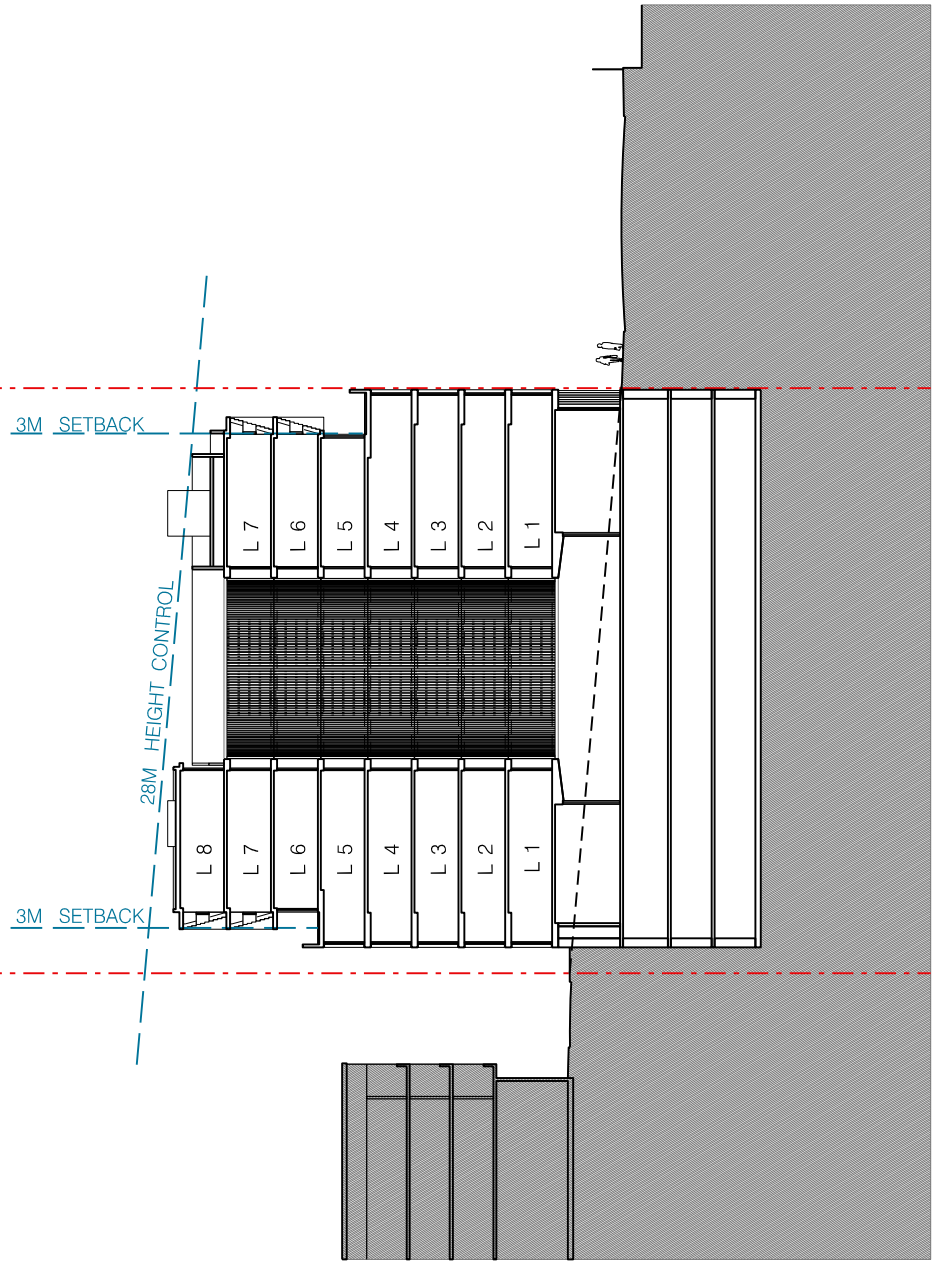
PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:500@/A3



DATE:  
 MAY 2015  
 CHECKED 1:  
 SM  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC

DRAWING:  
**PROPOSAL /  
 INDICATIVE LOWER  
 & UPPER LEVEL  
 FLOOR PLAN**  
 DRAWING No.  
**PP - 9.11**  
 ISSUE  
**5724**  
 JOB No.

2-4 PARKER STREET HESTEN LANE SUBJECT SITE RAILWAY STREET



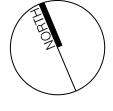
01\_ PROPOSAL TYPICAL SECTION

| Issue    | Date | Description      | Drawing | Original Size |
|----------|------|------------------|---------|---------------|
| 01.05.15 |      | ISSUE TO COUNCIL |         | A3            |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANDALEPAS ASSOCIATES & LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000. IT WAS COMMISSIONED FOR THE PURPOSES OF THIS DRAWING AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ANDALEPAS ASSOCIATES & LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 210 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:500@A3



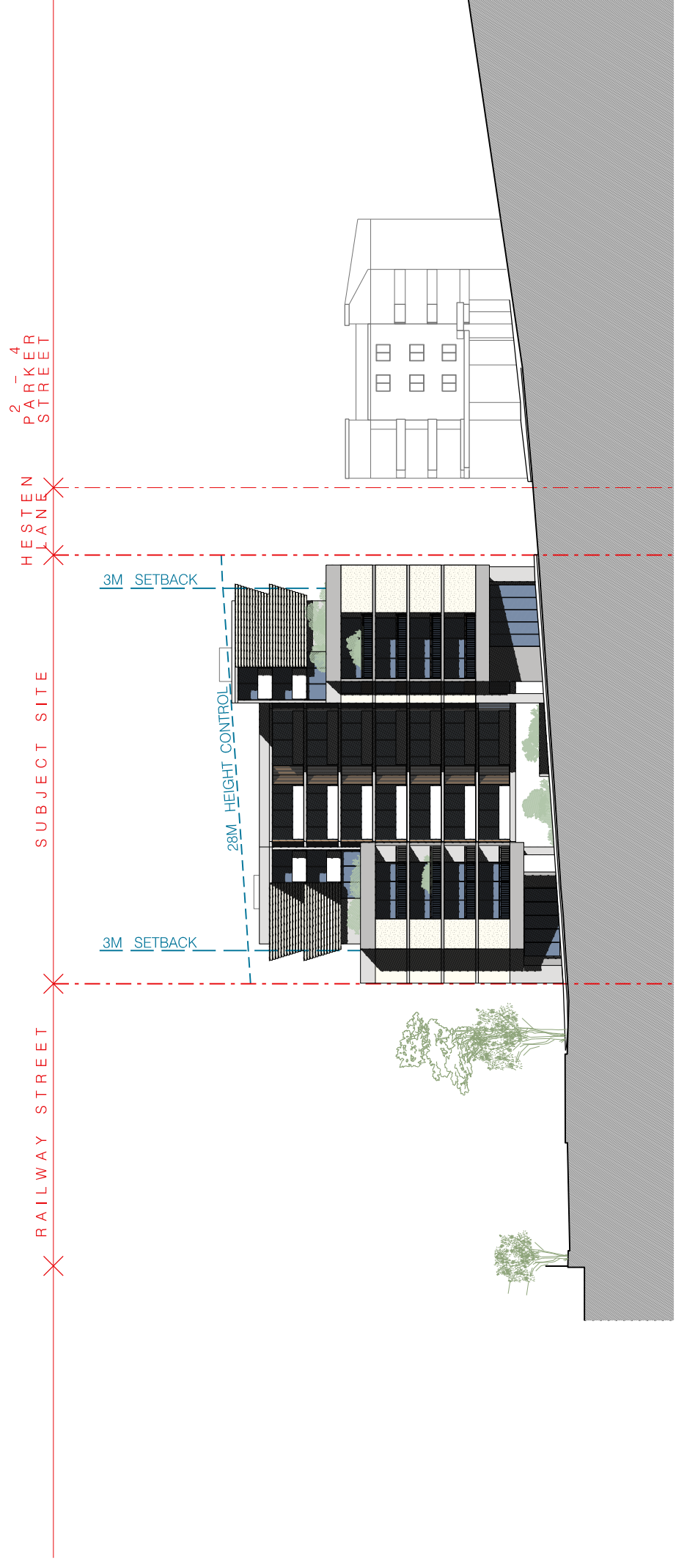
DATE: MAY 2015  
 CHECKED 1: SM  
 CHECKED 2: -  
 DRAWN BY: DA, FT, LC

DRAWING: PROPOSAL / INDICATIVE SECTION  
 TYPICAL SECTION  
 DRAWING No. PP - 9.12  
 ISSUE A  
 JOB No. 5724





01\_ RAILWAY STREET ELEVATION



02\_ PARKER STREET ELEVATION

| Issue | Date     | Description      |
|-------|----------|------------------|
| A     | 01.05.15 | ISSUE TO COUNCIL |
| 3     |          |                  |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 ©COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF DANIELS CORNERS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 DRAWING SCALE: 1:500 (INCLUDING OVERLAYS). PHOTOGRAPHY AND RECORDING TO FULL AND BE USED FOR REPRODUCTION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. NO. - 5773

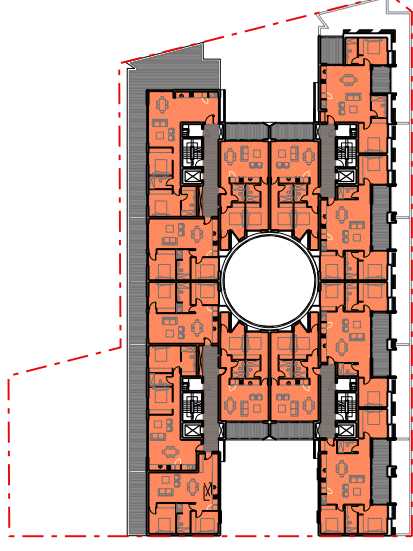
PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE:  
 1:500@A3

DATE:  
 MAY 2015  
 CHECKED 1:  
 SM  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC  
 DRAWING No.  
**PP - 9.13**  
 ISSUE  
**5724**  
 JOB No.  
**5724**  
 A



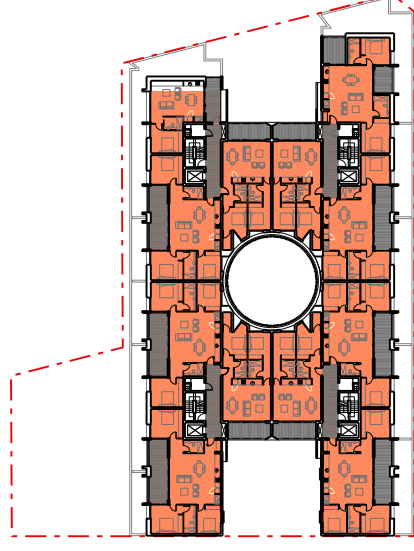
**KEY**

- RETAIL+COMMERCIAL GFA IN ACCORDANCE WITH RCC LEP 2011
  - RESIDENTIAL GFA IN ACCORDANCE WITH RCC LEP 2011
- gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:
- (a) the area of a mezzanine, and
  - (b) habitable rooms in a basement or attic, and
  - (c) any shop, auditorium, cinema, and the like, in a basement or attic,
- but excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and
  - (e) any storage;
  - (f) any storage;
  - (g) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
  - (h) any space used for the loading or unloading of goods (including access to it), and
  - (i) terraces and balconies with a height less than 1.4 metres high, and
  - (j) voids above a floor at the level of a storey or storey above.
- COMMUNAL OPEN SPACE
  - LANDSCAPE PLANTING AREA
- PROPOSED 945 sqm (7.8sqm PER DWELLING)  
ROCKDALE DCP 2011 CONTROL (65SQM PER DWELLING)  
PROPOSED 879 sqm (30% OF SITE AREA)  
ROCKDALE DCP 2011 CONTROL (65% OF SITE AREA)



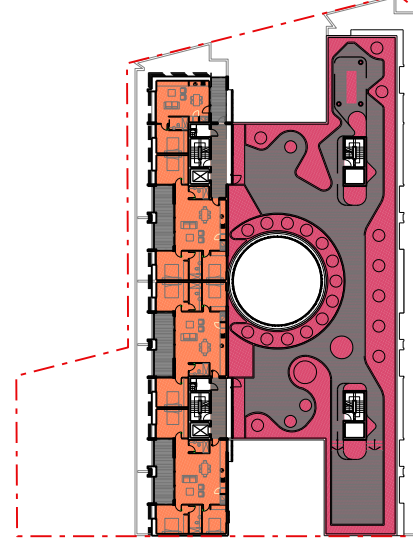
07 LEVEL 6 FLOOR PLAN

1:1000



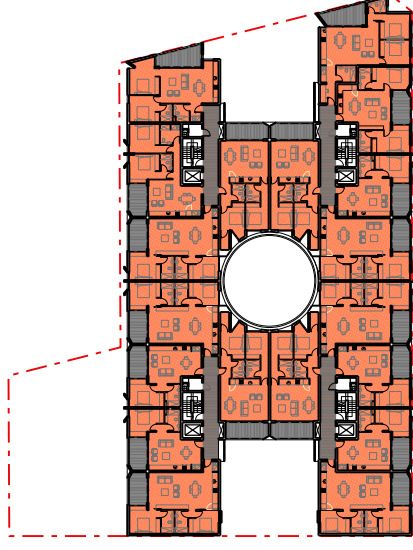
08 LEVEL 7 FLOOR PLAN

1:1000



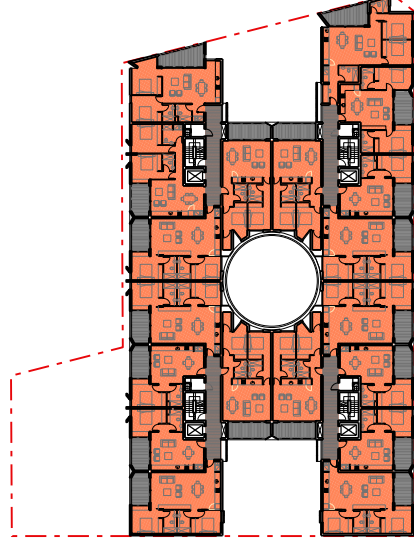
09 LEVEL 8 FLOOR PLAN

1:1000



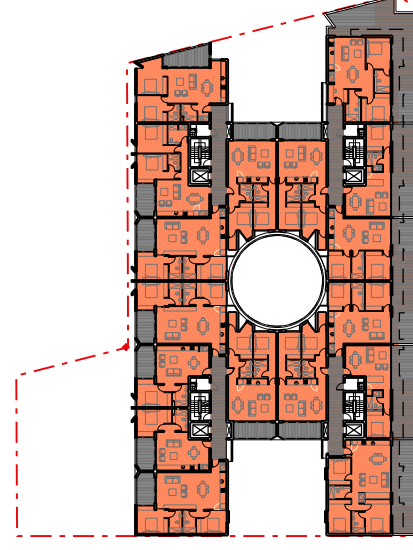
04 LEVEL 3 FLOOR PLAN

1:1000



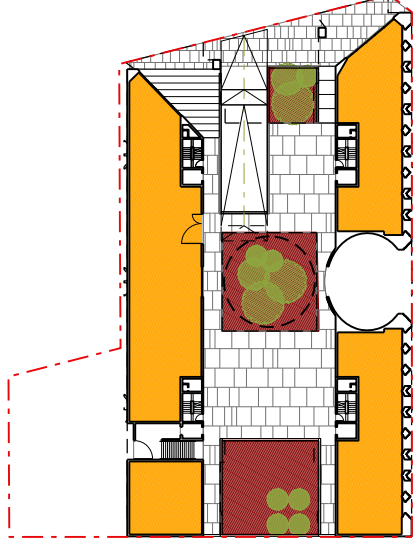
05 LEVEL 4 FLOOR PLAN

1:1000



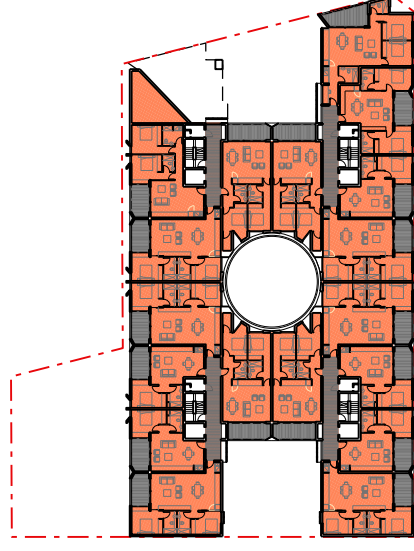
06 LEVEL 5 FLOOR PLAN

1:1000



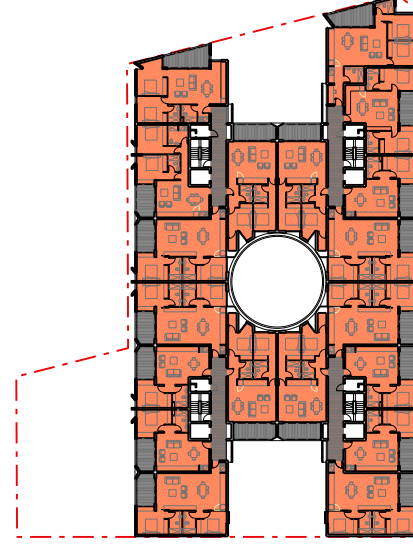
01 GROUND FLOOR PLAN

1:1000



02 LEVEL 1 FLOOR PLAN

1:1000



03 LEVEL 2 FLOOR PLAN

1:1000

|           |           |
|-----------|-----------|
| SITE AREA | 2 942 sqm |
|-----------|-----------|

**GFA CALCULATIONS**

| GROUND FLOOR | RETAIL/COMMERCIAL (sqm) | RESIDENTIAL (sqm) |
|--------------|-------------------------|-------------------|
| LEVEL 1      | 865                     | -                 |
| LEVEL 2      | -                       | 1562.6            |
| LEVEL 3      | -                       | 1622.5            |
| LEVEL 4      | -                       | 1622.5            |
| LEVEL 5      | -                       | 1622.5            |
| LEVEL 6      | -                       | 1622.5            |
| LEVEL 7      | -                       | 1279.1            |
| LEVEL 8      | -                       | 425.3             |
| SUB-TOTAL    | 865                     | 11 036.1          |
| TOTAL GFA    |                         | 11 891.1          |

|                  |          |
|------------------|----------|
| COUNCIL CONTROLS | PROPOSED |
|------------------|----------|

|             |      |              |
|-------------|------|--------------|
| FSR         | NA   | 4.04 : 1     |
| GFA         | NA   | 11 891.1 sqm |
| MAX. HEIGHT | 22 m | 28 m         |

**PROPOSED DEVELOPMENT MIX (121 UNITS TOTAL)**

|       | STUDIO | 1 BED | 2 BED | 3 BED |
|-------|--------|-------|-------|-------|
| GF    | -      | -     | -     | 3     |
| L 1   | -      | 5     | 12    | 1     |
| L 2   | -      | 5     | 14    | -     |
| L 3   | -      | 5     | 14    | -     |
| L 4   | -      | 5     | 14    | -     |
| L 5   | -      | 4     | 13    | -     |
| L 6   | -      | 0     | 10    | 3     |
| L 7   | -      | 1     | 5     | 6     |
| L 8   | -      | 1     | 0     | 3     |
| TOTAL | 0      | 26    | 82    | 13    |

|    |     |     |     |
|----|-----|-----|-----|
| 0% | 21% | 68% | 11% |
|----|-----|-----|-----|

**CAR PARKING ANALYSIS (ROCKDALE DCP 2011)**

| DWELLING TYPE                                     | PROPOSED |
|---|----------|
| 1 BED UNITS (1 SPACE PER DWELLING)                | 26       |
| 2 BED UNITS (1 SPACE PER DWELLING)                | 82       |
| 3 BED UNITS (2 SPACES PER DWELLING)               | 26       |
| VISITOR PARKING (1 PER 5 UNITS)                   | 25       |
| ACCESSIBLE SPACES (10% ADAPTABLE UNITS)           | 13       |
| CAR WASH BAY                                      | 1        |
| RESIDENTIAL CAR PARKING                           | 173      |
| RETAIL (396SQM) CAR PARKING (1 per 40SQM GFA)     | 10       |
| COMMERCIAL (458SQM) CAR PARKING (1 per 40SQM GFA) | 12       |
| TOTAL   | 195      |

FOR PLANNING PROPOSAL PURPOSES ONLY  
NOT FOR CONSTRUCTION  
© COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF DANIELS, COOPER & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. ANY REPRODUCTION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF DANIELS, COOPER & ASSOCIATES PTY LTD. IS PROHIBITED. THIS DRAWING IS VALID FOR THE COMMENCEMENT OF ANY WORK.

|          |                  |
|----------|------------------|
| Drawing  | Original Size    |
| Issue    | Date             |
| Issue    | Description      |
| 01/05/15 | ISSUE TO COUNCIL |

ARCHITECT:  
CANDALEPAS ASSOCIATES  
LEVEL 9/309 CASTLEREAGH ST.  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7755  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG. NO. - 5773

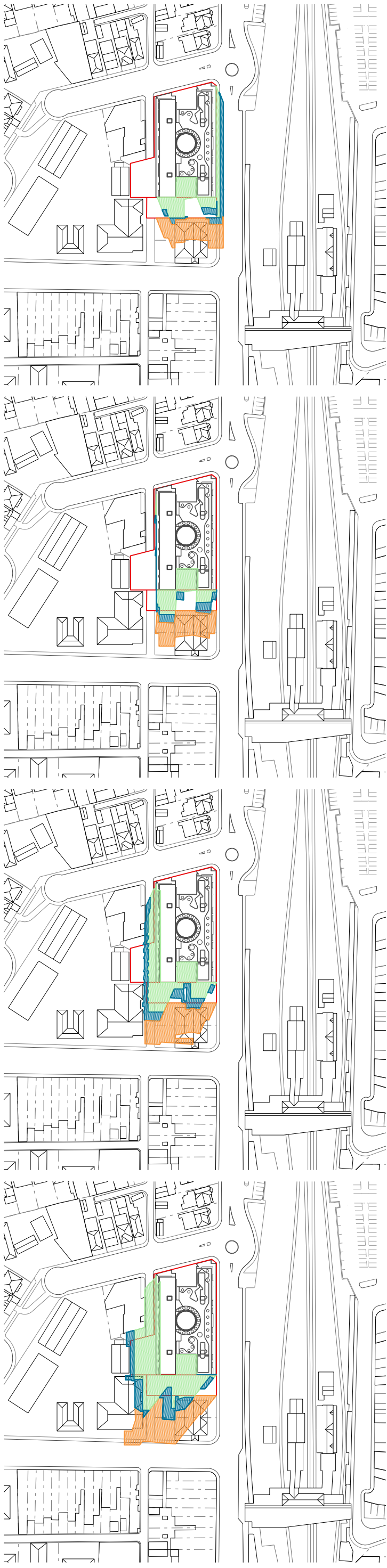
PROJECT:  
75-81 RAILWAY STREET AND  
83-85 RAILWAY STREET, ROCKDALE  
CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED  
SCALE:  
-



DATE:  
MAY 2015  
CHECKED 1:  
SM  
CHECKED 2:  
-  
DRAWN BY:  
DA, FT, LC

DRAWING:  
PROPOSAL /  
INDICATIVE  
DEVELOPMENT  
CALCULATIONS  
DRAWING No.  
PP - 9.20

ISSUE  
JOB No  
5 7 2 4  
A

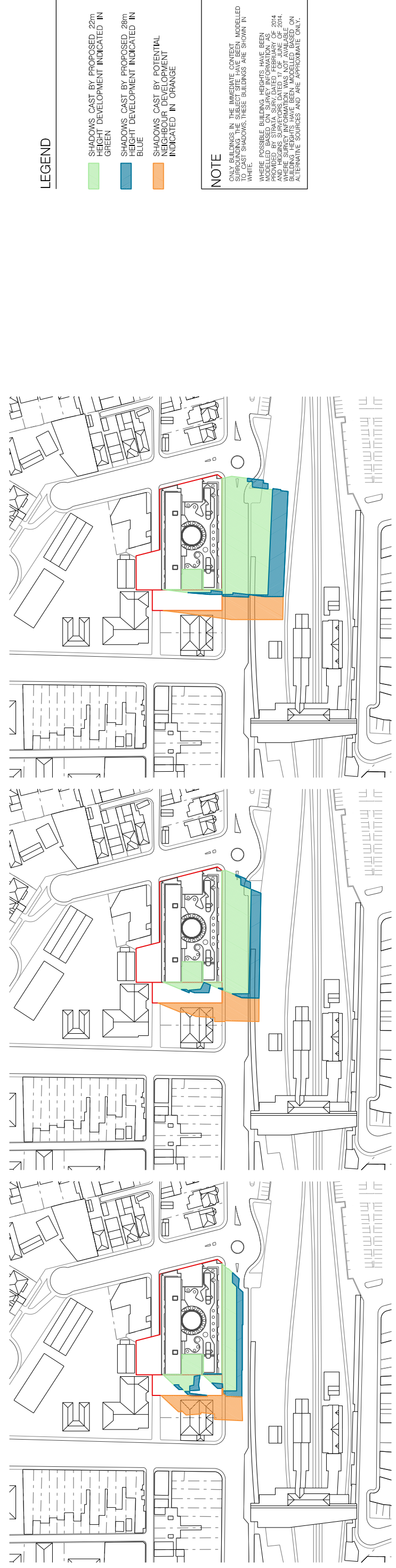


01 SHADOW DIAGRAM – 21 MARCH 9am 1:2500

02 SHADOW DIAGRAM – 21 MARCH 10am 1:2500

03 SHADOW DIAGRAM – 21 MARCH 11am 1:2500

04 SHADOW DIAGRAM – 21 MARCH 12pm 1:2500



05 SHADOW DIAGRAM – 21 MARCH 1pm 1:2500

06 SHADOW DIAGRAM – 21 MARCH 2pm 1:2500

07 SHADOW DIAGRAM – 21 MARCH 3pm 1:2500

08 SHADOW DIAGRAM – 21 MARCH 4pm 1:2500

**LEGEND**

- SHADOWS CAST BY PROPOSED 22m HEIGHT DEVELOPMENT INDICATED IN GREEN
- SHADOWS CAST BY PROPOSED 28m HEIGHT DEVELOPMENT INDICATED IN BLUE
- SHADOWS CAST BY POTENTIAL NEIGHBOUR DEVELOPMENT INDICATED IN ORANGE

**NOTE**  
 ONLY BUILDINGS IN THE IMMEDIATE CONTEXT SURROUNDING THE SUBJECT SITE HAVE BEEN MODELLED TO CAST SHADOWS. THESE BUILDINGS ARE SHOWN IN WHITE.  
 WHERE POSSIBLE BUILDING HEIGHTS HAVE BEEN PROVIDED BY STRATA SURVEY DATED FEBRUARY 06 2014 AND HIGGINS SURVEYORS DATED 17 OF JUNE OF 2014. IN SOME INSTANCES WHERE BUILDING HEIGHTS HAVE BEEN PROVIDED BY ALTERNATIVE SOURCES AND ARE APPROXIMATE ONLY.

|             |            |
|-------------|------------|
| DATE:       | MAY 2015   |
| CHECKED 1:  | SM         |
| CHECKED 2:  |            |
| DRAWN BY:   | DA, FT, LC |
| ISSUE       | A          |
| JOB No      | 5724       |
| DRAWING No. | PP – 9.30  |

PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE

CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED

ARCHITECT: CANDALEPAS ASSOCIATES  
 LEVEL 9 219 CASTLEREAGH ST. SYDNEY NSW 2000  
 T: 02 9283 7755  
 E: architect@candalepas.com.au  
 NSW ARCHITECTS REG. No. – 5773

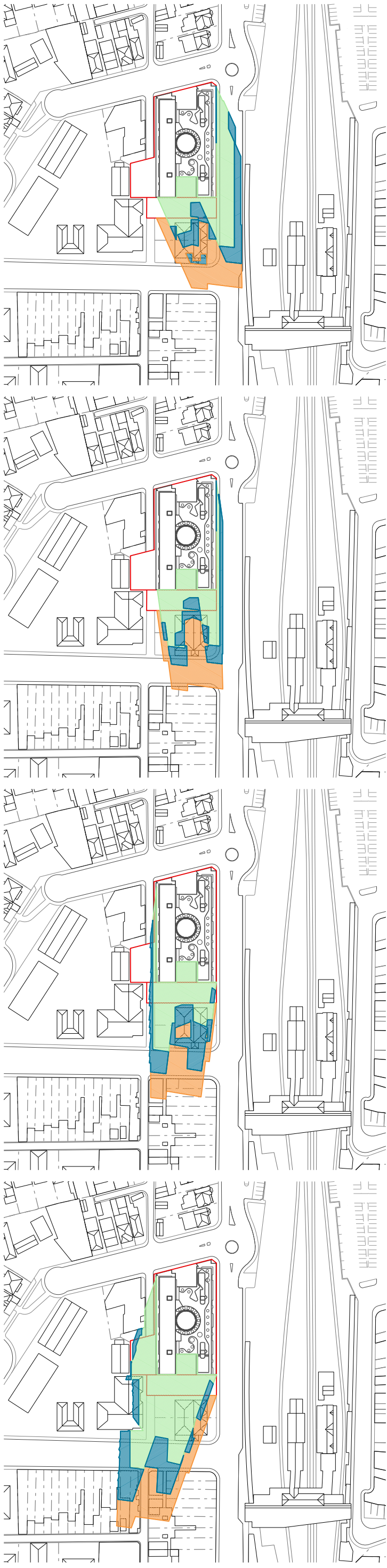
FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECTS MUST BE APPROVED BY THE ARCHITECTS BEFORE ANY COMMENCEMENT OF WORK. ANY REVISIONS TO THIS DRAWING MUST BE APPROVED BY THE ARCHITECTS PRIOR TO THE COMMENCEMENT OF ANY WORK.

Drawing Original Size  
 Issue Date Description  
 01/05/15 Issue to Council

SCALE: 1:1000@A3  
 0 1m 20m 5m

NORTH





01 SHADOW DIAGRAM – 21 JUNE 9am  
1:2500

02 SHADOW DIAGRAM – 21 JUNE 10am  
1:2500

03 SHADOW DIAGRAM – 21 JUNE 11am  
1:2500

04 SHADOW DIAGRAM – 21 JUNE 12pm  
1:2500



05 SHADOW DIAGRAM – 21 JUNE 1pm  
1:2500

06 SHADOW DIAGRAM – 21 JUNE 2pm  
1:2500

07 SHADOW DIAGRAM – 21 JUNE 3pm  
1:2500

LEGEND

- SHADOWS CAST BY PROPOSED 22m HEIGHT DEVELOPMENT INDICATED IN GREEN
- SHADOWS CAST BY PROPOSED 28m HEIGHT DEVELOPMENT INDICATED IN BLUE
- SHADOWS CAST BY POTENTIAL NEIGHBOUR DEVELOPMENT INDICATED IN ORANGE

NOTE

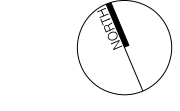
ONLY BUILDINGS IN THE IMMEDIATE CONTEXT SURROUNDING THE SUBJECT SITE HAVE BEEN MODELLED TO CAST SHADOWS. THESE BUILDINGS ARE SHOWN IN WHITE.  
WHERE POSSIBLE BUILDING HEIGHTS HAVE BEEN PROVIDED BY STRATA SURVEY DATED FEBRUARY 06 2014 AND HIGGINS SURVEYORS DATED 17 OF JUNE OF 2014. SOME BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON ALTERNATIVE SOURCES AND ARE APPROXIMATE ONLY.

| Issue No. | Date | Description           |
|-----------|------|-----------------------|
| 01/05/15  |      | ISSUE TO COUNCIL      |
| 03        |      | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
© COPYRIGHT  
THIS DOCUMENT IS THE PROPERTY OF ANDALS CONSULTANTS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
DRAWN BY: J. ANDALS  
CHECKED BY: J. ANDALS  
DATE: 15/05/2015  
NSW ARCHITECTS REG. NO. = 5773

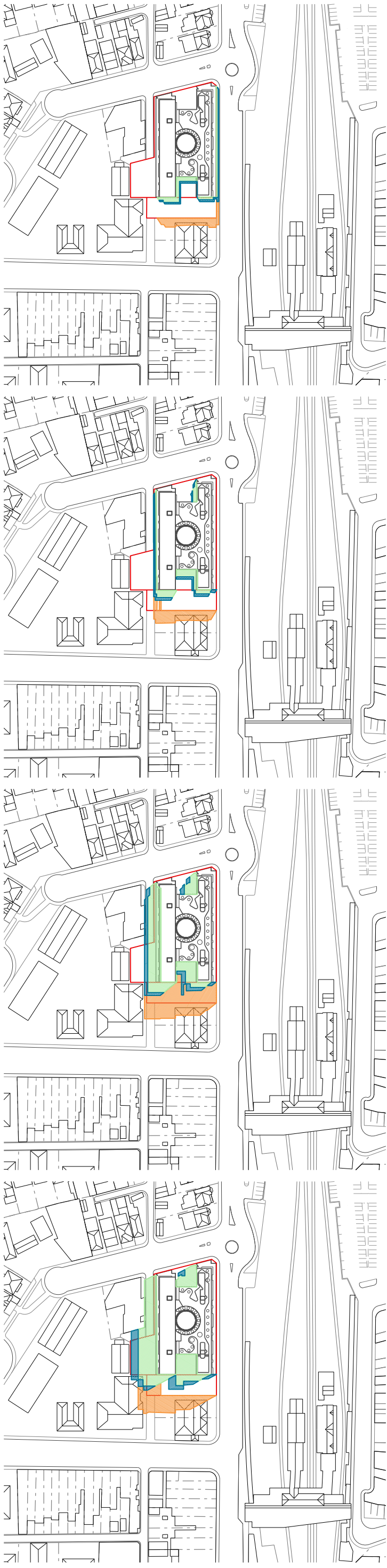
ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
LEVEL 9 210 CASTLEREAGH ST.  
STONEY NSW 2000  
T: 02 9283 7755  
E: architect@candalepas.com.au

PROJECT:  
75-81 RAILWAY STREET AND  
83-85 RAILWAY STREET, ROCKDALE  
CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED  
SCALE: 1:1000@A3  
0 1m 20m 5m



DRAWING: PROPOSAL / INDICATIVE SHADOW DIAGRAMS / 21 JUNE  
DATE: MAY 2015  
JOB NO: 5724  
CHECKED 1: SM  
CHECKED 2:  
DRAWN BY: DA, FT, LC  
DRAWING No. PP - 9.31  
ISSUE A



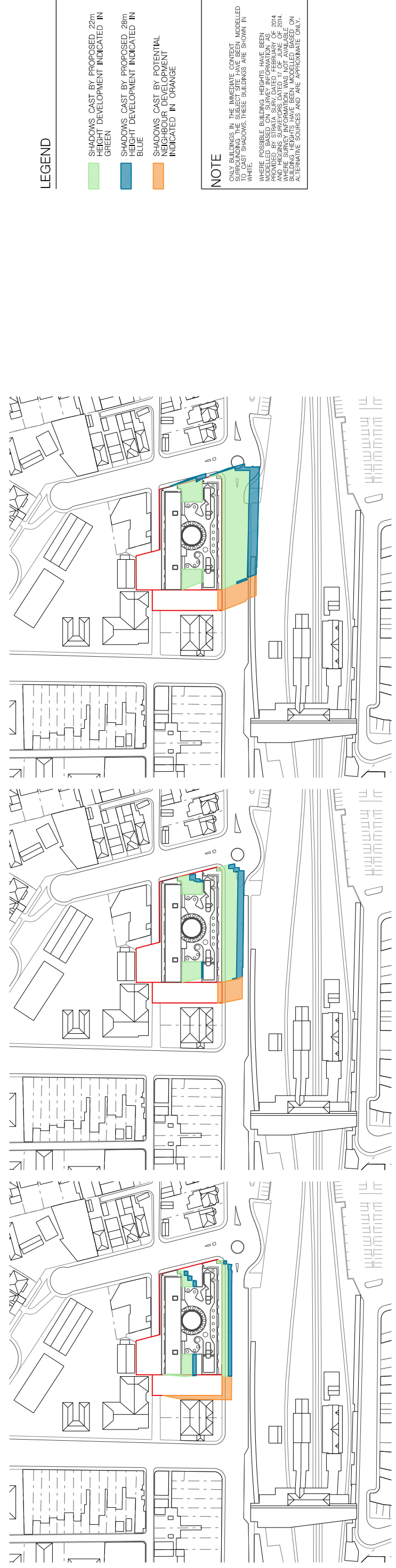


01 SHADOW DIAGRAM – 21 DECEMBER 9am 1:2500

02 SHADOW DIAGRAM – 21 DECEMBER 10am 1:2500

03 SHADOW DIAGRAM – 21 DECEMBER 11am 1:2500

04 SHADOW DIAGRAM – 21 DECEMBER 12pm 1:2500



05 SHADOW DIAGRAM – 21 DECEMBER 1pm 1:2500

06 SHADOW DIAGRAM – 21 DECEMBER 2pm 1:2500

07 SHADOW DIAGRAM – 21 DECEMBER 3pm 1:2500

08 SHADOW DIAGRAM – 21 DECEMBER 4pm 1:2500

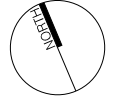
**LEGEND**

- SHADOWS CAST BY PROPOSED 22m HEIGHT DEVELOPMENT INDICATED IN GREEN
- SHADOWS CAST BY PROPOSED 28m HEIGHT DEVELOPMENT INDICATED IN BLUE
- SHADOWS CAST BY POTENTIAL NEIGHBOUR DEVELOPMENT INDICATED IN ORANGE

**NOTE**  
 ONLY BUILDINGS IN THE IMMEDIATE CONTEXT SURROUNDING THE SUBJECT SITE HAVE BEEN MODELLED TO CAST SHADOWS. THESE BUILDINGS ARE SHOWN IN WHITE.  
 WHERE POSSIBLE BUILDING HEIGHTS HAVE BEEN PROVIDED BY STRATA SURVEYS DATED FEBRUARY 06, 2014 AND HIGGINS SURVEYS DATED 17 OF JUNE OF 2014. SOME BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON ALTERNATIVE SOURCES AND ARE APPROXIMATE ONLY.

|                       |  |
|-----------------------|--|
| DATE: MAY 2015        | PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE |
| CHECKED 1: SM         | ARCHITECT: CANDALEPAS ASSOCIATES                                 |
| CHECKED 2: -          | LEVEL 9 210 CASTLEREAGH ST. STONEY NSW 2000                      |
| DRAWING No. PP - 9.32 | CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED                        |
| ISSUE A               | SCALE: 1:1000@A3   |
|                       | 0 1m 20m 5m  |

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 DRAWING DATE: 05/15/15  
 DRAWING ISSUE: ISSUE TO COUNCIL  
 DRAWING ORIGINAL SIZE: A3








**CANDALEPAS ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST  
 SYDNEY NSW 2000  
 T: 9283 7755 F: 9283 7477

| Issue | Date     | Description           |
|-------|----------|-----------------------|
| A     | 01/05/15 | Issue to Council      |
| M3    |          | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF JANELIS COOPER & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 PROJECT: 75-81 RAILWAY STREET, ROCKDALE  
 DRAWN BY: DA, FT, LC  
 CHECKED BY: SM  
 DATE: MAY 2015

**ARCHITECT:**  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST.  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: [info@candalepas.com.au](mailto:info@candalepas.com.au)  
 NSW ARCHITECTS REG. NO. = 5773

**PROJECT:**  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
**CLIENT:**  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
**SCALE:**

**DATE:**  
 MAY 2015  
**CHECKED 1:**  
 SM  
**CHECKED 2:**  
 -  
**DRAWN BY:**  
 DA, FT, LC  
**DRAWING No.:**  
**PP - 9.40**  
**ISSUE**  
**A**  
**JOB No.**  
**5724**






  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9, 219, CASTLEREAGH ST  
 SYDNEY NSW 2000  
 T 9283 7755 F 9283 7477

| Issue | Date     | Description           |
|-------|----------|-----------------------|
| A     | 01.05.15 | ISSUE TO COUNCIL      |
| M3    |          | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANDERSON, COOPER & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 COPYRIGHT © 2015 ANDERSON, COOPER & ASSOCIATES PTY LTD. ALL RIGHTS RESERVED. THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION PRIOR TO THE COMMENCEMENT OF ANY WORK.

**ARCHITECT:**  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9, 219, CASTLEREAGH ST.  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: [info@candalepas.com.au](mailto:info@candalepas.com.au)  
 NSW ARCHITECTS REG. NO. = 5773

**PROJECT:**  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE

**CLIENT:**  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

**SCALE:**

**DATE:**  
 MAY 2015

**CHECKED 1:**  
 SM

**CHECKED 2:**  
 -

**DRAWN BY:**  
 DA, FT, LC

**DRAWING:**  
 PROPOSAL /  
 INDICATIVE  
 PHOTOMONTAGE 2

**DRAWING No.:**  
**PP - 9.41**

**ISSUE**  
**A**

**JOB No.**  
**5724**





CANDALEPAS  
ASSOCIATES

| Issue | Date     | Description      | Drawing | Original Size |
|-------|----------|------------------|---------|---------------|
| A     | 01/05/15 | ISSUE TO COUNCIL |         | A3            |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**©COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF JANELIS CONWAY & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED.  
 NOT BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF JANELIS CONWAY & ASSOCIATES PTY LTD. ALL RIGHTS RESERVED. QUARRANTION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 LEVEL 9 219 CASTLEREAGH ST.  
 STONEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7755  
 E: [architect@candalepas.com.au](mailto:architect@candalepas.com.au)  
 NSW ARCHITECTS REG. NO. - 5773

PROJECT:  
 75-81 RAILWAY STREET AND  
 83-85 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE:  
 -

DATE:  
 MAY 2015  
 CHECKED 1:  
 SM  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC

DRAWING:  
 PROPOSAL /  
 INDICATIVE  
 PHOTOMONTAGE 3  
 JOB No.  
 5724  
 ISSUE  
 A  
 DRAWING No.  
 PP - 9.42



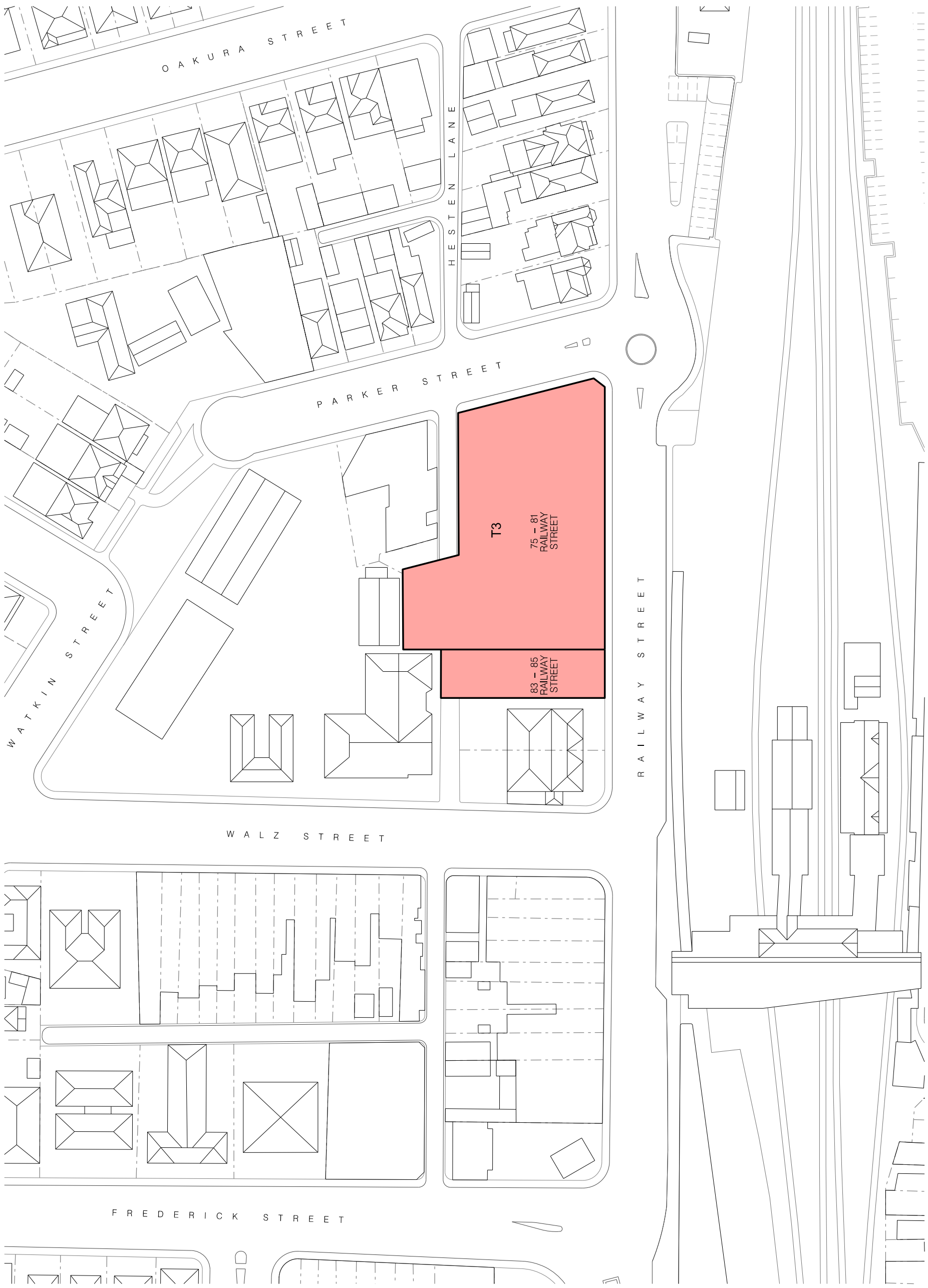


**Rockdale Local Environmental Plan 2011**

Height of Buildings Map  
- Sheet HOB\_004

Maximum Building Height (m)

- I 8.5
- M 12
- N1 13
- N2 14.5
- O1 15
- O2 16
- P1 17.5
- P2 18
- Q1 19
- Q2 20.5
- R1 21
- R2 22
- S 24
- T1 26.5
- T2 27
- T3 28
- T4 29.5
- U 31
- X 46
- Y 51
- Refer to Clause 4.3



|   |  |   |  |
|---|--|---|--|
| <p>DATE: MAY 2015</p> <p>CHECKED 1: SM</p> <p>CHECKED 2: -</p> <p>DATE: MAY 2015</p> <p>CHECKED 1: SM</p> <p>CHECKED 2: -</p> | <p>PROJECT: 75-81 RAILWAY STREET AND 83-85 RAILWAY STREET, ROCKDALE</p> <p>CLIENT: ZOE HOLDINGS ROCKDALE PTY LIMITED</p> <p>SCALE: 1:200@A3<br/>0 1m 2m 5m</p> | <p>ARCHITECT: CANDALEPAS ASSOCIATES<br/>LEVEL 9/30 CASTLEREAGH ST.<br/>STONEY NSW 2000<br/>T: 02 9283 7755<br/>F: 02 9283 7755<br/>E: architects@candalepas.com.au<br/>NSW ARCHITECTS REG. NO. - 5773</p> | <p>DRAWING: HEIGHT OF BUILDINGS MAP</p> <p>DRAWING No. PP - 10.02</p> <p>ISSUE A</p> <p>JOB No. 5724</p> |
|---|--|---|--|

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
© COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSES FOR WHICH IT WAS COMMISSIONED. UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED. PROJECTS AND DRAWINGS ARE THE PROPERTY OF CANDALEPAS & ASSOCIATES PTY LTD. AND WILL BE USED FOR THE PURPOSES FOR WHICH THEY WERE COMMISSIONED. NO LIABILITY IS ACCEPTED FOR ANY LOSS OR DAMAGE, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DRAWING. QUOTE PRIOR TO THE COMMENCEMENT OF ANY WORK.

|       |          |                  |               |                  |
|-------|----------|------------------|---------------|------------------|
| Issue | Date     | Description      | Original Size | Issue to Council |
| A     | 01/05/15 | ISSUE TO COUNCIL | A3            |                  |

11 March 2015

TH165-01F02 Acoustic Letter of Support for Planning Proposal (r1)

Langzi Chiu  
Zoe Holdings Pty Ltd c/- Candalepas Associates  
Level 9, 219 Castlereagh Street  
Sydney NSW 2000

Dear Sir/Madam

## 75-81 Railway Street, Rockdale - Acoustic Letter of Support for Planning Proposal

### Letter of Advice

#### Introduction

This letter is in relation to the development proposal for 75-81 Railway Street, Rockdale. Specifically, it assesses the planning proposal to increase the structure height to 28 metres. All relevant criteria and potential acoustic impacts of the proposal will be addressed.

#### Relevant Criteria

The list below states all relevant criteria that the development and planning proposal is to comply with:

- Australian Standard - AS 2021-2000 Acoustics - Aircraft noise intrusion building siting and construction;
- BCA 2014 requirements for separation of apartments in Class 2 Buildings;
- Rockdale Council DCP criteria for separation of apartments;
- State Environment Planning Policy (Infrastructure 2007) "ISEPP" for rail noise & vibration;
- NSW Department of Planning Guideline - Development near rail corridors and busy roads interim guideline 2008;
- NSW Road Noise Policy 2011; and
- NSW EPA's Industrial Noise Policy

## Potential Acoustic Impacts

The potential acoustic impacts of the planning proposal are:

- Aircraft noise levels impacting on the residents may be higher for the upper levels of the development. Aircraft noise intrusion for the entire building will be addressed in accordance with Australian Standards AS2021-2000.
- Additional traffic noise generated by the site is to be assessed in accordance with the NSW Road Noise Policy 2011.
- The acoustic separation of apartments will be assessed in accordance with Rockdale Council's DCP and Consent Condition requirements and the Building Code of Australia.
- Rail noise and vibration impacts onto the proposed development site will be assessed in accordance with the State Environment Planning Policy (Infrastructure) - 'ISEPP' and NSW Department of Planning Guideline - Development near rail corridors and busy roads interim guideline 2008. The impacts of rail noise are expected to decrease with the height of the building.
- Noise emission for the site from mechanical plant is to be assessed in accordance with the NSW EPA's Industrial Noise Policy. Plant located on the roof top will have little impact on the existing surrounding sensitive receivers. Plant at low level will be acoustically treated to meet the criteria determined in accordance with the INP.

In summary, this acoustic letter supports the planning proposal to increase the structure height of 75-81 Railway Street, Rockdale to 28 metres. All relevant criteria have been noted, as well as any potential acoustic impacts which are to be addressed. Renzo Tonin & Associates confirm that the planning proposal is capable of complying with all relevant codes, guidelines and policies.

Regards,



Rebecca Corbett  
RCorbett@renzotonin.com.au



11 March 2015

Candalepas Associates  
Level 9  
219 Castlereagh Street  
Sydney NSW 2000

Attention: Langzi Chiu

Dear Sir

**Proposed Mix Use Redevelopment, 75-81 Railway St, Rockdale**

Candalepas Associates are preparing a planning proposal for the above development on behalf of their clients Zoe Holdings Rockdale Pty Ltd. NPC has been requested to undertake a high level review of the capacity of the existing HV electrical infrastructure to service the above development.

The site consists of two lots with an existing three level commercial building on one lot and a two level commercial building on the other. The estimated gross floor areas are approximately 1406m<sup>2</sup> and 1051m<sup>2</sup>. The estimated power demand from the buildings based on Ausgrid's guideline rate of 100VA/m<sup>2</sup> is approximately 525kVA.

The proposed redevelopment would consist of 121 apartments and 794m<sup>2</sup> of retail/commercial floor space. The estimated HV power demand from this development is likely to be 800kVA based on Ausgrid guideline rates.

The HV power supply is provided in HV feeders which typically have a capacity of 4500kVA. It is likely that the relatively small increase in demand from the new development compared to the existing usage could be serviced from the existing HV power infrastructure. A feasibility application has been made to Ausgrid for this development. Ausgrid has confirmed that there is sufficient HV supply and that the development would require an onsite kiosk sub station to manage the onsite power distribution.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Tooker', written over a white background.

**MARK TOOKER**  
Project Director



AJ Whipps  
Consulting  
Group

Where ingenuity flows

2/101 Union St, McMahon's Point  
NSW 2060 Australia  
ABN: 11 077 989 158  
t 61 2 8923 8444  
f 61 2 8923 8484  
sydney@ajwhipps.com.au  
ajwhipps.com.au

**75-81 Railway Street, Rockdale – Stormwater, Hydraulic and Fire Engineering Services Letter of Support for a Planning Proposal**

REF: 2014-0723

16 March 2015

Candalepas  
Level 9, 219 Castlereagh Street  
SYDNEY NSW 2000

**Attention: Langzi Chiu**

Dear Langzi,

**RE: 75 – 81 Railway Street, Rockdale**

The purpose of this letter is to provide advice if the existing infrastructure is able to service the proposed development and also to provide clarification on the Building Code of Australia (BCA) requirements for fire protection within a building with an effective height in excess of 25m, as defined by the BCA, and its effect on the proposal for 75 – 81 Railway Street, Rockdale development. Specifically the increase of the maximum building height from 22m to 28m

Below we provide a summary of the relevant criteria for the fire protection within a building with an effective height in excess of 25m.

- Sprinklers to be provided throughout the whole building in accordance with BCA E1.5 and AS2118.1
- A water tank for the sprinklers in accordance with BCA E1.5 and AS2118 as well as water supply from a Sydney Water main
- A water tank for the fire hydrants in accordance with AS2419.1, as well as water supply from a Sydney Water main
- 2 sprinkler pumps required – diesel and electric as required by AS2118.1
- 2 hydrant pumps required – diesel and electric as required by AS2419.1
- Sprinkler and hydrant pump room required
- A fire control centre is to be provided in accordance with BCA E1.8
- Smoke detection and alarm in accordance with Table E2.2a of the BCA
- A Sound System and Intercom Systems for Emergency Purposes (formerly EWIS), break glass alarms and warden intercom phones is required in accordance with BCA E4.9

The above requirements apply to a building with an effective height over 25m, as defined under the BCA. The height of the building needs to be determined by the BCA Consultant.

We have received a statement of available pressure and flow from Sydney Water, it states that there is a 150Ømm water main on Railway Street which can supply the site. The flows and pressures are summarised below, refer to appendix for a copy of the Sydney Water statement.

| Flow L/s | Pressure head m |
|----------|-----------------|
| 5        | 37              |
| 10       | 36              |
| 15       | 35              |



Given the above information received from Sydney Water, we believe that the current infrastructure can accommodate this level of development and comply with current Codes.

Should you have any queries please don't hesitate to contact us.

Regards

Yours faithfully  
**AJ Whipps Consulting Group**

John Vergara

Enclosed: Statement of available pressure and flow from Sydney Water



Zoe Holdings Rockdale Pty Ltd  
**75-81 Railway Street, Rockdale**  
Traffic impact assessment

Issue | 24 March 2015

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 240297

Arup  
Arup Pty Ltd ABN 18 000 966 165




**Arup**  
Level 10 201 Kent Street  
PO Box 76 Millers Point  
Sydney 2000  
Australia  
[www.arup.com](http://www.arup.com)

**ARUP**

# Document Verification

# ARUP

|                       |             |                                |                               |                       |   |
|-----------------------|-------------|--------------------------------|-------------------------------|-----------------------|---|
| <b>Job title</b>      |             | 75-81 Railway Street, Rockdale |                               | <b>Job number</b>     |   |
|                       |             |                                |                               | 240297                |   |
| <b>Document title</b> |             | Traffic impact assessment      |                               | <b>File reference</b> |   |
|                       |             |                                |                               |                       |   |
| <b>Document ref</b>   |             |                                |                               |                       |   |
|                       |             |                                |                               |                       |   |
| <b>Revision</b>       | <b>Date</b> | <b>Filename</b>                | Draft Report.docx             |                       |   |
| Draft 1               | 12 Mar 2015 | <b>Description</b>             | First draft                   |                       |   |
|                       |             |                                | Prepared by                   | Checked by            | Approved by   |
|                       |             | Name                           | Daniel Kwon                   | James Turner          | Andrew Hulse  |
|                       |             | Signature                      |                               |                       |   |
| Draft 2               | 23 Mar 2015 | <b>Filename</b>                | 23032015 Draft Report.docx    |                       |   |
|                       |             | <b>Description</b>             | Updated for commercial use    |                       |   |
|                       |             |                                | Prepared by                   | Checked by            | Approved by   |
|                       |             | Name                           | Daniel Kwon                   | James Turner          | Andrew Hulse  |
|                       |             | Signature                      |                               |                       |   |
| Issue                 | 24 Mar 2015 | <b>Filename</b>                | 24032015 Traffic Report .docx |                       |   |
|                       |             | <b>Description</b>             |                               |                       |   |
|                       |             |                                | Prepared by                   | Checked by            | Approved by   |
|                       |             | Name                           | Daniel Kwon                   | James Turner          | Andrew Hulse  |
|                       |             | Signature                      |                               |                       |  |
|                       |             | <b>Filename</b>                |                               |                       |   |
|                       |             | <b>Description</b>             |                               |                       |   |
|                       |             |                                | Prepared by                   | Checked by            | Approved by   |
|                       |             | Name                           |                               |                       |   |
|                       |             | Signature                      |                               |                       |   |

Issue Document Verification with Document



# Contents

---

|          | Page                              |           |
|----------|-----------------------------------|-----------|
| <b>1</b> | <b>Introduction</b>               | <b>1</b>  |
| 1.1      | Project background                | 1         |
| 1.2      | Scope of work                     | 1         |
| <b>2</b> | <b>Existing conditions</b>        | <b>2</b>  |
| 2.1      | Site description                  | 2         |
| 2.2      | Road network                      | 2         |
| 2.3      | Existing traffic volumes          | 3         |
| 2.4      | Existing trip generation          | 4         |
| 2.5      | Public transport                  | 5         |
| 2.6      | Pedestrian and cycling facilities | 6         |
| 2.7      | Parking                           | 7         |
| 2.8      | Travel characteristics            | 7         |
| <b>3</b> | <b>Planning proposal</b>          | <b>9</b>  |
| 3.1      | Proposed development              | 9         |
| 3.2      | Car parking                       | 9         |
| 3.3      | Site access                       | 9         |
| 3.4      | Service vehicle access            | 9         |
| <b>4</b> | <b>Parking assessment</b>         | <b>10</b> |
| 4.1      | Off street parking                | 10        |
| 4.2      | Bicycle parking                   | 11        |
| 4.3      | Motorcycle parking                | 12        |
| <b>5</b> | <b>Transport assessment</b>       | <b>13</b> |
| 5.1      | Traffic generation                | 13        |
| 5.2      | Traffic distribution              | 14        |
| 5.3      | Road network impacts              | 15        |
| <b>6</b> | <b>Conclusion</b>                 | <b>17</b> |

# 1 Introduction

---

## 1.1 Project background

Arup was engaged by Candalepas Associates on behalf of Zoe Holdings Pty Ltd to provide traffic engineering services for the proposed mixed use residential development site located at 75-81 Railway Street, Rockdale. The proposal is for a nine storey mixed use development containing residential apartments and ground floor retail frontages on Railway Street.

## 1.2 Scope of work

This traffic impact assessment supports the planning proposal application for the proposed development at 75-81 Railway Street, Rockdale, and will outline the following:

- Existing traffic conditions review and intersection performance analysis for the AM and PM peak hour.
- Establishment of trip generation and distribution based on the site uses, including time and origin of arrival of customers / visitors.
- Traffic impact assessment of the proposed development on the local road network for one future year determined by the proposed development timeline. Key outputs from intersection modelling will establish whether any mitigation measures will be required to accommodate the traffic generation of the proposed development.
- Design advice for proposed car park design and garbage collection through swept path analysis.
- Advice on parking requirements at the proposed development.



## 2 Existing conditions

### 2.1 Site description

The proposed development site is located at 75-81 Railway Street, Rockdale which is shown in Figure 1. The site is located within the Rockdale Local Government Area (LGA) and is currently zoned as B2 Local Centre. The site is located near Rockdale Station and is currently occupied by two commercial buildings. The area surrounding the site consists of retail stores and high density residential developments along Railway Street and low density residential developments to the west.

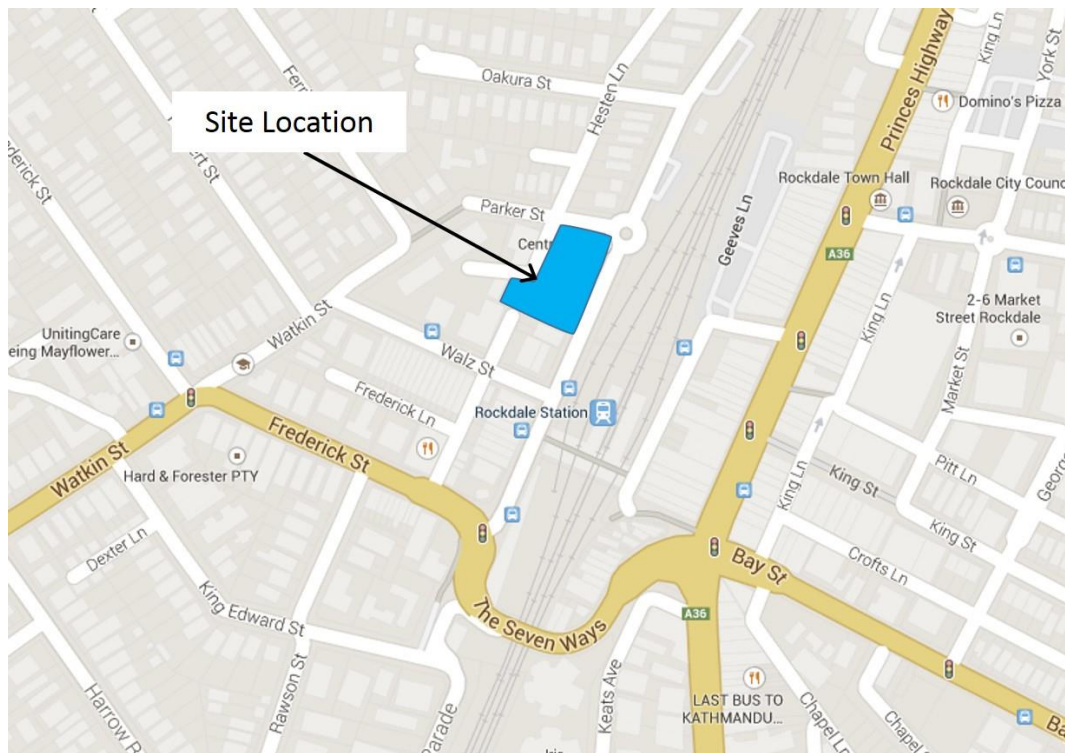


Figure 1: Site location

### 2.2 Road network

The site is bound by Railway Street to the east, Hesten Lane to the west and Parker Street to the north.

The section of Railway Street surrounding the site is a local two-way collector road connecting local roads to The Seven Ways. Kerbside parking is permitted on the western side of the road, whilst bus zone restrictions apply on the eastern side (where a bus interchange is located). One of the existing site driveways (to the basement) is located on Railway Street. The road has high pedestrian activity due to close proximity of schools, public transport and shops and subsequently has 40 km/h posted speeds.

Frederick Street (located south of the site) is an RMS state controlled road. Frederick Street is a sub-arterial road and continues over the south coast railway line as The Seven Ways, providing a connection between local traffic and the Princes Highway. There are 60 km/h speed restrictions on all sections of the road.

Hesten Lane is a local laneway that runs parallel to Railway Street. The laneway is a narrow 4.5 m wide two-way with no kerbside parking. The southern interface of Hesten Lane forms one of the driveways of the existing commercial building at the site location. There are 40 km/h speed restrictions on all sections of the road.

Parker Street is a two-way local road with kerbside parking permitted on either side of the road. It forms an intersection with Railway Street as a roundabout. Observations made by Arup during a typical weekday morning peak showed a high level of pick-up and drop-off activity along the kerbside parking spaces during the AM peak hour. There are 40 km/h speed restrictions on all sections of the road.



Figure 2: Pick-up activity on Parker Street

### 2.3 Existing traffic volumes

Traffic count surveys were undertaken in the AM (8:00am-9:00am) and PM (4:30pm-5:30pm) peak periods on two intersections surrounding the site on Tuesday 17 February 2015. The intersections surveyed were Parker Street / Railway Street and Railway Street / Walz Street. Analysis of the traffic survey data revealed that the AM peak hour occurs between 8:00am-9:00am and the PM peak hour occurs between 5:00pm-6:00pm. The existing traffic volumes during the AM and PM peak hours are shown in Figure 3.

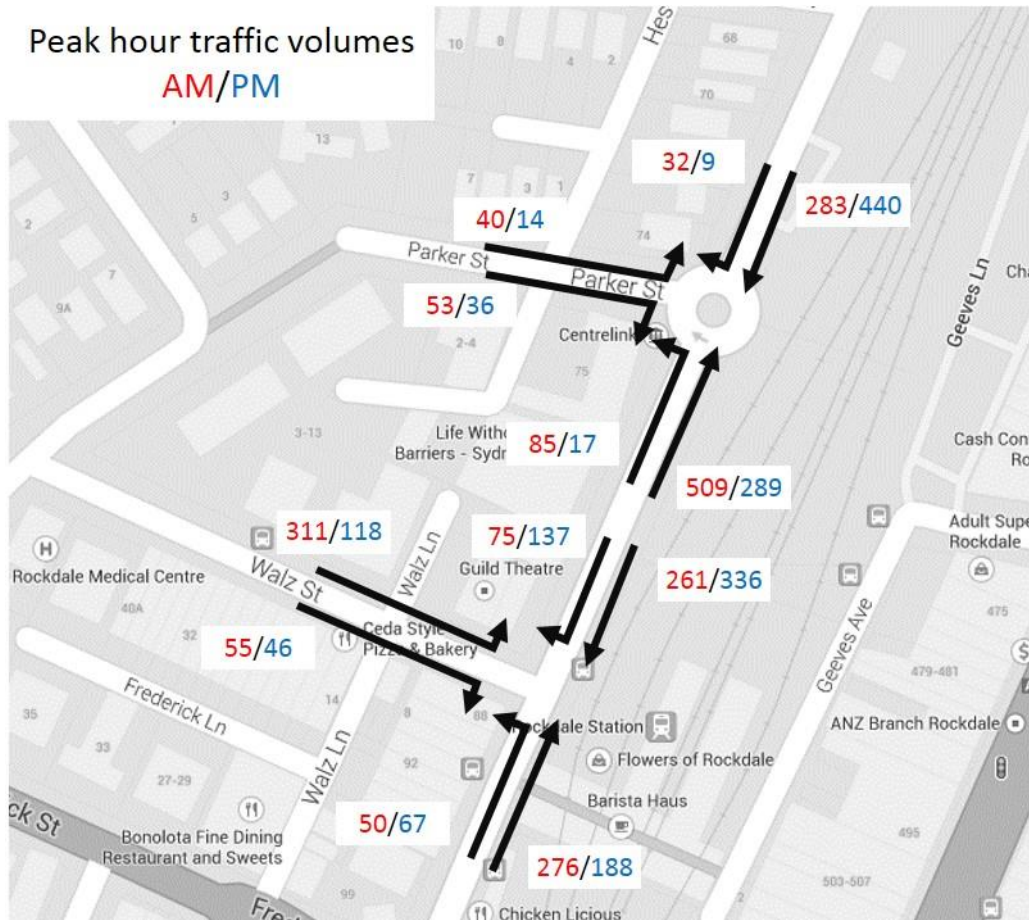


Figure 3: Traffic survey counts

## 2.4 Existing trip generation

Arup surveyed the three driveways of the existing development (Figure 4) to assess the level of activity during the AM (8:00 am-9:00 am) and PM (4:30 pm-5:30 pm) peak hours on a typical working day. The in/out movements from the driveways that service the two commercial buildings were surveyed and the results are described in Table 1.





Figure 4: Driveway survey locations

Table 1: Driveway survey counts

| Driveway     | AM Peak   |          |           | PM Peak  |           |           |
|--------------|-----------|----------|-----------|----------|-----------|-----------|
|              | In        | Out      | Total     | In       | Out       | Total     |
| A            | 21        | 1        | 22        | 0        | 18        | 18        |
| B            | 6         | 0        | 6         | 0        | 8         | 8         |
| C            | 10        | 0        | 10        | 1        | 15        | 16        |
| <b>Total</b> | <b>37</b> | <b>1</b> | <b>38</b> | <b>1</b> | <b>41</b> | <b>42</b> |

The existing commercial buildings generate a total of 38 trips during the AM peak hour and 42 trips during the PM peak hour on a typical weekday. The majority of AM peak hour trips are inbound and outbound in the PM peak hour, which is typical for a commercial building.

## 2.5 Public transport

The site has good access to public transport and is located within 200m walking distance from Rockdale Station. A bus interchange is also located on Railway Street, within 100m walking distance.

Rockdale Station is serviced by the T4 Eastern Suburbs & Illawarra Line, which provides all stop train services to the Sydney CBD, Cronulla and the South Coast via Sutherland. The station is well served by trains with services every 10 minutes during the peak periods in both direction of travel.

Bus stops located on Railway Street connect the local area to the Sydney CBD, Burwood, Beverley Hills, Bexley, Drummoyne and Kingsgrove. Bus routes servicing the site are summarised in Table 2.



Table 2: Bus services

| <b>Bus Route</b>                      | <b>Service description</b>   |
|---------------------------------------|--|
| Route 400, Burwood to Bondi Junction  | Services every 20 minutes throughout the day in each direction.  |
| Route 410, Rockdale to Bondi Junction | Services every 30 minutes during peak periods in each direction.<br>Services only operate during peak periods.   |
| Route 452, Beverly Hills to Rockdale  | Services every 20 minutes throughout the day in each direction.  |
| Route 473, Rockdale to Campsie        | Services every 30 minutes during peak periods in both directions of travel<br>Services every hour during non-peak periods in both directions of travel       |
| Route 492, Rockdale to Drummoyne      | Services every 15 minutes during peak periods in both directions of travel<br>Services every 30 minutes during non-peak periods in both directions of travel |
| Route 493, Rockdale to Roselands      | Services every hour throughout the day in each direction.  |

## 2.6 Pedestrian and cycling facilities

The site is located in Rockdale Town Centre and is well served by a good network of local footpaths. Paved footpaths and kerb ramps are provided on both sides of Railway Street, Walz Street and Parker Street. All roads on the walking route from the proposed development site to Rockdale transport interchange possess paved footpaths and kerb ramps on both sides of the road with sections of Railway Street providing covered footpaths. There are pedestrian zebra crossing opportunities across Railway Street and Walz Street connecting to the shops and transport nodes.

The site is well connected to a number of cycling routes which consist of both off-road cycling paths as well as on-road marked paths. The on-road bike path on Railway Street connects to the Cooks River Cycleway which provides a safe and efficient connection to the Sydney Airport and the Sydney CBD (see Figure 5).

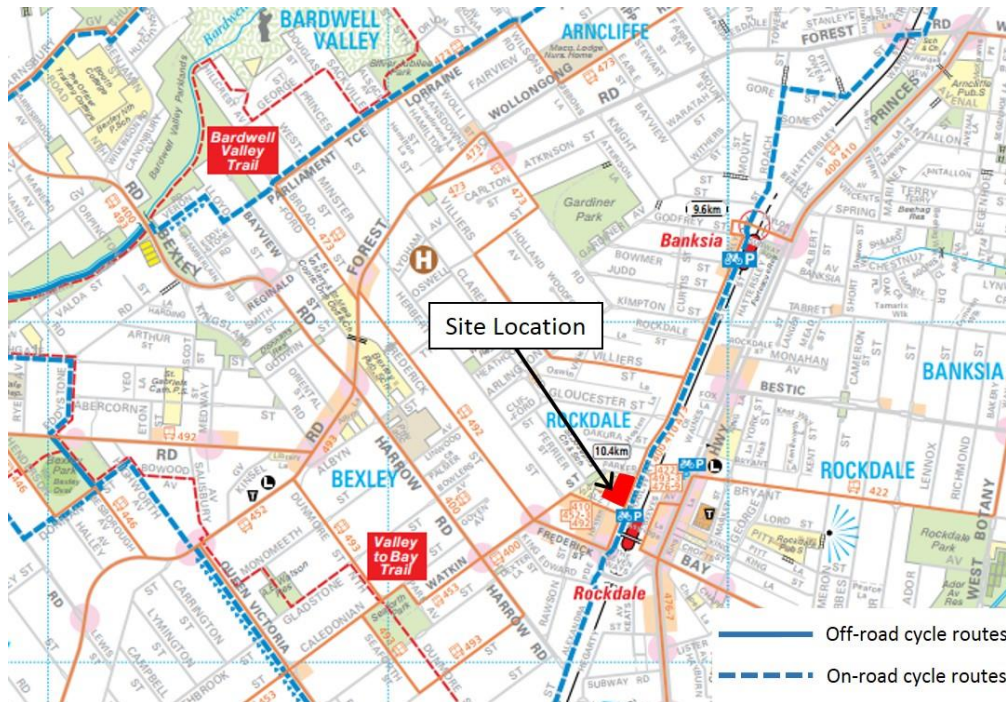


Figure 5: Cycle routes surrounding the site

## 2.7 Parking

The site is located within the Rockdale town centre which mostly has restricted parking on surrounding streets. Parker Street has a number of restrictions including:

- two hour restrictions between 9:30am-2:30pm and 3:30pm-6:00pm Monday to Friday and
- 15 minute restrictions on the northern side and
- no parking restrictions on the southern side between 8:30am-9:30am and 2:30pm-3:30pm during school days.

Railway Street has short-stay 15 minute parking restrictions on the western side and bus zones on the eastern side due to the bus interchange. There are unrestricted parking opportunities on local streets further north of the site which are generally occupied by commuters.

## 2.8 Travel characteristics

Mode share patterns at the site were analysed using 2011 Journey to Work (JTW) Census data from the Bureau of Transport Statistics. The JTW data for travel zone 2764 was used to assess the likely mode of peak hour trips to and from the site. The location and the coverage of travel zone 2764 is shown in Figure 6. The results of the analysis are shown in Table 3.



Figure 6: Travel zone 2764

Source: BTS, 2011

Table 3: Journey to Work travel patterns

| Mode            | Inbound trips to work | Outbound trips to work |
|-----------------|-----------------------|------------------------|
| Train           | 14%                   | 43%                    |
| Bus             | 3%                    | 5%                     |
| Car             | 74%                   | 44%                    |
| Walk            | 7%                    | 5%                     |
| Other           | 1%                    | 1%                     |
| Mode not stated | 1%                    | 3%                     |
| Total trips     | 534                   | 903                    |

Source: BTS, 2011

The JTW data shows that residents of travel zone 2764 rely primarily on public transport to commute to work. The data reveals 43% of residents travel to work via train and 5% travel to work via bus. This can be attributed to the close proximity of Rockdale Station and the frequency of public transport services to the Sydney CBD.

The JTW data reveals that commuters travelling to travel zone 2764 rely more heavily on car trip modes which makes up 74% of inbound trips. Commuters travelling to Rockdale by train make up 14% of inbound trips and trips made by bus make up 3%.

## 3 Planning proposal

### 3.1 Proposed development

The proposed concept development is for a nine storey mixed use development which will include eight levels of residential apartments, ground floor retail and commercial uses and three levels of basement car parking.

The residential component of the development comprises of 1-bedroom, 2-bedroom and 3-bedroom apartments. The total number of each type of apartment is summarised in Table 4.

Table 4: Residential apartment schedule

| Adaptable | 1-bedroom | 2-bedroom | 3-bedroom | Total |
|-----------|-----------|-----------|-----------|-------|
| 13        | 26        | 69        | 13        | 121   |

In addition, the development will provide approximately 374m<sup>2</sup> of retail and 459m<sup>2</sup> of commercial space.

### 3.2 Car parking

The proposed development will provide a number of basement parking levels. Vehicular access to the basement level car park will be via ramps down from Parker Street.

### 3.3 Site access

Vehicle access to the site will be provided on Parker Street via a new driveway that leads down to the basement level car parks. Ramps are proposed in the north-east section of the site to provide access between the car parking levels. All other existing driveways to the site will be removed.

Pedestrian access to the site will be provided on Railway Street for residents and on Parker Street for customers using the retail shops and child care centre.

### 3.4 Service vehicle access

Garbage collection will occur from a bin room to be located on the corner of Hesten Lane and Parker Street frontage. There are 4 bin rooms in the basement and bins will be brought to the street level bin room on collection days.

Deliveries will occur on-street.



## 4 Parking assessment

### 4.1 Off street parking

The proposed car parking rates for the development site will be calculated based on the Rockdale Council DCP.

The required parking provisions are outlined in the existing Rockdale City Council Development Control Plan 2011 (DCP 2011), Section 4.6: Car Parking, Access and Movement. The relevant proposed and required parking rates for this development have been summarised in Table 5.

Table 5: Car parking rates as per Rockdale DCP

| Development type            |                               | DCP requirement                     |
|-----------------------------|-------------------------------|-------------------------------------|
| Residential                 | Adaptable                     | 1 accessible space per apartment    |
|                             | 1 bedroom                     | 1 space per apartment               |
|                             | 2 bedrooms                    | 1 space per apartment               |
|                             | 3+ bedrooms                   | 2 spaces per apartment              |
|                             | Visitor parking               | 1 space per 5 units                 |
| Commercial                  | Office or businesses premises | 1 space per 40m <sup>2</sup> of GFA |
| Shops, restaurants or cafes | Shop                          | 1 space per 40m <sup>2</sup> of GFA |

The Rockdale Council DCP also states that:

*“Council’s on-site car parking requirements aim to satisfy the parking demand likely to be generated by the development while discouraging unnecessary car use and encouraging other modes of transport. Developments are to facilitate and encourage greater pedestrian, bicycle and public transport usage to improve local amenity and to minimise pollution and the use of non-renewable resources.”*

Given that the development is adjacent to a Railway Station and there is good access to a bus interchange with 6 routes serviced, consideration should be given to reducing the provision of car parking which will reduce car dependence.

If the full Rockdale DCP parking rates are used, car parking for 194 vehicles is required as shown in Table 6. This will require three levels of car parking. However, given that there are parking restrictions on surrounding streets and a nearby railway station, it is unlikely that this level of parking will be required. It is expected that many residents of the development will use public transport as their primary mode of transport and that the shops will generate minimal need for parking within the development with the availability of on-street.

Table 6: Car parking to be provided

| Development type          |                 | Number of units / GFA | Car parking requirements (Rockdale DCP) |
|---------------------------|-----------------|-----------------------|---|
| Residential               | Adaptable       | 13                    | 13                                      |
|                           | 1 bedroom       | 26                    | 26                                      |
|                           | 2 bedrooms      | 69                    | 82                                      |
|                           | 3+ bedrooms     | 13                    | 26                                      |
|                           | Visitor parking | 121                   | 25                                      |
| Commercial                |                 | 459m <sup>2</sup>     | 12                                      |
| Shops, Cafes, Restaurants |                 | 374m <sup>2</sup>     | 10                                      |
| Total Parking Spaces      |                 |                       | 194 parking spaces                      |

## 4.2 Bicycle parking

The bicycle parking rates for the development have been taken from the Rockdale DCP and used here in Table 7

Table 7: Rockdale City Council bicycle parking rates

| Development type            | DCP requirement               | Number of apartments / GFA / children | DCP required parking |
|-----------------------------|-------------------------------|---------------------------------------|----------------------|
| Residential                 | 1 space per 10 dwellings      | 121                                   | 13                   |
| Shops, restaurants or cafes | 1 space per 200m <sup>2</sup> | 374m <sup>2</sup>                     | 2                    |
| Commercial                  | 1 space per 200m <sup>2</sup> | 459m <sup>2</sup>                     | 3                    |
| <b>Total</b>                |                               |                                       | 18                   |

Bicycle parking and end of trip facilities will be provided with the development in accordance with Rockdale DCP requirements.

### 4.3 Motorcycle parking

The motorcycle parking rates for the development have been taken from the Rockdale DCP and used here in Table 8.

Table 8: Rockdale City Council motorcycle parking rates

| <b>Development type</b>     | <b>DCP requirement</b>    | <b>Number of apartments / spaces</b> | <b>DCP required parking</b> |
|-----------------------------|---------------------------|--------------------------------------|-----------------------------|
| Residential                 | 1 space per 15 dwellings  | 121                                  | 10                          |
| Shops, restaurants or cafes | 1 space per 20 car spaces | 2                                    | 1                           |
| Commercial                  | 1 space per 20 car spaces | 2                                    | 1                           |
| <b>Total</b>                |                           |                                      | 12                          |

Motorcycle parking will be provided with the development in accordance with Rockdale DCP requirements.

## 5 Transport assessment

### 5.1 Traffic generation

Traffic generation rates were adopted from the RMS Technical Direction (TDT 2013/4a) Guide to Traffic Generating Developments Updated Traffic Surveys. Trips generated. These rates were used for the residential component of the development which have been calculated based on Rockdale specific rates for vehicle trips per unit. The site surveyed at Rockdale as part of the RMS TDT 2013/4a was a 234 unit apartment with a 1.11:1 parking ratio. The proposed site will have 121 apartments and 194 parking spaces as shown in Table 6. This represents a parking ratio of 1.60:1. The RMS traffic generation rate is therefore appropriate.

Trips for the proposed retail have been assumed as 50% of the averaged Sydney Metropolitan rate, given the site is located within the Rockdale Town Centre. The retail will not be a key generator of both vehicle and pedestrian trips, but will likely serve as an ancillary function for the residents and workers of the proposed development.

Trips for the proposed commercial have been calculated based on the Sydney Metropolitan rate for office blocks.

Based on the development schedule and rates outlined above, Table 9 and

Table 10 detail the expected trip generation for the site.

Table 9: AM peak hour trip generation

| Land use           | Size of proposed development | AM peak hour trip generation rate | AM peak hour trips generated |
|--------------------|------------------------------|-----------------------------------|------------------------------|
| Residential        | 121 units                    | 0.32 per unit                     | 39                           |
| Retail             | 374m <sup>2</sup> GFA        | n/a                               | 0                            |
| Commercial         | 300m <sup>2</sup>            | 1.6 per 100m <sup>2</sup>         | 5                            |
| <b>Total trips</b> |                              |                                   | <b>44</b>                    |

Table 10: PM peak hour trip generation

| Land use           | Number of units / GFA | PM peak hour trip generation rate | PM peak hour trips generated |
|--------------------|-----------------------|-----------------------------------|------------------------------|
| Residential        | 121                   | 0.18 per unit                     | 22                           |
| Retail             | 374m <sup>2</sup>     | 6.15 per 100m <sup>2</sup>        | 23                           |
| Commercial         | 300m <sup>2</sup>     | 1.2 per 100m <sup>2</sup>         | 4                            |
| <b>Total trips</b> |                       |                                   | <b>49</b>                    |

The site is currently occupied by two commercial office blocks which currently generate trips during the AM and PM peak hours. Survey results outlined in Table 1 reveal that the existing site generates 38 trips in the AM peak of which 37 were incoming trips to the site and 42 trips in the PM peak of which 41 were outgoing trips leaving the site. The proposed development will predominately generate outgoing trips in the AM peak and incoming trips in the PM peak as it is



residential in nature. Therefore the development is expected to generate the trips outlined Table 11.

Table 11: Additional trips generated

| Peak hour | Trips inbound | Trips outbound | Total trips in hour |
|-----------|---------------|----------------|---------------------|
| AM        | -35           | +40            | +5                  |
| PM        | +34           | -28            | +6                  |

Note: Negative trips indicate trips that are expected to be removed from the road network due to the change of development type.

## 5.2 Traffic distribution

The existing turning proportions of vehicles at Parker Street / Railway Street intersection have been assumed as the turning distribution of the additional trips. Traffic surveys were conducted at the Parker Street / Railway Street to observe the movement of vehicles entering and leaving Parker Street. The proportions in Figure 7 have been assigned.

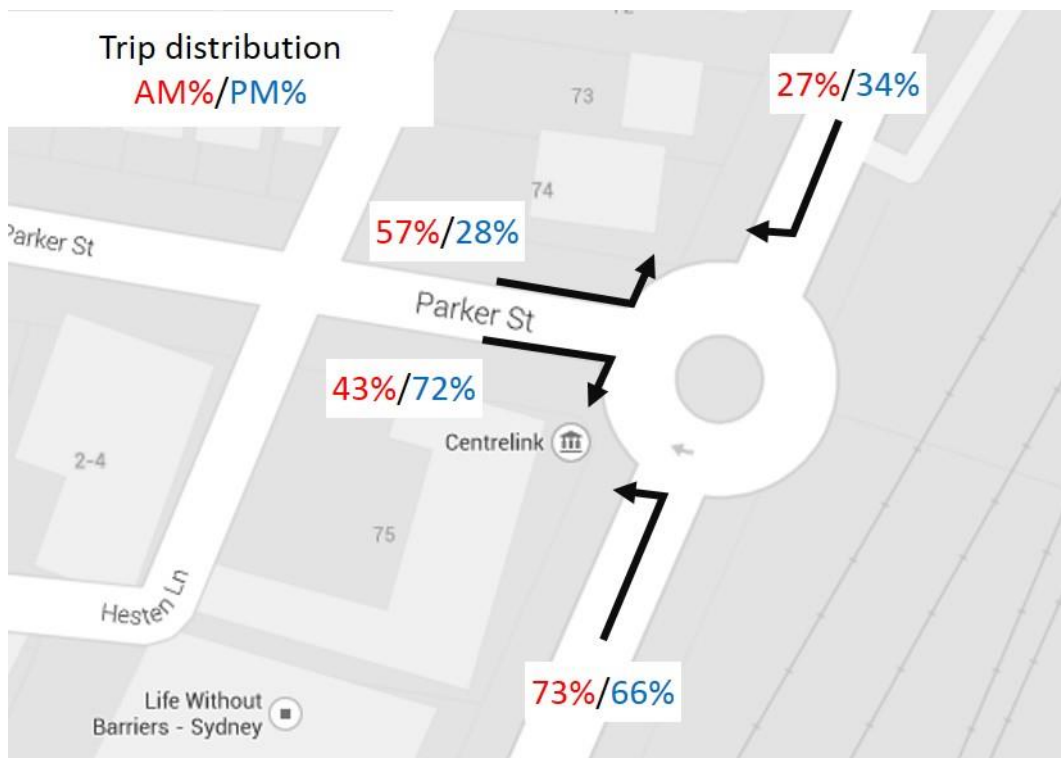


Figure 7: Trip distribution

## 5.3 Road network impacts

The development will have a net increase in 6 trips in the AM and 7 trips in the PM peak hours which accounts for approximately 1% of existing traffic volumes at the Parker Street / Railway Street intersection. As such, the proposed development is expected to have minimal impacts to the local road network when distributed over the network and accesses to the site.

Table 12: Development traffic compared to existing traffic volumes

| Peak | Existing traffic volumes | Development traffic volumes | Percentage (%) |
|------|--------------------------|-----------------------------|----------------|
| AM   | 1,002                    | +5                          | 0.5%           |
| PM   | 802                      | +6                          | 0.8%           |

### 5.3.1 Traffic modelling

The Parker Street / Railway Street intersection has been assessed using RMS approved software SIDRA software. In urban areas, the traffic capacity of the major road network is generally a function of the performance of key intersections. This performance is quantified in terms of Level of Service (LoS), is based on the average delay per vehicle. LoS ranges from A = very good to F = unsatisfactory.

Table 13: Level of service criteria for intersections

| Level of Service | Average delay (seconds per vehicle) | Description  |
|------------------|-------------------------------------|--|
| A                | Less than 14                        | Good operation   |
| B                | 15 to 28                            | Good with acceptable delays and spare capacity   |
| C                | 29 to 42                            | Satisfactory   |
| D                | 43 to 56                            | Operating near capacity  |
| E                | 57 to 70                            | At Capacity. At signals, incidents will cause excessive delays. Roundabouts require other control mode |
| F                | Greater than 71                     | Unsatisfactory with excessive queuing  |

Another common measure of intersection performance is the degree of saturation (DoS), which provides an overall measure of the capability of the intersection to accommodate additional traffic. A DoS of 1.0 indicates that an intersection is operating at capacity. The desirable maximum degree of saturation for an intersection is 0.9.

The existing intersection performance is assessed in this report in terms of the following three factors for each intersection.

- Degree of Saturation
- Average Delay (Seconds per vehicle)
- Level of Service

### 5.3.2 Results and analysis

Results of the analysis of the roundabout at Parker Street / Railway Street are summarised in Table 14.

Table 14: SIDRA results - Parker Street / Railway Street

| Peak period | Scenario    | LoS | Average delay (s) | DoS  |
|-------------|-------------|-----|-------------------|------|
| AM          | Existing    | A   | 6                 | 0.41 |
|             | Development | A   | 6                 | 0.39 |
| PM          | Existing    | A   | 5                 | 0.32 |
|             | Development | A   | 5                 | 0.32 |

Results from the SIDRA analysis summarised in Table 14 reveals that the development will have minimal impacts on the operation of the intersection.

## 6 Conclusion

---

This review has described the potential traffic and transport impacts of the proposed conceptual mixed use development at 75-81 Railway Street, Rockdale. Key findings of the review are as follows:

- The site is located within Rockdale Town Centre, parking in this area is restricted discouraging residents from parking on-street;
- The development is located within 200m of various modes of public transport. Rockdale Station and bus stops are located adjacent to the site on Railway Street and thus the development is expected to not generate a large parking demand;
- The development would be responsible for a small increase (1%) in peak hour traffic flows along surrounding key roads. Due to the small increase in development traffic, it is expected that surrounding key roads will continue to operate in the same way;
- Results of SIDRA analysis indicate that the Parker Street / Railway Street intersection continues to operate at a LoS A with adequate DoS in both peak periods;
- Secure bicycle parking is to be provided as a component of the proposed development; and
- The proposed increase in height for the site will have minimal impacts on the existing road network.





PEDESTRIAN WIND ENVIRONMENT STATEMENT  
75-81 RAILWAY STREET, ROCKDALE  
PLANNING PROPOSAL - 28M BUILDING HEIGHT SCHEME

WC327-02F01(REV0)- WS REPORT

20 MARCH 2015

Prepared for:

Zoe Holdings Pty Ltd  
C/- Candalepas Associates Pty Ltd  
Level 9, 219 Castlereagh St, Sydney  
NSW 2000

## DOCUMENT CONTROL

| Date       | Revision History | Non-Issued Revision | Issued Revision | Prepared By (initials) | Instructed By (initials) | Reviewed & Authorised by (initials) |
|------------|------------------|---------------------|-----------------|------------------------|--------------------------|-------------------------------------|
| 20/03/2015 | Initial          | -                   | 0               | HK                     | TR                       | TR                                  |
|            |                  |                     |                 |                        |                          |                                     |
|            |                  |                     |                 |                        |                          |                                     |
|            |                  |                     |                 |                        |                          |                                     |
|            |                  |                     |                 |                        |                          |                                     |

*The work presented in this document was carried out in accordance with the Windtech Consultants Quality Assurance System, which is based on International Standard ISO 9001.*

*This document is issued subject to review and authorisation by the Team Leader noted by the initials printed in the last column above. If no initials appear, this document shall be considered as preliminary or draft only and no reliance shall be placed upon it other than for information to be verified later.*

*This document is prepared for our Client's particular requirements which are based on a specific brief with limitations as agreed to with the Client. It is not intended for and should not be relied upon by a third party and no responsibility is undertaken to any third party without prior consent provided by Windtech Consultants Pty Ltd. This report should not be reproduced, presented or reviewed except in full. Prior to passing on to a third party, the Client is to fully inform the third party of the specific brief and limitations associated with the commission.*

## EXECUTIVE SUMMARY

---

This report is in relation to the proposed development located at 75-81 Railway Street, Rockdale, and presents an opinion on the likely impact of the proposed design on the wind environment in the critical outdoor areas within and around the subject development. The effect of wind activity is examined for the three predominant wind directions for the Sydney region; north-easterly, southerly and westerly winds. The analysis of the wind effects relating to the proposal was carried out in the context of the local wind climate, building morphology and land topography.

The conclusions of this report are drawn from our extensive experience in this field and are based on an examination of the architectural drawings which have been prepared by the project architect Candalepas Associates, received March 6, 2015. No wind tunnel tests have been undertaken for the subject development. As such, this report addresses only the general wind effects and any localised effects that are identifiable by visual inspection. Any recommendations in this report are made only in-principle and are based on our extensive experience in the study of wind environment effects around buildings.

The results of this study indicate that the subject development will benefit from shielding provided by the existing surrounding buildings. Several features are proposed for the subject development, which will aid in achieving suitable wind conditions. These features, which should be retained for the final design scheme, are summarised as follows:

- Tree planting in the ground level central courtyard, northern entryway, and southern planting area.
- The ground façade elements on the eastern side of the development.
- Most of the balconies benefit from effective design features such as their recessed design into the overall building footprint, end screens, privacy screens, and impermeable balustrades and/or parapets.
- The setback of the upper level balconies from the extent of the lower level balconies on the eastern and western aspects.
- Proposed rooftop planting, especially on northern and eastern sides and around the central courtyard void, as well as around any potential seating areas.
- Proposed parapet/ impermeable balustrade around the perimeter of the rooftop area of the development.

However, the analysis indicates that some trafficable outdoor areas of the development may be exposed to strong winds, and hence the following treatments are suggested in addition to the abovementioned features:

- An awning over the southern planting area on the southern edge of the development.

- Full-height impermeable end screens on the south-eastern corner balcony on Level 5, and south-western corner balcony on Level 6.
- Full-height impermeable privacy screens for the north-eastern apartment on Level 5 and north-western corner apartment on Level 6.
- Full-height impermeable screens on the eastern edges of the north-western corner apartment on Level 6.
- Extended 2 densely foliating trees planted on either side of the eastern edge tree planting on the roof.
- Hedge planting and/or other forms of dense planting around potential seating areas on the roof.

With the inclusion of the abovementioned treatments, it is expected that adequate wind conditions will be achieved for all outdoor trafficable areas within and around the site. Furthermore, the development is not expected to have any adverse impact onto the wind conditions for the local surrounding area.



# 1 DESCRIPTION OF THE PROPOSED DEVELOPMENT AND SURROUNDS

The proposed development site is situated at the corner of Railway Street and Parker Street in Rockdale. Immediately surrounding the site are 2 to 4 storey residential buildings to the north, south and west, while the railway line lies to the east. Further from the site are mostly 1 to 2 storey residential buildings in to the north, south and west, while to the east lies 2-3 storey commercial buildings. Rockdale Station situated to the south-east of the site. The land topography around the site generally flat in all directions, with a slight upwards slope to the east of the development site. An aerial image of the subject site location is shown in Figure 1 below.

The subject development consists of 121 residential apartments on Levels 1 to 8, commercial spaces located on the ground floor, as well as an open courtyard. Car parking is also proposed over 2-3 basement levels. Each of the apartments have a private balcony area. A communal landscaped area is proposed on Level 8 (rooftop).



**Figure 1: Aerial Image of the Proposed Development Site**

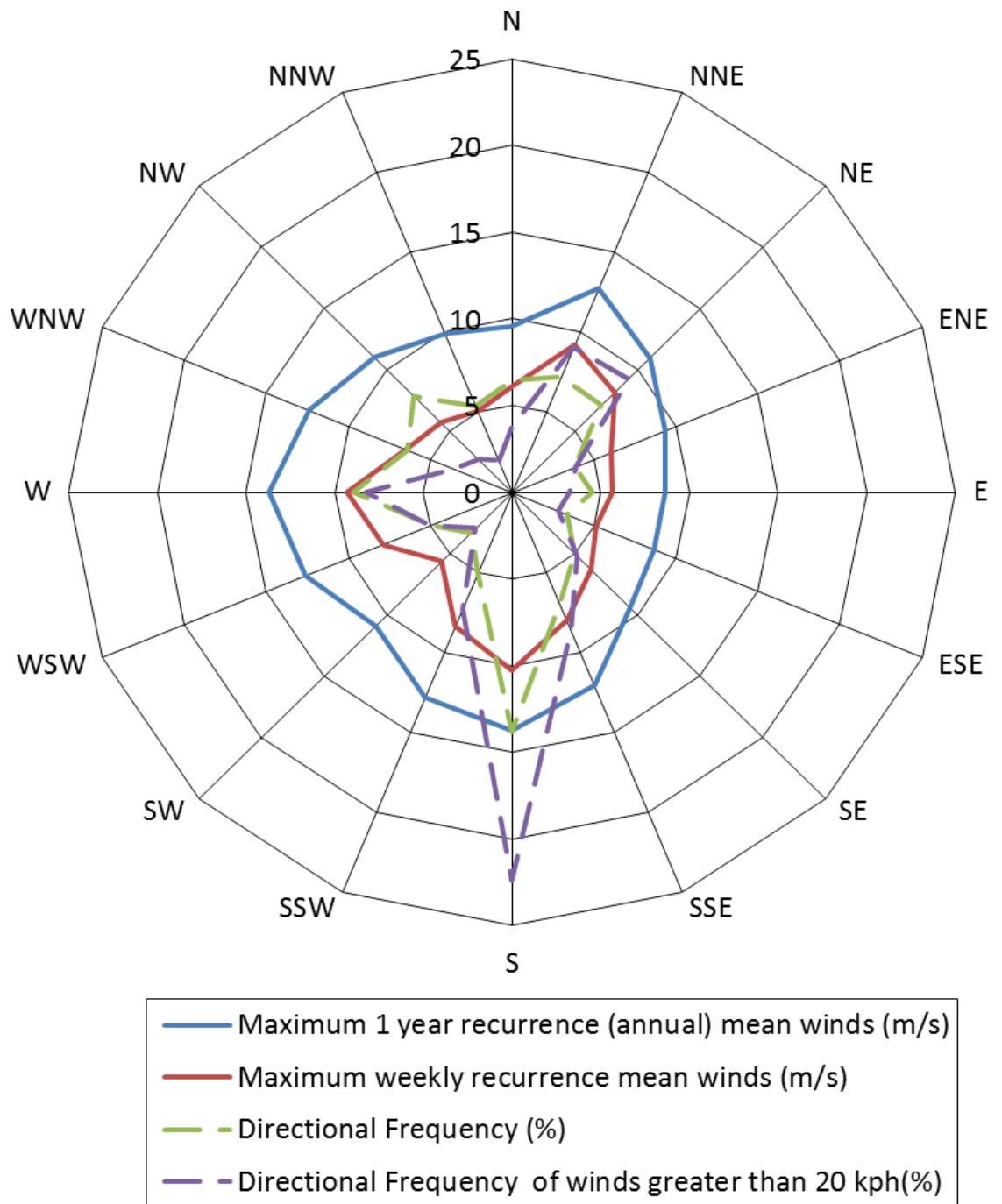
## 2 WIND CLIMATE OF THE SYDNEY REGION

The Sydney region is governed by three principal wind directions, and these can potentially affect the subject development. These winds prevail from the north-east, south and west. A summary of the principal time of occurrence of these winds throughout the year is presented in Table 1 below. This summary is based on a detailed analysis undertaken by Windtech Consultants of recorded directional wind speeds obtained at the meteorological station located at Kingsford Smith Airport by the Bureau of Meteorology (recorded from 1939 to 2008). From this analysis, a directional plot of the annual and weekly recurrence winds for the Sydney region is also determined, as shown in Figure 2. The frequency of occurrence of these winds is also shown in Figure 2.

As shown in Figure 2, the southerly winds are by far the most frequent wind for the Sydney region, and are also the strongest. The westerly winds occur most frequently during the winter season for the Sydney region, and although they are typically not as strong as the southerly winds, they are usually a cold wind since they occur during the winter and hence can be a cause for discomfort for outdoor areas. North-easterly winds occur most frequently during the warmer months of the year for the Sydney region, and hence are usually welcomed within outdoor areas since they are typically not as strong as the southerly or westerly winds.

**Table 1: Principal Time of Occurrence of Winds for Sydney**

| Month     | Wind Direction |           |          |
|-----------|----------------|-----------|----------|
|           | North-Easterly | Southerly | Westerly |
| January   | X              | X         |          |
| February  | X              | X         |          |
| March     | X              | X         |          |
| April     |                | X         | X        |
| May       |                |           | X        |
| June      |                |           | X        |
| July      |                |           | X        |
| August    |                |           | X        |
| September |                | X         | X        |
| October   | X              | X         |          |
| November  | X              | X         |          |
| December  | X              | X         |          |



**Figure 2: Annual and Weekly Recurrence Mean Wind Speeds, and Frequencies of Occurrence, for the Sydney Region (based on 10-minute mean observations from Kingsford Smith Airport from 1939 to 2008, corrected to open terrain at 10m)**

### 3 WIND EFFECTS ON PEOPLE

The acceptability of wind in any area is dependent upon its use. For example, people walking or window-shopping will tolerate higher wind speeds than those seated at an outdoor restaurant. Various other researchers, such as Davenport, Lawson, Melbourne, Penwarden, etc, have published criteria for pedestrian comfort for pedestrians in outdoor spaces for various types of activities. Some Councils and Local Government Authorities have also adopted elements of some of these into their planning control requirements in Australia. The following table is an example, which was developed by Penwarden in 1975, and describes the effects of various wind intensities on people. Note that the applicability column relates to the indicated wind conditions occurring frequently (exceeded approximately once per week on average). Higher ranges of wind speeds can be tolerated for rarer events.

**Table 2: Summary of Wind Effects on People (Penwarden, 1975)**

| Type of Winds   | Gust Speed (m/s) | Effects   | Applicability   |
|-----------------|------------------|---|---|
| Calm, light air | 0 - 1.5          | Calm, no noticeable wind.   | Generally acceptable for Stationary, long exposure activities such as in outdoor restaurants, landscaped gardens and open air theatres. |
| Light breeze    | 1.6 - 3.3        | Wind felt on face.  |   |
| Gentle breeze   | 3.4 - 5.4        | Hair is disturbed, Clothing flaps.  |   |
| Moderate breeze | 5.5 - 7.9        | Raises dust, dry soil and loose paper. Hair disarranged.  | Generally acceptable for walking & stationary, short exposure activities such as window shopping, standing or sitting in plazas.        |
| Fresh breeze    | 8.0 - 10.7       | Force of wind felt on body.   | Acceptable as a main pedestrian thoroughfare  |
| Strong breeze   | 10.8 - 13.8      | Umbrellas used with difficulty, Hair blown straight, Difficult to walk steadily, Wind noise on ears unpleasant. | Acceptable for areas where there is little pedestrian activity or for fast walking.   |
| Near gale       | 13.9 - 17.1      | Inconvenience felt when walking.  |   |
| Gale            | 17.2 - 20.7      | Generally impedes progress, Great difficulty with balance.  | Unacceptable as a public accessway.   |
| Strong gale     | 20.8 - 24.4      | People blown over by gusts.   | Completely unacceptable.  |

It should be noted that wind speeds can only be accurately quantified with a wind tunnel study. This assessment addresses only the general wind effects and any localised effects that are identifiable by visual inspection, and the acceptability of the conditions for outdoor areas are determined based on their intended use (rather than referencing specific wind speeds). Any recommendations in this report are made only in-principle and are based on our extensive experience in the study of wind environment effects.



## 4 RESULTS AND DISCUSSION

---

The expected wind conditions are discussed in this section for the various outdoor areas within and around the subject development for each of the three predominant wind directions for the Sydney region. The interaction between the wind and the building morphology in the area was considered, and important features taken into account include the distances between the proposed building form, their overall heights and bulk, as well as the landform. Note that only the potentially critical wind effects are discussed in this report.

### 4.1 Pedestrian Footpaths and Ground Level Courtyard

With the inclusion of the proposed development, the wind conditions for the pedestrian footpaths along Railway Street, Parker Street and Heston Lane are expected to be similar to, or better than, the existing wind conditions. The existing buildings located to the south and west of the development site assist in providing shielding from direct southerly and westerly wind for the lower levels wind effects. The proposed setback of the upper level balconies on the eastern and western aspects will mitigate any potential downwash effects from the development.

The proposed courtyard has the potential to experience some adverse winds caused by a pressure differential between the northern and southern aspects of the development. However, the proposed trees to the north, south, and central courtyard are expected to be effective in providing suitable wind conditions for this area. Note that, to be effective in wind mitigation, the proposed vegetation to be retained should be densely foliating. In addition north-easterly winds are less of a concern due to the prevalence during the warmer months.

The residential entry on the eastern aspect is exposed to southerly and north-easterly winds. It is recommended to retain the façade elements on either side of the entryway to mitigate these effects. An awning over the southern courtyard planting area is recommended to mitigate direct southerly winds.

It is not expected that the proposed development will cause any adverse wind effects to the ground level areas of neighbouring sites. With the inclusion of the proposed development, wind conditions for those areas are expected to either remain as they are now, or even be improved, due to the shielding that the proposed development provides.

Hence, with the retention of the proposed planting, and the addition of the recommended treatments, the wind conditions for the various trafficable ground level areas within and around the subject site are expected to be suitable for their intended uses.

## 4.2 Private Balconies

Wind conditions for the majority of private balconies of the proposed development are expected to be suitable for their intended use by the occupants. This is due to the effective proposed design, including recessing the balcony areas into the buildings form, privacy screens between adjacent balconies, and impermeable balustrades. However, the corner balcony areas (specifically the north-eastern and south eastern balconies on Level 5 and north-western and south-western balconies on Level 6) are expected to be exposed to the prevailing winds. To mitigate these effects, the elements to be retained and further treatments are suggested are as follows:

- Impermeable balustrades on the upper level balconies.
- Full-height impermeable end screens on the south-eastern corner balcony on Level 5, and south-western corner balcony on Level 6.
- Full-height impermeable privacy screens for the north-eastern apartment on Level 5 and north-western corner apartment on Level 6.
- Full-height impermeable screens on the eastern edges of the north-western balcony on Level 6.

## 4.3 Level 8 Rooftop

The Level 8 rooftop area is subject to winds from the north-easterly and southerly critical wind directions for the region as the westerlies are shielded by the Level 8 apartments. The proposed landscaping and tree planting on this level will greatly assist in mitigating adverse winds, and is hence recommended to be retained for the final landscaping design of the development, especially around any potential seating areas, and around the central courtyard void. However, further tree planting is recommended on this floor. 2 additional trees on each side of the proposed line of trees on the eastern edge of the rooftop is recommended.

Furthermore, the proposed parapets around the perimeter of the rooftop area will also be effective in mitigating adverse winds, and is also recommended to be retained for the final design. Hedge planting or other forms of dense planting around potential rooftop seating areas is also recommended. Note that, to be effective in wind mitigation, the proposed vegetation should be densely foliating.

## 5 CONCLUSION

---

An analysis of the wind environment impact with respect to the three principal wind directions for the Sydney region has been undertaken for the proposed development located at 75-81 Railway Street, Rockdale. The conclusions of this report are drawn from our extensive experience in this field and are based on an examination of the architectural drawings prepared by project architect Candalepas Associates, received March 6, 2015. No wind tunnel tests have been undertaken for the subject development. As such, this report addresses only the general wind effects and any localised effects that are identifiable by visual inspection. Any recommendations in this report are made only in-principle and are based on our extensive experience in the study of wind environment effects around buildings.

The results of this study indicate that the subject development will benefit from shielding provided by the existing surrounding buildings. Several features are proposed for the subject development, which will aid in achieving suitable wind conditions. These features, which should be retained for the final design scheme, are summarised as follows:

- Tree planting in the ground level central courtyard, northern entryway, and southern planting area.
- The ground façade elements on the eastern side of the development.
- Most of the balconies benefit from effective design features such as their recessed design into the overall building footprint, end screens, privacy screens, and impermeable balustrades and/or parapets.
- The setback of the upper level balconies from the extent of the lower level balconies on the eastern and western aspects.
- Proposed rooftop planting, especially on northern and eastern sides and around the central courtyard void, as well as around any potential seating areas.
- Proposed parapet/ impermeable balustrade around the perimeter of the rooftop area of the development.

However, the analysis indicates that some trafficable outdoor areas of the development may be exposed to strong winds, and hence the following treatments are suggested in addition to the abovementioned features:

- An awning over the southern planting area on the southern edge of the development.
- Full-height impermeable end screens on the south-eastern corner balcony on Level 5, and south-western corner balcony on Level 6.
- Full-height impermeable privacy screens for the north-eastern apartment on Level 5 and north-western corner apartment on Level 6.

- Full-height impermeable screens on the eastern edges of the north-western corner apartment on Level 6.
- Extended 2 densely foliageating trees planted on either side of the eastern edge tree planting on the roof.
- Hedge planting and/or other forms of dense planting around potential seating areas on the roof.

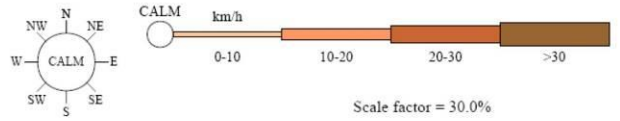
With the inclusion of the abovementioned treatments, it is expected that adequate wind conditions will be achieved for all outdoor trafficable areas within and around the site. Furthermore, the development is not expected to have any adverse impact onto the wind conditions for the local surrounding area.



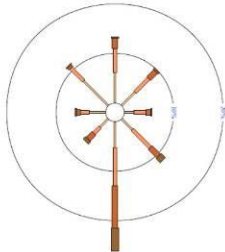
## 6 APPENDIX – SYDNEY WIND ROSES

---

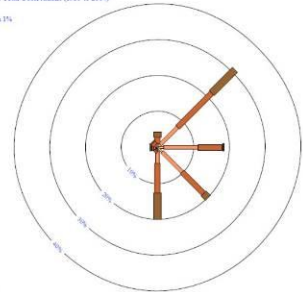
**WIND FREQUENCY ANALYSIS (in km/h)**  
**SYDNEY AIRPORT AMO STATION NUMBER 066037**  
**Latitude: -33.94 ° Longitude: 151.17 °**



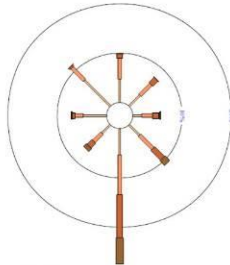
9 am Jan  
1923 Total Observations (1939 to 2004)  
Calm 3%



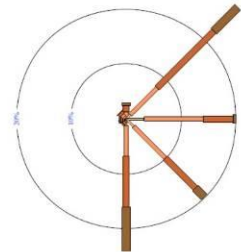
3 pm Jan  
1941 Total Observations (1939 to 2004)  
Calm 1%



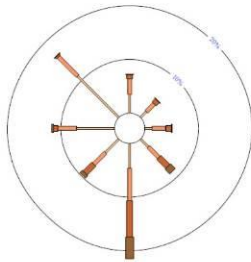
9 am Feb  
1788 Total Observations (1939 to 2004)  
Calm 13%



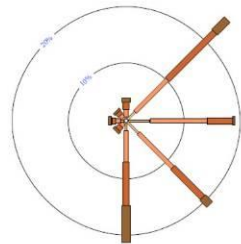
3 pm Feb  
1776 Total Observations (1939 to 2004)  
Calm 1%



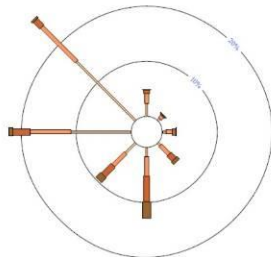
9 am Mar  
1968 Total Observations (1939 to 2004)  
Calm 14%



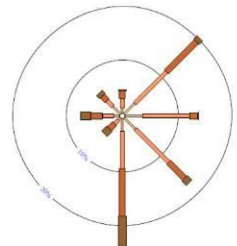
3 pm Mar  
1976 Total Observations (1939 to 2004)  
Calm 2%



9 am Apr  
1963 Total Observations (1939 to 2004)  
Calm 14%



3 pm Apr  
1963 Total Observations (1939 to 2004)  
Calm 2%

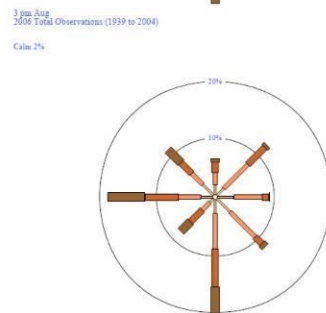
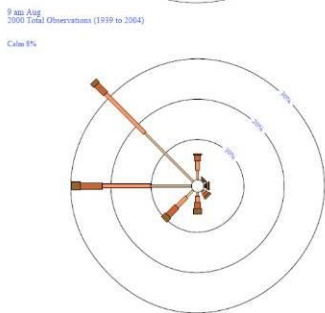
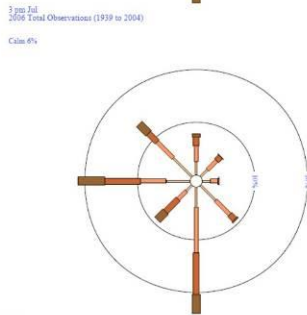
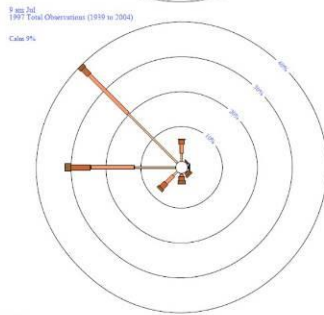
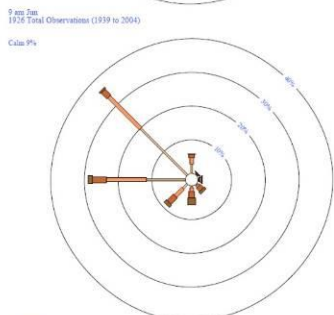
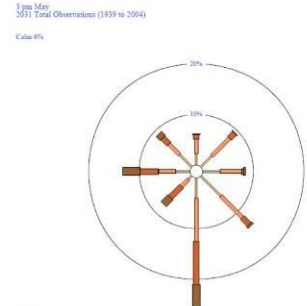
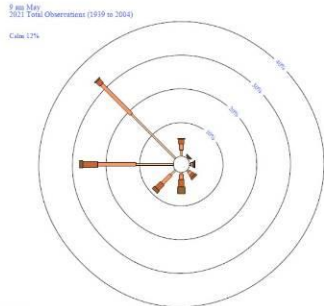
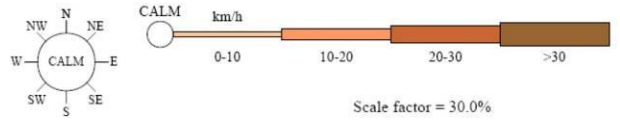


Wind directions are divided into eight compass directions. Calm has no direction.  
 An asterisk (\*) indicates that calm is less than 1%.  
 An observed wind speed which falls precisely on the boundary between two divisions (eg 10km/h) will be included in the lower range (eg 1-10 km/h). Only quality controlled data have been used.



Copyright © Commonwealth of Australia 2004  
 Prepared by the National Climate Centre of the Bureau of Meteorology.  
 Contact us by phone on (03) 9669 4082, by fax on (03) 9669 4515, or by  
 email at [webclim@bom.gov.au](mailto:webclim@bom.gov.au). We have taken all due care but cannot  
 provide any warranty nor accept any liability for this information.

**WIND FREQUENCY ANALYSIS (in km/h)**  
**SYDNEY AIRPORT AMO STATION NUMBER 066037**  
**Latitude: -33.94 ° Longitude: 151.17 °**

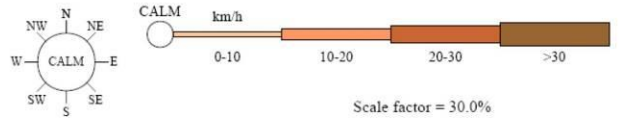


Wind directions are divided into eight compass directions. Calm has no direction.  
 An asterisk (\*) indicates that calm is less than 1%.  
 An observed wind speed which falls precisely on the boundary between two divisions (eg 10km/h) will be included in the lower range (eg 1-10 km/h). Only quality controlled data have been used.

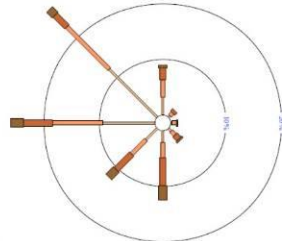


Copyright © Commonwealth of Australia 2004  
 Prepared by the National Climate Centre of the Bureau of Meteorology.  
 Contact us by phone on (03) 9669 4082, by fax on (03) 9669 4515, or by email at [webclim@bom.gov.au](mailto:webclim@bom.gov.au). We have taken all due care but cannot provide any warranty nor accept any liability for this information.

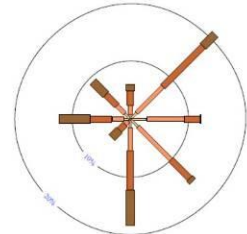
**WIND FREQUENCY ANALYSIS (in km/h)**  
**SYDNEY AIRPORT AMO STATION NUMBER 066037**  
**Latitude: -33.94 ° Longitude: 151.17 °**



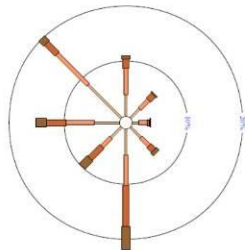
9 am Sep  
1934 Total Observations (1939 to 2004)  
Calm 7%



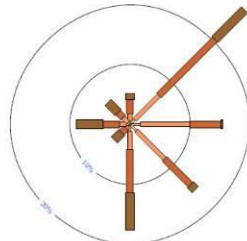
3 pm Sep  
1931 Total Observations (1939 to 2004)  
Calm 1%



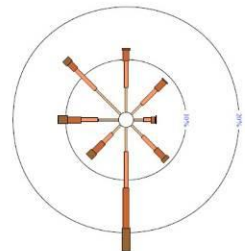
9 am Oct  
1993 Total Observations (1939 to 2004)  
Calm 6%



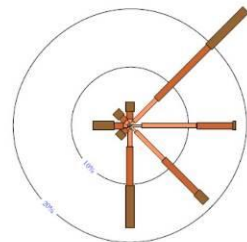
3 pm Oct  
1997 Total Observations (1939 to 2004)  
Calm 1%



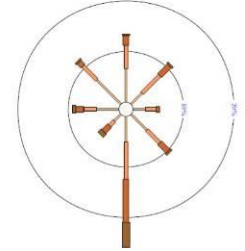
9 am Nov  
1897 Total Observations (1939 to 2004)  
Calm 7%



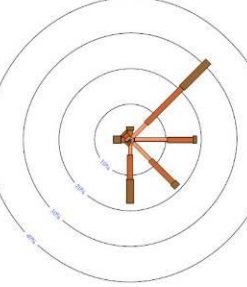
3 pm Nov  
1901 Total Observations (1939 to 2004)  
Calm 1%



9 am Dec  
1937 Total Observations (1939 to 2004)  
Calm 7%



3 pm Dec  
1939 Total Observations (1939 to 2004)  
Calm \*



Wind directions are divided into eight compass directions. Calm has no direction.  
 An asterisk (\*) indicates that calm is less than 1%.  
 An observed wind speed which falls precisely on the boundary between two divisions (eg 10km/h) will be included in the lower range (eg 1-10 km/h). Only quality controlled data have been used.



Copyright © Commonwealth of Australia 2004  
 Prepared by the National Climate Centre of the Bureau of Meteorology.  
 Contact us by phone on (03) 9669 4082, by fax on (03) 9669 4515, or by  
 email at [webclim@bom.gov.au](mailto:webclim@bom.gov.au). We have taken all due care but cannot  
 provide any warranty nor accept any liability for this information.





Ms Meredith Wallace  
Interim General Manager  
Bayside Council  
444-446 Princes Highway  
Rockdale NSW 2216

16/14080

Attention: Wil Robertson, Urban Designer

Dear Ms Wallace

**Planning Proposal PP\_2015\_ROCKD\_007\_00 – Alteration of Gateway Determination**

I refer to the Bayside Council's letter of 26 October 2016, seeking an extension of time to complete planning proposal PP\_2015\_ROCKD\_007\_00, which proposes to alter the Gateway determination to increase the building height applying to land at 75-85 Railway Street, Rockdale.

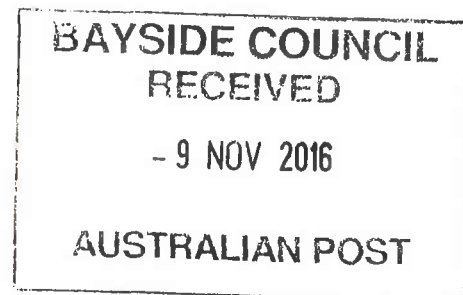
I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 20 October 2015 for PP\_2015\_ROCKD\_007\_00. The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Mr Martin Cooper to assist you. Mr Cooper can be contacted on (02) 9274 6357

Yours sincerely

*Karen Armstrong 3/11/16*  
**Karen Armstrong**  
**Director, Sydney Region East**  
**Planning Services**

Encl:  
Alteration of Gateway determination





## Alteration of Gateway Determination

**Planning proposal (Department Ref: PP\_2015\_ROCKD\_007\_00)**

I, the Director, Sydney Region East at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 20 October 2015 (as since altered) for the proposed amendment to the Rockdale Local Environmental Plan 2011 as follows:

1. Change the name of the Planning Proposal

**from** "to change the building height control applying to land at 75-85 Railway Street, Rockdale"

**to** "to change the building height control applying to land at 75-81 Railway Street, Rockdale"

2. Delete:

"condition 1 (a)

3. Delete:

"condition 1 (b)

and replace with:

new condition 1 (b): "include both the current and the proposed Height of Buildings maps, in accordance with Standard Technical Requirements for LEP Maps (Department of Planning and Environment website); and

Dated 3RD day of NOVEMBER 2016

  
**Karen Armstrong**  
Director, Sydney Region East  
Planning Services  
Department of Planning and Environment

**Delegate of the Greater Sydney Commission**

Redevelopment of 75-81 Railway Street, Rockdale NSW, Lot 101 DP771165, Lot 3 DP82942, Lot 1 DP455421 and Lot 1 DP912313

**75-81 Railway Street, Rockdale NSW**

**Lot 101 DP771165, Lot 3 DP 82942, Lot 1 DP455421 and**

**Lot 1 DP912313**

**Planning Agreement**

Under s93F of the *Environmental Planning and Assessment Act 1979*

**Bayside Council**

**and**

**Zoe Holdings Rockdale Pty Limited**

**Dated:**

## Table of Contents

|   |    |
|---|----|
| Contacts Sheet  | 5  |
| Parties   | 6  |
| Background  | 6  |
| Operative provisions  | 7  |
| Part 1 - Preliminary  | 7  |
| 1. Definitions and interpretation                                   | 7  |
| 2. Application of this Agreement                                    | 13 |
| 3. Status and operation of this Agreement                           | 13 |
| 4. Further agreements relating to this Agreement                    | 14 |
| 5. Surrender of right of appeal                                     | 14 |
| 6. Application of s94, s94A and s94EF of the Act to the Development | 14 |
| Part 2 – Development Contributions                                  | 15 |
| 7. Provision of Development Contributions                           | 15 |
| 8. Procedures relating to the dedication of land                    | 15 |
| 9. Parking Land Security  | 16 |
| 10. Approvals and consents for an Item of Work                      | 16 |
| 11. Designing and carrying out of an Item of Work                   | 17 |
| 12. Acceptance of Site Conditions                                   | 18 |
| 13. Not Used  | 18 |
| 14. Quality Management System for an Item of Work                   | 18 |
| 15. Access to the Land  | 19 |
| 16. Protection of people and property                               | 19 |
| 17. Hand-Over of Works  | 19 |
| 18. Failure to Comply with the Hand-Over Date                       | 20 |
| 19. Rectification of Defects  | 21 |
| 20. Damage and repairs to Work                                      | 22 |
| 21. Variation of Work   | 22 |



|     |   |    |
|-----|---|----|
| 22. | Latent Contamination                        | 23 |
|     | Part 3 – Other Provisions                   | 25 |
| 23. | Indemnity and insurance                     | 25 |
| 24. | Provision of Security                       | 26 |
| 25. | Release & return of General Security        | 26 |
| 26. | Dispute Resolution                          | 27 |
| 27. | Registration of this Agreement              | 29 |
| 28. | Lodgement of Caveat                         | 30 |
| 29. | Assignment and transfer                     | 31 |
| 30. | Review of this Agreement                    | 31 |
| 31. | Notices                                     | 32 |
| 32. | Approvals and consent                       | 33 |
| 33. | Costs                                       | 33 |
| 34. | Entire Agreement                            | 33 |
| 35. | Further acts                                | 33 |
| 36. | Governing law and jurisdiction              | 33 |
| 37. | Joint and individual liability and benefits | 34 |
| 38. | No fetter                                   | 34 |
| 39. | No obligation or liability                  | 34 |
| 40. | Representations and warranties              | 34 |
| 41. | Severability                                | 35 |
| 42. | Modification                                | 35 |
| 43. | Waiver                                      | 35 |
| 44. | Rights cumulative                           | 35 |
| 45. | Duty  | 35 |
| 46. | Effect of Schedules                         | 35 |
| 47. | Relationship of the Parties                 | 36 |
| 48. | GST   | 36 |
| 49. | Explanatory Note relating to this Agreement | 37 |
| 50. | New Laws                                    | 37 |
| 51. | Force Majeure Events                        | 37 |

|  |    |
|--|----|
| 52. Counterparts                           | 37 |
| Execution                                  | 38 |
| 1. Option A Development Contributions      | 41 |
| 2. Option B Development Contributions      | 43 |
| 3. Adjustment of Agreed Contribution Value | 44 |
| 4. Map of Works                            | 44 |
| Appendix                                   | 49 |

## Contacts Sheet

### Council:

**Name:** Bayside Council

**Address:** 444-446 Princes Highway, ROCKDALE NSW 2216

**Telephone:** 1300 581 299

**Facsimile:** (02) 9562 1777

**Email:**

**Representative:** Manager Strategic Planning

### Developer:

**Name:** Zoe Holdings Rockdale Pty Limited

**ACN:** 169 548 770

**Address:** 9 Bestic Street ROCKDALE NSW 2216

**Telephone:** + 61 2 9642 5666

**Facsimile:** +61 2 9742 5905

**Email:** a.harb@elouraholdings.com.au

**Representative:** Alex Harb

**Planning Agreement, 75-81 Railway Street, Rockdale NSW,  
Lot 101 DP771165, Lot 3 DP 82942, Lot 1 DP455421 and  
Lot 1 DP912313**

This Agreement constitutes a planning agreement within the meaning of section 93F of the *Environmental Planning and Assessment Act 1979*, and facilitates the provision of Development Contributions to be used and applied towards a Public Purpose.

## **Parties**

### **Bayside Council**

of 444-446 Princes Highway, ROCKDALE NSW 2216  
ABN: 80 690 785 443  
**(Council)**

and

### **Zoe Holdings Rockdale Pty Limited**

of 9 Bestic Street ROCKDALE NSW 2216  
ACN 169 548 770  
**(Developer)**

---

## **Background**

- A. The Developer owns the Land identified.
- B. The Developer has requested the Instrument Change by way of an amendment to the Rockdale LEP.
- C. The Developer intends to lodge a Development Application for the Development.
- D. The Developer has offered to enter into a Planning Agreement in accordance with section 93F of the Act in connection with the Instrument Change and the carrying out of Development of the Land, on the terms and conditions of the Agreement.
- E. The Developer will make Development Contributions in accordance with this Agreement in connection with the carrying out of the Development.
- F. The parties agree that the maximum amount payable by the Developer for the Development Contribution and any amounts payable pursuant to sections 94, 94A and 94EF of the Act will be \$1,847,000.00.



# Operative provisions

## Part 1 - Preliminary

### 1. Definitions and interpretation

1.1 In this Agreement the following definitions apply:

**Above Ground Construction Certificate** means the first Construction Certificate for the Development that authorises the erection of any building above ground level.

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW).

**Actual Gross Floor Area** means the actual Gross Floor Area approved under the Development Consent.

**Agreement** means this Agreement and includes any schedules, annexures and appendices to this Agreement.

**Agreed Contribution Value** means the value of the Works specified in Column 3 of the tables in clause 1 and clause 2 in Schedule 3 corresponding to that Item of Work, adjusted annually in accordance with clause 3 of Schedule 3, without regard to any amount payable pursuant to sections 94, 94A and 94EF of the Act.

**Business Day** means a day other than a Saturday, Sunday or bank or public holiday in Sydney, New South Wales.

**Certifying Authority** has the same meaning as in the Act.

**Consent Authority** has the same meaning as in the Act.

**Contamination** means the presence in, on or under land of a substance (whether a solid, liquid or gas) at a concentration above the concentration at which the substance is normally present on, in or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or to any other aspect of the environment.

**Construction Certificate** means a construction certificate within the meaning of section 109C(1)(b) of the Act.

**Consultant** has the same meaning as in the Records.

**Consumer Price Index** means the All Groups Consumer Price Index, Index numbers, quarterly, for Sydney published by the Australian Bureau of Statistics.

**Contributions Plan** means *Rockdale Section 94 Contributions Plan 2004*, made by the Council under section 94EA of the Act and approved by the Council on 26 May 2004, and as subsequently amended or replaced.

**Council Land** means any land where the Works are to be carried out, including the Railway Street Land, Waltz Street, Heston Lane and the Parking Land.

**DCP** means *Rockdale Development Control Plan 2011 – Special Precincts* and includes any development control plan applying to the Land that supersedes *Rockdale Development Control Plan 2011*.

**Defect** means any error, omission, shrinkage, blemish in appearance or other fault with respect to any Item of Work which adversely affects the ordinary use and/or enjoyment of the particular item.

**Design Specifications** means the specifications and all other requirements (including the Preliminary Design) set out in Schedule 4.

**Detailed Design Specifications** means the design specifications prepared in accordance with clause 11.

**Development** means the Development described in Item 2 of Schedule 2.

**Development Application** has the same meaning as in the Act.

**Development Consent** means any development consent, as defined by the Act, which authorises the carrying out of the Development on the Land, and includes:

- (a) any conditions of consent to which the Development Consent is subject;
- (b) any modifications of the Development Consent made under s.96 of the Act; and
- (c) any subsequent development consent in respect of the Land and the Development.

**Development Contribution** means all or any aspect of the Option A Development Contributions or the Option B Development Contributions (as applicable) set out in Schedule 3, less any amount payable pursuant to sections 94, 94A and 94EF of the Act in respect of the Development.

**Dispute** means a dispute or difference between Council and the Developer arising out of this Agreement.

**First Defects Liability Period**, in relation to an Item of Work is twelve (12) months commencing on the date on which the Hand-Over occurs in respect of that Item of Work to the Council.

**Force Majeure Event** means any:

- (a) lightning strike, severe storm, earthquake, natural disaster, landslide, bushfire, mudslide or tsunami;
- (b) sabotage, vandalism, malicious damage, riot or a 'terrorist act' as defined in the *Terrorism Insurance Act 2003* (Cth);
- (c) explosion, flood or fire resulting from any of the events in paragraph (a) or (b);
- (d) war (declared or undeclared), civil war, insurrection, invasion, rebellion, revolution, military action or usurped power, martial law, act of public enemy, epidemic or embargo;
- (e) ionising radiation, radioactive contamination, nuclear contamination or toxic, chemical or biological contamination;

that is beyond the reasonable control of a party, was not caused by an act or omission of the party, and could not have been prevented, avoided, mitigated, remedied or overcome by the party taking steps a prudent and reasonable person would have taken in the circumstances.

**General Security** means an unconditional undertaking for \$400,000 as at the date of this Agreement adjusted annually in accordance with clause 24.3.

**Gross Floor Area** has the same meaning given to the term “gross floor area” in the Rockdale LEP.

**GST** has the same meaning as in the GST Law.

**GST Law** has the same meaning as in *A New Tax system (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

**Hand-Over** means the completion of the construction of an Item of Work in accordance with this Agreement and the delivery or dedication (as applicable) of that Item of Work to the Council in accordance with this Agreement.

**Hand-Over Date**, in relation to an Item of Work, means the date specified in Column 4 of the Tables in clause 1 and 2 in Schedule 3 corresponding to that Item of Work specified in Column 1 of those tables.

**Instrument Change** means an amendment to the Rockdale LEP which is substantially in accordance with the Planning Proposal and which increases the maximum permissible height for the Land to 28m.

**Inspection and Test Plan** has the same meaning as in the NSW Government Quality Management System Guidelines for Construction June 2005 and as subsequently amended or replaced.

**Item of Work** means:

- (a) if the Developer is required to provide the Option A Development Contributions, the development contribution corresponding to an item specified in the Table in Part A of Clause 1 of Schedule 3;
- (b) if the Developer is required to provide the Option B Development Contributions, the development contribution corresponding to an item specified in the Table in Clause 2 of Schedule 3;

**Land** means the whole or any part of the land specified and described in Item 1 of Schedule 2.

**Latent Contamination** means the presence of Contamination in, on or under the Railway Street Land or the Parking Land that:

- (a) could not reasonably have been foreseen by a competent developer in the position of the Developer, and was not in fact foreseen by the Developer, at the date of this Agreement having regard to the information disclosed and otherwise available to the Developer and does not include any Contamination of which the Developer had knowledge or ought reasonably to have had knowledge at the date of this Agreement; and
- (b) was not caused or contributed to by the Developer or any of its contractors.

**Latent Contamination Costs** means, for an Item of Work, an increase in costs (over and above the Agreed Contribution Value for that Item of Work) reasonably expected to be incurred by the Developer:

- (c) that is a direct and natural consequence of a Latent Contamination; and
- (d) that is no more than the increase that would be incurred by a competent and efficient developer having taken all reasonable and feasible steps to mitigate the impact of the relevant Latent Contamination.

**Loss** means any loss, claim, action, liability, damage, demands, cost, charge, which Council, its employees, officers, agents, contractors and workmen sustains, pays, suffers or incurs or is liable for arising in connection with the carrying out by the Developer of any Item of Work and the performance by the Developer of any obligation under this Agreement, including (but not limited to) reasonable legal and other expenses incurred in connection with investigating or defending any claim or action, whether or not resulting in any liability, and all amounts reasonably paid in settlement of any claim or action

**Occupation Certificate** has the same meaning as in the Act.

**Option A Development Contributions** means the development contributions set out in clause 1 of Schedule 3.

**Option B Development Contributions** means the development contributions set out in clause 2 of Schedule 3.

**Party** means a party to this Agreement, including their successors, agents and assigns.

**Planning Proposal** means the *Planning Proposal to Amend Rockdale Local Environmental Plan 2011 at 75-85 Railway Street Rockdale* submitted to the NSW Department of Planning & Environment on 15 September 2015 for changes to the height standard in relation to the Land by means of an amendment to the Rockdale LEP.

**Preliminary Design** means the agreed preliminary design of the Works, as set out in clause 4 of Schedule 4.

**Parking Land** means the portion of the Land identified on the map in Schedule 5, to be dedicated to Council.

**Public Facility** means a public amenity, a public service, a public facility, public land, public infrastructure, a public road, a public work, or any other act, matter or thing that meets a Public Purpose.

**Public Infrastructure** has the same meaning as in the Act.

**Public Purpose** has the same meaning as in section 93F(2) of the Act.

**Railway Street Land** means 83-85 Railway Street, Rockdale (being Lot 1 in Deposited Plan 3560).

**Rectification Certificate** means a compliance certificate as defined by section 109C(1)(a)(v) of the Act, to the effect that work the subject of a Rectification Notice has been completed in accordance with the Rectification Notice.

**Rectification Notice** means a notice in writing issued during the First Defects Liability Period or the Second Defects Liability Period that identifies a Defect in an Item of Work and requires rectification of the Defect within the Defects Liability Period.



**Rectification Security** means an unconditional undertaking for \$100,000 as at the date of this Agreement adjusted annually in accordance with clause 24.3.

**Records** means the Rockdale Technical Guide-Works-As-Executed Records or as subsequently amended or replaced.

**Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**Remaining Rectification Security** means an unconditional undertaking for the amount equivalent to the cost of a Defect of the Item(s) of Work, as determined in accordance with clause 19.10.

**Road Opening Permit** means consent issued by the roads authority under section 139 of the *Roads Act 1993* for works associated with Items A1-A4 of the Items of Work specified in clause 1 or clause 2 in Schedule 3.

**Rockdale LEP** means *Rockdale Local Environmental Plan 2011* and includes any local environmental plan applying to the Land that supersedes *Rockdale Local Environmental Plan 2011*.

**Second Defects Liability Period**, in relation to an Item of Work, is twelve (12) months commencing on the date of the Rectification Certificate for a Defect provided by the Developer under clause 19.3.

**Service Provider** has the same meaning as in the NSW Government Quality Management System Guidelines, March 2012.

**Site Conditions** means any physical conditions encountered in the execution of the Works above, upon, under or over the surface of, or in the vicinity of, the Council Land, and includes:

- (a) surface water, ground water, ground water hydrology and the effects of any de-watering;
- (b) physical and structural conditions, above, upon and below Council Land, including old footings, underground structures, buildings, improvements, partially completed structures or in-ground works;
- (c) topography of the Council Land, ground surface conditions and geology, including rock and sub-surface conditions or other materials encountered at, or in the vicinity of, the Council Land;
- (d) climatic and weather conditions, including rain, surface water run-off and drainage, floods, water seepage, wind blown dust and sand, seasons and physical conditions that are a consequence of climatic and weather conditions;
- (e) all existing systems and utilities, above or below ground level and all facilities with which such systems and utilities are connected;
- (f) all improvements, including any artificial things, foundations, retaining walls and other structures installed by or on behalf of the Council or others;
- (g) any Contamination, pollution, or other rubbish, spoil or waste; and
- (h) underground strata forming part of the Council Land.

**Strata Certificate** has the same meaning as in the Strata Schemes Act.

**Strata Plan** means a strata plan or strata plan of subdivision within the meaning of the Strata Schemes Act.

**Strata Schemes Act** means the *Strata Schemes Development Act 2015* (NSW).

**Works** means:

- (a) if the Developer is required to provide the Option A Development Contributions, all works specified in Part A of the Table in Clause 1 of Schedule 3; or
- (b) if the Developer is required to provide the Option B Development Contributions, all works specified in the Table in Clause 2 of Schedule 3;

**Works-As-Executed Records** means a plan setting out a record of construction completed in accordance with the Rockdale Technical Guide – Works-As-Executed Records.

1.2 In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- 1.2.1 Headings and labels are inserted for convenience only and do not affect the interpretation of this Agreement.
- 1.2.2 If the day on which any act, matter or thing is to be done under this Agreement is not a Business Day, the act, matter or thing must be done on the next business day.
- 1.2.3 A reference to time is local time in Sydney.
- 1.2.4 A reference to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- 1.2.5 A reference to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST.
- 1.2.6 A reference to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- 1.2.7 A reference to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- 1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- 1.2.9 An expression importing a natural person includes any company, corporation, trust, partnership, joint venture, association, unincorporated association, body corporate, statutory body, statutory authority or governmental agency.
- 1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- 1.2.11 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.

- 1.2.12 Reference to the word “include” or “including” are to be construed without limitation.
- 1.2.13 A reference to this Agreement includes the agreement recorded in the Agreement.
- 1.2.14 A reference to a party to this Agreement includes a reference to the personal representatives, legal representatives, agents and contractors of the party, and the party’s successors and assigns substituted by novation.
- 1.2.15 Any schedules, appendices and attachments form part of this Agreement.
- 1.2.16 Notes appearing in the Agreement are operative provisions of this Agreement.
- 1.2.17 A reference in this Agreement to the name and number of a zone under Rockdale LEP includes a reference to an equivalent zone under any local environmental plan that supersedes LEP.

## **2. Application of this Agreement**

- 2.1 The parties agree that this document is a planning agreement within the meaning of section 93F of the Act and governed by subdivision 2 of Division 6 of Part 4 of the Act. An overview of how this Agreement satisfies the requirements of section 93F of the Act is set out in Schedule 1.
- 2.2 This Agreement applies to the Land and to the Development.

## **3. Status and operation of this Agreement**

- 3.1 This Agreement constitutes an irrevocable offer by the Developer to enter into the Agreement in connection with the Development once all of the preconditions contained in clause 3.2 are satisfied. Further, it is agreed that, subject to clause 3.2:
  - 3.1.1 this Agreement will commence from the date this document is entered into in accordance with clause 25C(1) of the Regulation; and
  - 3.1.2 the Developer is under no obligation to make the Development Contributions to the Council unless and until all of the preconditions specified in clause 3.2 are satisfied.
- 3.2 Subject to clause 3.3, this Agreement becomes effective and operative upon all of the following preconditions being satisfied:
  - 3.2.1 The Instrument Change has been made and has commenced and applies to the Development;
  - 3.2.2 Development Consent is granted to the Development; and
  - 3.2.3 this Agreement has been entered into by all parties as required by clause 25C(1) of the Regulation.
- 3.3 Clauses 4, 6, 23.2, 26 and 27 to 51 operate from the date of this Agreement.
- 3.4 The Developer’s obligation to make Development Contributions only arises at the times specified in this Agreement.

#### **4. Further agreements relating to this Agreement**

- 4.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Agreement that are not inconsistent with this Agreement for the purpose of implementing this Agreement.
- 4.2 A further agreement for the purpose of clause 4.1 may include (but is not limited to) matters pertaining to:
- 4.2.1 access to Land;
  - 4.2.2 the rectification of Defects; and
  - 4.2.3 detailed design and specification.

#### **5. Surrender of right of appeal**

The Developer must not commence or maintain, or cause to be commenced or maintained, any proceedings in the Land and Environment Court involving an appeal against, or questioning the validity of, a Development Consent relating to the Development or an approval under section 96 of the Act to modify a Development Consent relating to the Development to the extent that it relates to the existence of this Agreement or requires any aspect of this Agreement to be performed according to the terms of this Agreement.

#### **6. Application of s94, s94A and s94EF of the Act to the Development**

- 6.1 To the extent that Council is a Consent Authority for the Development, this Agreement excludes the application of sections 94 and 94A of the Act in respect of the Development.
- 6.2 To the extent that Council is not a Consent Authority for the Development, this Agreement does not exclude the application of sections 94 and 94A of the Act in respect of the Development and clause 6.4 shall apply.
- 6.3 This Agreement does not exclude the application of section 94EF of the Act in respect of the Development.
- 6.4 The Development Contributions provided under this Agreement are to be taken into consideration in determining development contributions under section 94 of the Act in respect of the Development.
- 6.5 If sections 94, 94A and 94EF of the Act are applicable to this Agreement and the Developer is required to pay any amounts payable pursuant to sections 94, 94A and 94EF of the Act at any time, then:
- 6.5.1 The Developer will attend to payment of any amounts payable under sections 94, 94A and 94EF of the Act as and when they are payable;
  - 6.5.2 Upon payment of the amounts referred to in clause 6.5.1, the Developer will issue Council an invoice for an amount equivalent to the amounts referred to in clause 6.5.1; and
  - 6.5.3 Upon receipt of the invoice referred to in clause 6.5.2, Council will attend to payment of the said invoice within 14 days of the date of the invoice.
- 6.6 If section 6.5 applies, the parties expressly acknowledge and agree that any section 94, 94A and 94EF contributions payable shall not cause the total contributions payable by the Developer under this Agreement to exceed \$1,847,000, adjusted annually in accordance with clause 3 of Schedule 3.



## Part 2 – Development Contributions

### 7. Provision of Development Contributions

7.1 If at the time of the lodging of the Development Application for the Development:

7.1.1 the Council or the Developer has become the registered proprietor of the Railway Street Land; or

7.1.2 an easement or public positive covenant for public access over the Railway Street Land has been registered, or is required to be registered as a condition of a development consent relating to the Railway Street Land, on the certificate of title of the Railway Street Land;

then, the Developer must provide the Option A Development Contributions set out in clause 1 of Schedule 3 in the manner and by the times set out in clause 1 of Schedule 3.

7.2 If at the time of the lodging of the Development Application for the Development, the circumstances in clause 7.1.1 or clause 7.1.2 have not occurred the Developer must provide the Option B Development Contributions in the manner and at the times set out in clause 2 of Schedule 3.

7.3 Despite this clause 7, Council may apply a Development Contribution made under this Agreement or any amount received under any security under this section towards a Public Purpose other than the purpose specified in this Agreement if Council considers that the public interest would be better served by applying the Development Contribution towards that other purpose rather than the purpose so specified.

### 8. Procedures relating to the dedication of land

8.1 This clause 8 only applies if the Developer is required under clause 7.1 to provide the Option A Development Contributions.

8.2 The Developer must, at its own cost, take all steps required to dedicate the Parking Land to Council by the time specified in Column 4 in the table at clause 1, Part B, of Schedule 3.

8.3 Without limiting clause 8.2,

8.3.1 the Developer must give Council:

(a) for execution by Council as transferee, an instrument of transfer under the *Real Property Act 1900* relating to the Parking Land. The instrument of transfer must be duly signed by the Developer and be effective to transfer the title to the Parking Land;

(b) the certificate of title for the Parking Land;

(c) a discharge of any mortgage or other encumbrance on the Parking Land; and

(d) a withdrawal of any caveat affecting the land,

each in registerable form, such that the registration of the transfer and other documents will give Council unencumbered title to the Parking Land.

- 8.3.2 Council is to execute the instrument of transfer and return it to the Developer within 7 days of receiving it from the Developer;
  - 8.3.3 the Developer is to lodge the instrument of transfer for registration at Land and Property Information within 7 days of receiving it from Council duly executed; and
  - 8.3.4 the Developer is to do all things reasonably necessary to enable registration of the instrument of transfer to occur.
- 8.4 The Option A Development Contribution in clause 1, Part B, of Schedule 3 will be taken to be complied with once Council is registered proprietor of the Parking Land.
- 8.5 Council must provide the Developer with a tax invoice for its reasonable expenses incurred in relation to the dedication of land contemplated by this clause 8 and the Developer must pay those reasonable expenses promptly.
- 8.6 After the dedication of land contemplated by this clause 8, Council will use the land for car parking, a pedestrian footway area and to improve traffic flow in the area.

## 9. Parking Land Security

- 9.1 This clause 9 only applies if the Developer is required under clause 7.1 to provide the Option A Development Contributions.
- 9.2 If the Developer fails to dedicate the Parking Land to Council as required by clause 8 on or before the date on which transfer is required in Column 4 in the table at clause 1, Part B, of Schedule 3, then the Council may, after giving the Developer not less than 30 Business Days' notice in writing of its intention to do so and the Developer's subsequent failure to dedicate the Parking Land as required by this Agreement, compulsorily acquire the Parking Land for the amount of \$1.00 in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)*.
- 9.3 The Council and the Developer agree that:
- 9.3.1 clause 9.2 is an agreement between the Developer and the Council for the purposes of section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)*; and
  - 9.3.2 in clause 9.2 the Developer and the Council have agreed on all relevant matters concerning the compulsory acquisition and the compensation to be paid for the acquisition of the Parking Land.

## 10. Approvals and consents for an Item of Work

- 10.1 Subject to clause 10.2, the Developer must, at its own cost, obtain all approvals and consents for the Works.
- 10.2 Council is responsible for obtaining development consent for the Item of Works identified in Item A.4 in each of the tables in clauses 1 and 2 of Schedule 3.
- 10.3 The Developer must not apply for a permit for installation of traffic management facilities until the approval of the Bayside Local Traffic Committee, under delegation by the NSW Roads and Traffic Authority in accordance with the *Road Transport (Safety and Traffic Management) Act 1999*, has been given.

- 10.4 The Developer will submit a Traffic Control Plan to the Council at least 10 Business days before any Item of Work is undertaken on any existing public assets owned, maintained or controlled by the Council. No Item of Work shall be commenced until the Traffic Control Plan has been approved by an adequately qualified person, who is qualified to perform traffic control safety instructions under the Roads and Traffic Authority Traffic Control at Work Sites document dated June 2010, or any subsequent amendment to that document. In addition no work shall commence on any Council assets until such time as the appropriate occupancy permission has been obtained and the appropriate fees and charges pertinent to such occupancy paid.
- 10.5 The Developer must not apply for a Construction Certificate from the Certifying Authority for an Item of Work until the Council (in its capacity as the future owner of the Item of Work and not as a planning authority) has approved the Detailed Design Specifications for the Works in accordance with clause 11.2.

## **11. Designing and carrying out of an Item of Work**

- 11.1 The Developer must engage a Service Provider for to prepare the Detailed Design Specifications for each Item of Work and the Developer must ensure that Detailed Design Specifications are in accordance with:
- 11.1.1 the Design Specifications (including the Preliminary Design);
  - 11.1.2 the Quality Management System, developed by the Service Provider in accordance with AS/NZS ISO 9000:2000, and certified by a third party organisation accredited under a recognised product certification scheme in accordance with AS/NZS ISO 9001:2000;
  - 11.1.3 any reasonable lawful requirements and directions of the Council that are notified in writing to the Developer; and
  - 11.1.4 the conditions of any Development Consent granted in relation to an Item of Work and any other applicable approvals.
- 11.2 The Developer must submit the Detailed Design Specifications for the Works to Council together with all supporting documentation for approval by Council prior to carrying out the Works or any Item of Work.
- 11.3 Council must, acting reasonably, review the Detailed Design Specifications and within 20 Business Days after their submission either:
- 11.3.1 approve the Detailed Design Specifications; or
  - 11.3.2 reject the Detailed Design Specifications (in which case, Council must provide comments to the Developer to explain what changes are required for Council to approve the Detailed Design Specifications).
- 11.4 If Council rejects the Detailed Design Specifications, the Developer must address Council's comments and resubmit the Detailed Design Specifications for approval by Council under this clause 11.
- 11.5 The Developer must carry out and complete each Item of Work or engage a Service Provider to carry out and complete each Item of Work, in accordance with:
- 11.5.1 the Detailed Design Specifications approved by the Council under this clause 11;
  - 11.5.2 all applicable laws, including those relating to occupational health and safety;

11.5.3 the conditions of any development consent granted in relation to an Item of Work and any other applicable approvals; and

11.5.4 the conditions of any development consent or other approval granted in relation to the carrying out of that Item of Work.

## **12. Acceptance of Site Conditions**

Subject to clause 22:

12.1 the Council makes no representation and gives no warranty to the Developer in respect of the Site Conditions likely to be encountered, or which may be encountered, during the execution of the Works or otherwise in respect of the condition of:

12.1.1 the Council Land;

12.1.2 any structure or other thing, on, under or adjacent to, or otherwise in the vicinity of, the Council Land;

12.2 the Developer must accept:

12.2.1 the Council Land;

12.2.2 any structure or other thing, on, under or adjacent to, or otherwise in the vicinity of, the Council Land;

in their existing condition (including when encountered) subject to all defects; and

12.3 the Developer agrees that it is responsible for, and assumes the risk of, and will not be entitled to make any claim or demand arising out of, or in any way in connection with, any additional work, increased costs and any damage, expense, loss, liability or delay (including any delay in achieving Hand-Over in respect of an Item of Works) it suffers or incurs arising out of, or in any way in connection with:

12.3.1 the Site Conditions actually encountered during the carrying out of the Works under this Agreement; the

12.3.2 the Council Land,

including the suitability or otherwise of the Council Land for the Works under this Agreement.

## **13. Not Used**

## **14. Quality Management System for an Item of Work**

14.1 The Developer or its Service Provider, if engaged under clause 11.5, must implement and construct each Item of Work in accordance with:

14.1.1 a Quality Management System developed by the Service Provider in accordance with AS/NZS ISO 9000:2000 and certified by a third party organisation accredited under a recognised product certification scheme in accordance with AS/NZS ISO 9001:2000; or

14.1.2 a project specific Quality Management Plan and Inspection and Test Plan developed by the Service Provider in accordance with the NSW

Government Quality Management Guidelines March 2012 and approved by the Council.

- 14.2 The Developer must ensure that the carrying out of each Item of Work is supervised in accordance with the requirements in the Records.
- 14.3 A Consultant must be appointed:
  - 14.3.1 where the Item of Work is to be constructed by a Service Provider under contract to the Developer, by the Developer; or
  - 14.3.2 where the Item of Work is to be constructed by the Developer, by the Council.

## **15. Access to the Land**

- 15.1 The Developer is to permit Council, its officers, employees, agents and contractors to enter the Land at any time, upon giving reasonable prior notice, in order to inspect, examine or test any Item of Work.
- 15.2 The Council is to permit the Developer to enter and occupy any land owned or controlled by Council that is required, for the Developer to carry out any Item of Work under this Agreement or to perform any other obligation imposed on the Developer by or under this Agreement, upon giving reasonable prior notice.

## **16. Protection of people and property**

- 16.1 The Developer is to ensure to the fullest extent reasonably practicable in relation to the carrying out of any Work that:
  - 16.1.1 all necessary measures are taken to protect people and property; and
  - 16.1.2 unnecessary interference with the passage of people and vehicles is avoided; and
  - 16.1.3 nuisances and unreasonable noise and disturbances are prevented.

## **17. Hand-Over of Works**

- 17.1 The Developer must achieve Hand-Over for each Item of Work on or before the Hand Over Date for that Item of Work.
- 17.2 The Developer must submit to the Council the Works-as-Executed Records and provide the Council with written notice that the Item of Work is nearing completion not less than 10 Business Days prior to the anticipated Hand-Over Date of the Item of Work.
- 17.3 Council, acting reasonably, may, within 5 Business Days of receipt of the notice under clause 17.2:
  - 17.3.1 request information (in addition to the Works-as-Executed Records) that is relevant to the completion of the Item of Work and delay the Hand-Over of the Item of Work until the Developer has provided the additional information requested to Council's reasonable satisfaction;
  - 17.3.2 notify the Developer that it has achieved Hand-over for that Item of Work; or



17.3.3 notify the Developer that it has not achieved Hand-over for that Item of Work, in which case Council must:

- (a) identify the errors or omissions which in the opinion of Council need to be completed so that the Developer can achieve Hand-Over in respect of that Item of Work; or
- (b) accept Hand-Over of the Item of Work and issue a Rectification Notice under clause 19.

17.4 On Hand-Over of an Item of Work:

17.4.1 the Developer must ensure that an unencumbered title to each Item of Work passes to Council and must give to Council any document of title to each Item of Work; and

17.4.2 subject to clause 19, Council accepts ownership, possession, risk and control of that Item of Work; and

17.5 Once Hand-Over has been achieved in respect of each of the Items of Work, Council will return to the Developer the General Security in accordance with clause 25.

## **18. Failure to Comply with the Hand-Over Date**

18.1 If the Developer fails to achieve Hand-Over of an Item of Work by the Hand-Over Date the Council may, acting reasonably, call upon the General Security and carry out and complete the Item of Work itself, or engage a contractor to carry out and complete the Item of Work.

18.2 For the purposes of clause 18.1:

18.2.1 the Developer must allow the Council, its servants, agents and contractors to enter the Land at any time for the purpose of completing the relevant Item of Work;

18.2.2 if the Council incurs costs that are over and above the amount payable under the General Security, Council's additional costs will be a debt due from the Developer to Council, payable on demand.

18.3 For the purpose of clause 18.2.2, Council's costs of completing an Item of Work includes, but is not limited to:

18.3.1 the costs of Council's officers, personal representatives, agents and contractors reasonably incurred for that purpose;

18.3.2 all fees and charges necessarily or reasonably incurred by Council in order to have the Item of Work rectified; and

18.3.3 without limiting clause 18.3.2 all legal costs and expenses reasonably incurred by Council, by reason of the Developer's failure to comply with this Agreement.

18.4 In the event that the Developer fails to achieve Hand-Over in respect of an Item of Work by the Hand-Over Date, the Developer irrevocably and for valuable consideration appoints Council as its attorney and to execute all such documents and do all such things on the Developer's behalf as are necessary or desirable to enable an Handover to be achieved in respect of an Item of Work.

## 19. Rectification of Defects

- 19.1 During the First Defects Liability Period and the Second Defects Liability Period, the Council may, acting reasonably, give to the Developer a Rectification Notice.
- 19.2 The Developer must promptly comply with a Rectification Notice at its own cost according to the terms of the Rectification Notice.
- 19.3 When the Developer considers that rectification is complete, the Developer must give to the Council a Rectification Certificate relating to the Item of Work the subject of the relevant Rectification Notice.
- 19.4 If the Developer does not comply with a Rectification Notice, the Council may do such things as are necessary to rectify the Defect.
- 19.5 For the purposes of clause 19.4:
- 19.5.1 Council may call upon the Rectification Security or the Remaining Rectification Security to meet its costs in rectifying the Defect; and
- 19.5.2 if the Council incurs costs that are over and above the amount payable under the Rectification Security or the Remaining Rectification Security, Council's additional costs will be a debt due from the Developer to Council, payable on demand.
- 19.6 For the purpose of clause 19.5, Council's costs include:
- 19.6.1 the reasonable costs of Council's officers, personal representatives, agents and contractors reasonably incurred for that purpose;
- 19.6.2 all fees and charges necessarily or reasonably incurred by Council in order to have the Item of Work rectified; and
- 19.6.3 without limiting clause 19.6.2, all legal costs and expenses reasonably incurred by Council, by reason of the Developer's failure to comply with its obligations under this clause 19.
- 19.7 In the event that the Developer does not comply with a Rectification Notice, the Developer irrevocably and for valuable consideration appoints the Council as its attorney to execute all such documents and do all such things on the Developer's behalf as are necessary or desirable to enable the Council to rectify any Defects in accordance with a Rectification Notice given under this Agreement.
- 19.8 Subject to receipt by Council of a replacement unconditional undertaking if required under 19.9, Council must promptly after the expiration of the First Defects Liability Period, return to the Developer any unused portion of the Rectification Security.
- 19.9 If at the expiration of the First Defects Liability Period:
- 19.9.1 any Rectification Notice is outstanding; or
- 19.9.2 the Second Defect Liability Period for an Item of Work has not yet expired,
- Council may retain a Remaining Rectification Security in relation to the Defect of the Item(s) of Work.
- 19.10 If Remaining Rectification Security is required under clause 19.9:
- 19.10.1 The Developer will provide Council with details of the costs associated with the rectification of the Defect in question and nominate the amount of the

Remaining Rectification Security proposed to be provided (**Proposed RRS**);

19.10.2 Council, acting reasonably, may within 5 Business Days of receipt of notification of the Proposed RRS:

- (a) request further information from the Developer that is relevant to the determination of the Proposed RRS;
- (b) notify the Developer that Council consents to the Proposed RRS; or
- (c) notify the Developer that Council disagrees with the Proposed RRS.

19.10.3 If Council consents to the Proposed RRS under clause 19.10.2(b), the Proposed RRS is the Remaining Rectification Security for the relevant Item(s) of Work.

19.10.4 If Council disagrees with the Proposed RRS under clause 19.10.2(c), the Remaining Rectification Security for the relevant Item of Work(s) is to be determined by an independent quantity surveyor, agreed jointly between the parties or by the Institute of Quantity Surveyors, who will determine the Remaining Rectification Security for the relevant Item of Work(s).

**19.11** The Remaining Rectification Security must be returned to the Developer within 5 Business Days of the expiry of the Second Defect Liability Period.

**19.12** A Rectification Certificate that resolves and meets the requirements of an outstanding Rectification Notice discharges the Developer from any further obligation to comply with the relevant Rectification Notice. For the sake of clarity, this clause does not prevent Council from issuing a new Rectification Notice for an Item of Work that was previously subject to a Rectification Notice, during the Second Defect Liability Period.

**19.13** Council must do all things reasonably necessary to enable the Developer to comply with a Rectification Notice that has been given in accordance with clause 19.

## **20. Damage and repairs to Work**

**20.1** The Developer, at its own cost, is to repair and make good to the reasonable satisfaction of Council any Loss or damage to an Item of Work from any cause whatsoever which occurs prior to the date on which Hand-over is achieved in respect of an Item of Work, except to the extent that such Loss is directly or indirectly caused or contributed to by Council.

## **21. Variation of Work**

**21.1** The design or construction of an Item of Work is not to be varied by the Developer after the Detailed Design Specifications have been approved by Council under clause 11, unless:

- 21.1.1 the parties agree in writing to the variation (prior to that variation being carried out); and
- 21.1.2 any consent or approval required under the Act or any other law to the variation is first obtained; and

- 21.1.3 the Developer bears all of Council's reasonable costs of and incidental to agreeing to and approving the variation under this Agreement.
- 21.2 If, after the Detailed Design Specifications have been approved by Council under clause 11, Council requests a variation to the design or construction of Item of Work,
  - 21.2.1 the Developer will provide the Council with a fee quote for the costs of completing the Item of Work in accordance with the variation requested by Council;
  - 21.2.2 the parties must agree a sum that will be payable by Council to the Developer to account for the increased costs of completing the Item of Work (**Variation Amount**). The Variation Amount will be an reasonable estimate of the additional costs directly attributable to the variation requested by Council; and
  - 21.2.3 the parties must, acting reasonably, agree an extension to the Hand-Over Date in respect of the Item of Work;
  - 21.2.4 the Developer must carry out the Item of Work in line with the variation requested by Council by the Hand-over Date (as extended under clause 21.2.3); and
  - 21.2.5 Council must pay the Variation Amount to the Developer after the Item of Work (as varied) is complete, and within 28 days of receipt of a tax invoice for the amount claimed by the Developer.

## 22. Latent Contamination

- 22.1 The Developer will not be entitled to make, and Council will not be liable in connection with, any claim or demand arising out of or in connection with any Latent Contamination, except to the extent expressly provided for in this clause 22.
- 22.2 If the Developer encounters Latent Contamination while carrying out the Works, the Developer must promptly, and where possible before the Latent Contamination is disturbed, give Council written notice of the general nature of the Latent Contamination.
- 22.3 As soon as reasonably practicable after issuing a notice under clause 22.2, but in any event within 7 days of the Developer first becoming aware of the relevant Latent Contamination, the Developer must, as a condition precedent to any entitlement under clause 22.4 in respect of the Latent Contamination, give Council a written notice including:
  - 22.3.1 details of the Latent Contamination encountered (with sufficient evidence to demonstrate to the reasonable satisfaction of Council that Latent Contamination is present);
  - 22.3.2 details of the extent to which any Items of Work are effected by the Latent Contamination;
  - 22.3.3 details of any estimated Latent Contamination Costs with details of how such amount has been calculated and why the various components of that amount are in each case Latent Contamination Costs, in sufficient detail (and supported by sufficient evidence) to enable the Council to substantiate that amount;

- 22.3.4 a written statement setting out any proposals the Developer may have for reducing the impact of any increase in costs arising from the alleged Latent Contamination; and
- 22.3.5 details of the steps that the Developer has taken, or proposes to take, to mitigate the impact of the Latent Contamination and to reduce any associated Latent Contamination Costs.
- 22.4 Within 20 Business Days after Council receives all of the information required by clause 22.3, Council must notify the Developer that it:
- 22.4.1 accepts that there is Latent Contamination and that the Latent Contamination will cause the Developer to incur the Latent Contamination Costs set out in the Developer's notice under clause 22.3, in which case Council may (at its absolute discretion):
- (a) pay the Developer the Latent Contamination Costs set out in the Developer's notice under clause 22.3 within 20 Business Days of receipt of the Developer's notice under clause 22.3; or
  - (b) direct the Developer to cease carrying out the Item of Work effected by the Latent Contamination, in which case clause 22.5 will apply; or
- 22.4.2 rejects that there is Latent Contamination and that the Developer will incur Latent Condition Costs, in which case either party may refer the matter for resolution under clause 26 to determine whether or not there is Latent Contamination and, if there is determined to be Latent Contamination, to determine the value of the relevant Latent Contamination Costs – in which case clause 22.5 will apply once the value of those costs is determined; or
- 22.4.3 accepts that there is Latent Contamination but rejects that the Developer will incur the Latent Contamination Costs, in which case either party may refer the matter for resolution under 26 to determine the value of those costs, and clause 22.5 will apply once the value of those costs is determined.
- 22.5 Where this clause applies:
- 22.5.1 the parties must appoint an independent quantity surveyor to assess the value of the works already performed in respect of the Item of Work effected by the Latent Contamination (**Affected Item of Work**);
- 22.5.2 an independent quantity surveyor is a person:
- (a) agreed between and jointly appointed by the parties; or
  - (b) where the parties are unable to reach agreement within 10 Business Days of Council serving a notice under clause 22.4 or the determination of a dispute under clause 26 (as applicable), a person appointed by the Institute of Quantity Surveyors;
- 22.5.3 the Developer must promptly provide Council and the independent quantity surveyor with:
- (a) a detailed description of all work performed by the Developer in respect of the Affected Item of Work prior to the date of the direction under clause 22.4.1(b);



- (b) evidence (including photographs and as built plans) of those works;
  - (c) evidence of the Developer's expenditure on those works;
  - (d) any other information requested by the independent quantity surveyor;
- 22.5.4 the independent quantity surveyor appointed must:
- (a) act independently and with expedition; and
  - (b) take into consideration all documents, information and other material which the parties give the independent quantity surveyor;
- 22.5.5 within 10 Business Days of the independent quantity surveyor's assessment of the value of works already performed in respect of the Affected Item of Work, the Developer must pay Council the difference between that assessment and the Agreed Contribution Value. For the avoidance of doubt, if the value of the works already performed by the Developer as assessed by the independent quantity surveyor is more than the Agreed Contribution Value, the Developer will not be entitled to a refund for those works;
- 22.5.6 the decision of the independent quantity surveyor is final and binding; and
- 22.5.7 the parties will share the costs of the independent quantity surveyor equally.

## **Part 3 – Other Provisions**

### **23. Indemnity and insurance**

- 23.1 This clause 23 applies for the period between the commencement of construction of an Item of Work up until the expiration of the First Defects Liability Period and Second Defects Liability Period.
- 23.2 The Developer indemnifies Council from and against all Loss, except to the extent that any Loss is directly or indirectly caused or contributed to by any act, omission or negligence of Council, its employees, officers, agents, contractors and workmen.
- 23.3 The Developer is to take out and keep current to the reasonable satisfaction of Council the following insurances in relation to the Works required to be carried out by the Developer under this Agreement up until Hand-Over of the Works in accordance with this Agreement:
- 23.3.1 contract works insurance; noting Council as an interested party, for the full replacement value of the Works (including the cost of demolition, removal of debris, and remediation, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works;
  - 23.3.2 public liability insurance for at least \$20,000,000 for a single occurrence, which covers Council, the Developer and any subcontractor of the Developer, for liability to any third party;
  - 23.3.3 workers compensation insurance as required by law; and
  - 23.3.4 any other insurance required by law.

- 23.4 If the Developer fails to comply with clause 23.3, Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Developer to Council, payable on demand.
- 23.5 The Developer is not to commence to carry out any Works unless it has first provided to Council a certificate of currency for each of the insurances specified in clause 23.3.

## **24. Provision of Security**

- 24.1 On or before the grant of the Road Opening Permit, the Developer must give the Council 2 unconditional undertakings for:
- 24.1.1 the General Security; and
- 24.1.2 the Rectification Security,
- for the due, prompt and proper observance and performance by the Developer of its obligations under this Agreement in relation to the Works.
- 24.2 Each unconditional undertaking required under clause 24.1 must be an irrevocable and unconditional on demand undertaking (with no expiry date) on terms approved in writing by Council. For the avoidance of doubt, the Developer must provide 2 separate unconditional undertakings.
- 24.3 On each anniversary of the date of this Agreement:
- 24.3.1 the security amount required for each unconditional undertaking required under clause 24.1 will be increased by the same percentage as the percentage increase, if any, in the Consumer Price Index in the 12 months prior to the relevant anniversary. The increased security amount will be the amount of security required for the 12 months immediately following the relevant anniversary; and
- 24.3.2 the Developer must provide replacement Security to Council for the revised Security Amount adjusted in accordance with clause 24.3.1.
- 24.4 Any unused portion of an unconditional undertaking that is held by the Council immediately prior to the receipt by Council of the replacement Bank Guarantee under clause 24.3.2, must be returned to the Developer upon receipt of the replacement unconditional undertaking.
- 24.5 The Parties agree that Council may, acting reasonably, impose conditions of Development Consent on the Development under section 80A of the Act specifying that the first Occupation Certificate for the Development must not be issued until the Developer has achieved Hand-Over for each of the Items of Work.
- 24.6 The Parties agree that, in respect of the Works, where Council is the certifying authority, it may withhold the issue of the relevant Construction Certificate or Occupation Certificate (as appropriate) until such time as the identified Item of Work is completed.

## **25. Release & return of General Security**

The Council is to release the General Security to the Developer within 5 Business Days following the final Hand-Over of all of the Works.

## 26. Dispute Resolution

- 26.1 Any Dispute between the parties must be resolved under clause 26.
- 26.2 If a party wishes to have a Dispute resolved or determined, it must give a written notice (**Notice of Dispute**) to the other party. A Notice of Dispute must state that it is a notice under clause 26.2 and must specify in reasonable detail:
- (a) the legal basis for and detailed particulars of the Dispute;
  - (b) the facts relied on; and
  - (c) the relief or outcome sought.
- 26.3 Within 10 Business Days after a Notice of Dispute is given (or a longer period agreed by the parties in writing), the parties must ensure that their senior representatives meet, undertake good faith negotiations and use their reasonable endeavours to resolve the Dispute.
- 26.4 If a Dispute is not resolved within the period referred to in clause 26.3, either party may give a written notice to the other party to refer the Dispute for expert determination (**Notice of Referral**).
- 26.5 Only an Expert (as defined in clause 26.6) may conduct an expert determination under this clause 26.
- 26.6 An Expert is a person:
- (a) agreed between and jointly appointed by the parties; or
  - (b) where the parties are unable to reach agreement within 10 Business Days of a Notice of Referral, a person appointed by the Resolution Institute at the request of a party.
- 26.7 The parties must promptly enter into an engagement agreement with the Expert on terms reasonably required by the Expert.
- 26.8 An agreement for expert determination under this Agreement is not an arbitration agreement under the *Commercial Arbitration Act 2010* (NSW).
- 26.9 The parties agree that the Expert must:
- (c) act as an expert and not as an arbitrator;
  - (d) act fairly, impartially and independently of each party;
  - (e) apply the Expert's own knowledge and expertise;
  - (f) determine and notify the parties of the procedure for conducting the expert determination as the Expert thinks fit, and is not bound by the rules of evidence;
  - (g) make any directions for conducting the expert determination as the Expert thinks fit;
  - (h) conduct investigations and enquiries, examine documents and interview persons to the extent the Expert considers necessary or desirable to resolve the Dispute;
  - (i) determine the Dispute as expeditiously as possible; and

- (j) give the parties a written determination with reasons, within 30 Business Days after the date of the engagement agreement referred to in clause 26.6, or any later date the parties may agree in writing.

**26.10** Each party is entitled to legal representation during the expert determination.

**26.11** The Expert must use all reasonable endeavours to avoid any actual or potential:

- (a) conflict of interest; or
- (b) circumstance that may reasonably be considered to adversely affect the Expert's impartiality or independence.

**26.12** The Expert must immediately give the parties written notice if the Expert becomes aware of the existence of anything described in clause 26.11.

**26.13** To the extent permitted by law, the Expert's determination is final and binding on the parties unless:

- (a) there is any fraud;
- (b) there is a material miscalculation of figures or a material mistake in the description of any person, thing or matter; or
- (c) both conditions below apply:
  - (a) the value of the claim exceeds \$250,000; and
  - (b) within 60 Business Days after the Expert gives the parties the determination, a Party gives written notice to the other Party referring the matter to a Court.

**26.14** Any party may make a written request to the Expert to correct the determination for:

- (d) a minor mistake arising from an accident or omission; or
- (e) a defect in form.

**26.15** Each party must:

- (a) cooperate in good faith with the Expert and the other party in the conduct of the expert determination; and
- (b) use reasonable endeavours to comply with all requests and directions reasonably given by the Expert.

**26.16** The parties must:

- (a) comply with any reasonable direction of the Expert to provide security deposits for the Expert's fees and disbursements;
- (b) each pay half of the Expert's fees and disbursements in connection with the expert determination; and
- (c) bear their own costs in connection with the expert determination.

**26.17** Nothing in clause 26 prejudices the right of a party to seek urgent injunctive or declaratory relief for any matter in connection with this Agreement.

26.18 Subject to clause 26.19, the parties must, and must ensure that the Expert must keep confidential, and not disclose to any other person:

- (d) all proceedings and submissions relating to an expert determination under clause 26, including the fact that any step in the expert determination is occurring; and
- (e) all documents and any other information (in any form) relating to the expert determination, including the Expert's determination.

26.19 A party may disclose confidential information referred to in clause 26.18:

- (f) if that party obtains the prior written consent of the other party;
- (g) as required by law; or
- (h) to the extent necessary to give effect to or to enforce a determination.

26.20 Despite the existence of a Dispute or its referral to expert determination, each party must continue to perform their obligations under this Agreement.

26.21 A party must not appoint the Expert as arbitrator, advocate or adviser in any arbitral, judicial or adjudication proceedings relating to the Dispute or any part of it, except with the other party's written consent.

26.22 Clause 26 survives the termination or expiry of this Agreement.

## **27. Registration of this Agreement**

27.1 The Developer acknowledges that Council intends to register this Agreement under section 93H of the Act on the Land and on registration by the Registrar-General the Agreement will be binding on and enforceable against the owner of the Land from time to time as if each owner for the time being had entered into this Agreement.

### **27.2 Developer's obligations**

27.2.1 The Developer must as soon as practicable after the date of this Agreement and, in any event, no later than 60 Business Days after that date, obtain the consent of each person who has an estate or interest in the Land to the registration of this instrument.

27.2.2 The Developer must at the request of Council, sign any *Real Property Act* dealing, acknowledgement or document, provide all relevant consents (including the consent of any mortgagee or caveator) arrange for the production of the Certificates of Title for the Land and do all other things reasonably necessary to enable this Agreement to be registered pursuant to section 93H of the Act.

### **27.3 Release and discharge of deed by Council**

27.3.1 This Agreement ends when the Developer has complied with all of its obligations imposed under the terms of this Agreement.

27.3.2 The Council must promptly do all things reasonably required by the Developer to release and discharge this Agreement with respect to any part of the Land (such that the Agreement is no longer registered by the Registrar-General under section 93H of the Act in relation to that part of the Land) upon the earlier of:



- (a) the Developer having provided all of the Development Contributions in accordance with this Agreement; and
- (b) this Agreement otherwise coming to an end.

#### **27.4 Registration of Strata Plans**

- 27.4.1 This Agreement will not remain or be newly registered by the Registrar-General under section 93H in relation to any newly created strata lot, subject to the Developer being in compliance with this Agreement to the reasonable satisfaction of the Council at that time.
- 27.4.2 For each Strata Plan lodged with the office of the Registrar-General, where that Strata Plan is intended to create a strata lot(s), the Council must do all things reasonably required by the Developer to ensure that this Agreement is not registered by the Registrar-General under section 93H of the Act in relation to any such lot.
- 27.4.3 If through error or other reason this Agreement is registered on the title to any strata lot, each party must do such things as are reasonably necessary, within 5 Business Days after being requested by the other, to facilitate the lodging and grant of a request for the registration of this Agreement to be removed from the title to that lot.

### **28. Lodgement of Caveat**

- 28.1 The Developer acknowledges that the rights under this Agreement give Council a caveatable interest in the Land. Until such time as this Agreement is registered on the relevant folios of the Register held by the Land and Property Information (**LPI**) pertaining to the Land, the Developer agrees that Council may lodge a caveat on the relevant folios of the Register held by the LPI pertaining to the Land.
- 28.2 A caveat lodged by Council in accordance with this clause 28 must not prevent or prohibit the lodgement of any instrument dealing or matter required for the registration of any mortgage, subdivision plan, easement, covenant, right of way, deposited plan or strata plan relating to the Development. The Developer must not lodge a lapsing notice or take any action to obtain or seek a withdrawal or removal of the caveat, unless:
  - 28.2.1 the Developer's obligations under this Agreement have been satisfied; or
  - 28.2.2 this Agreement has otherwise come to an end.
- 28.3 If Council lodges a caveat in accordance with clause 28, Council must:
  - 28.3.1 ensure that the caveat does not prevent or delay the registration of this Agreement;
  - 28.3.2 immediately execute the relevant forms to remove the registration of any caveat lodged by Council in respect of the Land within 5 Business Days of registration of this Agreement on the Land in accordance with this clause 28;
  - 28.3.3 provide any consent or other documentation required to permit the registration of:
    - (a) any easements to burden or benefit the Land;
    - (b) any variations of lease (including by way of exercise of option), or transfers of lease, over any part of the Land;

- (c) any lease;
- (d) the subdivision of the Land for the purpose of creating parcels; and
- (e) the subdivision of the Parking Land.

## 29. Assignment and transfer

- 29.1 A Party must not assign, novate or deal with any right, including transfer of the Land, or obligation under the Agreement without the prior written consent of the other Party.
- 29.2 In respect of a request by the Developer for Council's consent under clause 29.1, Council must not unreasonably withhold consent under this clause, provided that the matters specified in clause 29.3 are satisfied.
- 29.3 The matters required to be satisfied for the purposes of clause 29.1 are:
  - 29.3.1 the Developer has, at its own cost, first procured the execution by the person to whom the Developer's rights or obligations under this Agreement are proposed to be assigned, novated, sold, transferred, delegated or otherwise encumbered (**Proposed Transferee**), of an agreement in favour of the Council on terms satisfactory to Council acting reasonably; and
  - 29.3.2 Council, by notice in writing to the Developer, has stated that evidence satisfactory to Council has been produced to show that the assignee or novatee, is reasonably capable of performing its obligations under the Agreement;
  - 29.3.3 the Developer has agreed to pay all reasonable fees and expenses (including legal fees) incurred by Council in connection with the proposed assignment, novation or dealing and the investigation of the Proposed Transferee; and
  - 29.3.4 the Developer is not in breach of this Agreement.
- 29.4 Any purported dealing in breach of clause 29 is of no effect.
- 29.5 Notwithstanding clause 29.1 the Developer may enter into a contract for sale, and may sell and transfer to a transferee part of the Land forming a strata lot on a proposed Strata Plan, without compliance with clause 29.3.

## 30. Review of this Agreement

- 30.1 The Developer is to provide to Council by not later than each anniversary of the date on which this Agreement is entered into a report detailing the performance of its obligations under this Agreement.
- 30.2 The Parties agree to review this Agreement at least once every 2 years, and otherwise if either Party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Agreement.
- 30.3 For the purposes of clause 30.2, the relevant changes include (but are not limited to):
  - (a) any change to a law that restricts or prohibits or enables Council or any other planning authority to restrict or prohibit any aspect of the Development;

- (b) any change to the Development;
  - (c) any change to the Rockdale LEP;
  - (d) any change to or the making of any environment planning instrument that affects the Development;
  - (e) if the Developer is unable to obtain all consents necessary for the Developer to enter onto the Land and carry out Work as required by this Agreement;
  - (f) if contributions under section 94, 94A or 94EF are levied on the Development as a condition of Development Consent; and
  - (g) the exhibition of a draft contributions plan, within the meaning of the Act, relating to land in the Council's area.
- 30.4** For the purposes of addressing any matter arising from a review of this Agreement referred to in clause 30.2 the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Agreement.
- 30.5** If this Agreement becomes illegal, unenforceable or invalid as a result of any change to a law, the parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Agreement is entered into.
- 30.6** A failure by a Party to agree to take action requested by the other party as a consequence of a review referred to in clause 30.2 is not a dispute for the purposes of clauses 26 or 26 and is not a breach of this Agreement.

## **31. Notices**

- 31.1** Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
- 31.1.1 delivered or posted to that Party at its address set out in the Contacts Sheet; or
  - 31.1.2 faxed to that Party at its fax number set out in the Contacts Sheet.
- 31.2** If a Party gives the other Party 3 Business Days' notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 31.3** Any notice, consent, information, application or request is to be treated as given or made if it is;
- 31.3.1 delivered, when it is left at the relevant address;
  - 31.3.2 sent by post, 4 Business Days after it is posted; or
  - 31.3.3 sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.
- 31.4** If any notice, consent, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a Business Day, or if on a Business Day, after 5pm on that day in the place of the

Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next Business Day.

## **32. Approvals and consent**

- 32.1 Unless expressly stated otherwise in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party.
- 32.2 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

## **33. Costs**

- 33.1 The Developer must pay to Council the Council's reasonable costs of up to \$45,000, for preparing, negotiating, executing and stamping this Agreement, and any document related to this Agreement, within 20 Business Days of a provision of a tax invoice by Council for such payment.
- 33.2 The Developer must pay to Council the Council's reasonable costs of enforcing this Agreement within 20 business days of a written demand by Council for such payment, except in the case of a dispute that is the subject of:
  - 33.2.1 expert determination by an Expert under clause 26 in which case each party will bear its own costs; or
  - 33.2.2 court proceedings, in which case any costs will be paid in accordance with orders of the court only.

## **34. Entire Agreement**

- 34.1 This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with.
- 34.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

## **35. Further acts**

- 35.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Agreement and all transactions incidental to it.

## **36. Governing law and jurisdiction**

- 36.1 This Agreement is governed by the law of New South Wales.
- 36.2 Each Party irrevocably and unconditionally submits to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- 36.3 Each party waives any right to object to the exercise of jurisdiction by those courts on any basis.

## **37. Joint and individual liability and benefits**

37.1 Except as otherwise set out in this Agreement:

37.1.1 any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually; and

37.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

## **38. No fetter**

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

## **39. No obligation or liability**

The Developer acknowledges and agrees that:

39.1.1 Council (or any person on its behalf) does not assume or owe any duty of care or other responsibility or obligation to the Developer in relation to the Design Specifications or the Detailed Design Specifications, and will not be required to check the Design Specifications or the Detailed Design Specifications, for suitability, errors, omissions or compliance with the requirements of law, any approval or this Agreement;

39.1.2 the Developer will not be entitled to make, and Council will not be liable upon or in connection with, any claim, liability or Loss arising out of or in connection with any failure by Council (or any person on its behalf) to detect or notify the Developer of any lack of suitability, errors, omissions or non-compliance with the requirements of law, any authority or this deed in any part of the Design Specifications or the Detailed Design Specifications; and

39.1.3 no review of, comment upon, consent to, or approval or rejection of, nor failure or refusal to review, comment upon, consent to, or approve or reject, any Design Specifications or the Detailed Design Specifications (including under clause 11) or any other direction (including approval) by Council (or any person on its behalf) about such Design Specifications or the Detailed Design Specifications will:

- (a) relieve the Developer from, or otherwise limit, alter or affect, the Developer's liabilities or responsibilities under this Agreement or otherwise at law or in equity; or
- (b) prejudice Council's rights against the Developer whether under this Agreement or otherwise at law or in equity.

## **40. Representations and warranties**

40.1 Each Party represent and warrant to each other Party that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.



## **41. Severability**

- 41.1 If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- 41.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.
- 41.3 The parties acknowledge that under and by virtue of section 93F(4) of the Act, any provision of this Agreement is not invalid by reason only that there is no connection between the Development and the object of the expenditure of any Development Contribution required to be made by that provision.

## **42. Modification**

- 42.1 No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.
- 42.2 The Council acknowledges that the Developer may require the approval of any financier prior to agreeing to any modification to this Agreement.

## **43. Waiver**

- 43.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- 43.2 A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given.
- 43.3 It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

## **44. Rights cumulative**

- 44.1 Except as expressly stated otherwise in this Agreement, the rights to a Party under this Agreement are cumulative and are in addition to any other rights of that Party.

## **45. Duty**

- 45.1 The Developer as between the Parties is liable for and must pay all duty (including any fine or penalty except where it arises from default by another Party) on or relating to this Agreement, any document executed under it or any dutiable transaction evidenced or effected by it.
- 45.2 If a Party other than the Developer pays any duty (including any fine or penalty) on or relating to this Agreement, any document executed under it or any dutiable transaction evidenced or effected by it as a result of the Developer first failing to pay such duty, the Developer must pay that amount to the paying Party on demand.

## **46. Effect of Schedules**

- 46.1 The Schedules to this Agreement form part of this Agreement.

## 47. Relationship of the Parties

47.1 This Agreement is not intended to create a partnership, joint venture or agency relationship between the Parties.

## 48. GST

48.1 In this clause:

**Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, supply and Tax Invoice** have the meaning given by the GST Law.

**GST Act** means the *A New Tax System (Goods and Services Tax) Act 1999 (Cth)*.

**GST Amount** means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

**GST Law** has the meaning given by the GST Act.

**Input Tax Credit** has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

**Taxable Supply** has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a Supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount on GST on that Supply.

48.2 Subject to clause 48.4 and clause 48.5.2:

48.2.1 except where specified to the contrary in this Agreement, all consideration payable under this Agreement in relation to any supply is exclusive of GST; and

48.2.2 if GST is payable on a Taxable Supply made under, by reference to or in connection with this Agreement, the Party providing the consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

48.3 Clause 48.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Agreement to be GST inclusive.

48.4 No additional amount shall be payable by Council under clause 48.2 unless, and only to the extent that, Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.

48.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Agreement by one Party to the other Party that are not subject to Division 81 or Division 82 of the GST Act:

48.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies; and

48.5.2 that any amounts payable by each Party in accordance with clause 48.2 (as limited by clause 48.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.

- 48.6 No payment of any amount pursuant to this clause 48, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.
- 48.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a Party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 48.8 This clause continues to apply after expiration or termination of this Agreement.

## 49. Explanatory Note relating to this Agreement

- 49.1 The **Appendix** to this Agreement is the Explanatory Note relating to this Agreement required by clause 25E of the Regulation.
- 49.2 Pursuant to clause 25E(7) of the Regulation, each Party agrees that the Explanatory Note in the Appendix is not to be used to assist in construing this Planning Agreement.

## 50. New Laws

- 50.1 If the Developer is obliged by any new law to do something or pay an amount which it is already contractually obliged to do or pay under this Agreement then, to the extent only that the relevant obligation is required under both the new law and this Agreement, compliance with the new law will constitute compliance with the relevant obligation under this Agreement.

## 51. Force Majeure Events

- 51.1 This clause 51 applies in the case of a Force Majeure Event.
- 51.2 The Developer is not liable for any failure to comply with any of its obligations under this Agreement where the failure is caused or contributed to by a Force Majeure Event.
- 51.3 In the event that a Force Majeure Event occurs:
- (a) The Developer will notify Council in writing as soon as is reasonably practicable the extent to which it is unable to perform its obligations (the **FME Notice**); and
  - (b) The parties must use their best endeavours to mitigate the adverse effects of the Force Majeure Event and perform their obligations under this Agreement as quickly as is reasonably possible.
- 51.4 If the Developer has complied with its responsibilities under clause 51.3(a) and is still unable to carry out its obligations under this Agreement due to a Force Majeure Event, then the parties must meet within 21 days of the FME Notice to discuss in good faith alternative arrangements or contributions which can be provided in light of the Force Majeure Event.

## 52. Counterparts

This Agreement may be executed in any number of counterparts all of which taken together constitute one instrument.

## Execution

**Executed** as an Agreement at Rockdale

date:

---

### Executed on behalf of Bayside Council:

\_\_\_\_\_  
General Manager (sign)

\_\_\_\_\_  
Witness (sign)

\_\_\_\_\_  
Name of General Manager (print)

\_\_\_\_\_  
Witness – Name/Position (print)

---

### Executed by Zoe Holdings Rockdale Pty Limited pursuant to s 127 of the *Corporations Act 2001*:

\_\_\_\_\_  
Director (sign)

\_\_\_\_\_  
Director/Secretary (sign)

\_\_\_\_\_  
Name of Director (print)

\_\_\_\_\_  
Name of Director/Secretary (print)

## Schedule 1 Section 93F Requirements

(Clause 2.1)

| Provision of the Act   | This Agreement  |
|--|---|
| Under section 93F(1), the Developer has:   |   |
| (a) sought a change to an environmental planning instrument  | Yes   |
| (b) made, or proposes to make, a Development Application.  | Yes   |
| (c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies                | No  |
| <b>Description of the land to which this Agreement applies</b> – Section 93F(3)(a))  | The whole of the Land described in Schedule 2 to this Agreement   |
| <b>Description of the change to the environmental planning instrument to which this Agreement applies</b> – (Section 93F(3)(b)(i)) | Additional permissible height of a proposed mixed-use development |
| <b>The scope, timing and manner of delivery of Development Contributions required by this Agreement</b> – (Section 93F(3)(c))      | See Schedule 3 to this Agreement                                  |
| <b>Applicability of Sections 94 and 94A of the Act</b> – (Sections 93F(3)(d) and 93F(5A))  | See <b>clause 6</b>   |
| <b>Applicability of Section 94EF of the Act</b> – (Section 93F(3)(d))  | See <b>clause 6</b>   |
| <b>Benefits under the Agreement considered for Section 94 purposes</b> – (Section 93F(3)(e)),                                      | all Development Contributions under this Agreement                |
| <b>Dispute Resolution</b> – (Section 93F(3)(f))  | See <b>clauses 26</b>   |
| <b>Security &amp; Enforcement of this Agreement</b> – (Section 93F(3)(g))  | See <b>clauses 24, 25</b>   |
| <b>Registration of the Agreement</b> – (Section 93H)   | Yes, see <b>clause 27</b>   |
| <b>Restriction on dealings</b>   | See <b>clause 28</b>  |
| <b>No obligation to grant consent or exercise functions</b> – (Section 93F(9))   | See <b>clause 38</b>  |



---

## **Schedule 2      Description of the Land and the Development**

**(Clause 1)**

**2.      Item 1      The Land**

Lot 101 DP771165,

Lot 3 DP82942,

Lot 1 DP455421; and

Lot 1 DP912313

(together known as 75-81 Railway Street, Rockdale).

**3.      Item 2      The Development**

The development, within the meaning of the Act, of or on or including the Land for mixed uses, achieving not less than 10,300 square metre Gross Floor Area, under the Rockdale LEP once it is amended by the Instrument Change.

# Schedule 3      Development Contributions

(Clause 7)

## 1.      Option A Development Contributions

### Part A: Works

| Column 1   | Column 2   | Column 3   | Column 4  |
|--|--|--|---|
| Item   | Development Contribution   | Agreed Contribution Value  | Hand-over Date  |
| <b>Hesten Lane extension and streetscape improvement to Parker Street and Railway Street</b> |  |  |   |
| A.1  | <p>A1. Extension of Hesten Lane southwards by approximately 21 metres over the Parking Land including:</p> <ul style="list-style-type: none"> <li>) construction of new road infrastructure for the full extension of Hesten Lane</li> <li>) public car parking on extension of Hesten Lane</li> <li>) retaining walls</li> <li>) soft landscaping</li> <li>) lighting</li> <li>) signage</li> </ul> <p>as shown on the Map in clause 4 of Schedule 3 and in accordance with the Detailed Design Specifications.</p> | <p>Combined Agreed Contribution Value for A.1, A.2 and A.3 is \$1,049,000.</p> | <p>Prior to the issue of an Occupation Certificate for the Development.</p> <p>NOTE: The Works are subject to the Defect Liability Period once completed.</p> |
| A.2  | <p>A2. Streetscape improvement works to upgrade the Parker Street frontage along the northern edge of the Land, as shown on the Map in clause 4 of Schedule 3 and in accordance with the Detailed Design Specifications.</p>   |  | <p>Prior to the issue of an Occupation Certificate for the Development.</p> <p>NOTE: The Works are subject to the Defect Liability Period once completed.</p> |

|     |   |  |  |
|-----|---|--|--|
| A.3 | A3. Streetscape improvement works to upgrade the existing footpath from Railway Street to the Guild Theatre (located within the boundary of the Land), as shown on the Map in clause 4 of Schedule 3 and in accordance with the Detailed Design Specifications. |  | Prior to the issue of an Occupation Certificate for the Development.<br><br>NOTE: The Works are subject to the Defect Liability Period once completed. |
| A.4 | A4. Streetscape and building frontage improvement works within the boundary of the Guild Theatre Site (Lot 2 DP 3560, Lot 3 DP 3560), in accordance with the Detailed Design Specifications.  |  | Prior to the issue of an Occupation Certificate for the Development.<br><br>NOTE: The Works are subject to the Defect Liability Period once completed. |

**Part B: Land dedication**

| Column 1  | Column 2  | Column 3                  | Column 4   |
|---|---|---------------------------|--|
| Item  | Development Contribution  | Agreed Contribution Value | Timing   |
| <b>Land dedication for public parking and pedestrian connection</b> |   |                           |  |
| B.  | B1. Dedication to Council of the Parking Land to be used for provision of new public parking and a proposed future pedestrian connection linking Hesten Lane with Waltz Street. | \$750,000                 | Prior to the issue of an Occupation Certificate for the Development. |

## 2. Option B Development Contributions

| Column 1   | Column 2  | Column 3   | Column 4   |
|--|---|--|--|
| Item   | Development Contribution  | Agreed Contribution Value  | Timing   |
| <b>Streetscape improvement to Hesten Lane, Parker Street, Railway Street, Waltz Street and footpath from Railway Street to Guild Theatre</b> |   |  |  |
| A.1  | A1. Streetscape improvement works to upgrade the street frontages of the Land on Hesten Lane, Parker Street and Railway Street, as shown on the Map in clause 4 of Schedule 3, and in accordance with the Detailed Design Specifications.                         | Combined Agreed Contribution Value for A.1, A.2 and A.3 is \$1,847,000 | Prior to the issue of an Occupation Certificate for the Development.<br><br>NOTE: The Works are subject to the Defect Liability Period once completed. |
| A.2  | A2. Streetscape improvement works to the northern side of Waltz Street between Walkin Street and Railway Street, as shown on the Map in clause 4 of Schedule 3, and in accordance with the Design Specifications.   |  | Prior to the issue of an Occupation Certificate for the Development.<br><br>NOTE: The Works are subject to the Defect Liability Period once completed. |
| A.3  | A3. Streetscape improvement works to upgrade the existing footpath from Railway Street to the Guild Theatre (located within the boundary of the Land), as shown on the Map in clause 4 of Schedule 3 and in accordance with the Detailed Design Specifications.4. |  | Prior to the issue of an Occupation Certificate for the Development.<br><br>NOTE: The Works are subject to the Defect Liability Period once completed. |
| A.4  | A4. Streetscape and building frontage improvement works within the boundary of the Guild Theatre Site (Lot 2 DP 3560, Lot 3 DP 3560), in accordance with the Detailed Design Specifications.  |  | Prior to the issue of an Occupation Certificate for the Development.<br><br>NOTE: The Works are subject to the Defect Liability Period once completed. |

### 3. Adjustment of Agreed Contribution Value

3.1 On each anniversary of the date of this Agreement the Agreed Contribution Value of each Item of Work specified in Column 3 of the tables in clause 1 and 2 in Schedule 3 will be increased by the same percentage as the percentage increase, if any, in the Consumer Price Index in the 12 months prior to the relevant anniversary. The increased Agreed Contribution Value will be the Agreed Contribution Value for the 12 months immediately following the relevant anniversary.

### 4. Map of Works



For avoidance of any doubt:

**Option A** relates to the area described in both purple and green;  
**Option B** relates to the area described in both yellow and green; and  
**Options A & B** (collectively) relate to the area described in yellow, green and purple.



---

## Schedule 4 Design Specifications

### 1. Specifications

- ) Demolition of existing surfaces and disposal off-site.
- ) Compaction of existing sub-grade.
- ) Supply and installation and compaction of DGB20 base course to Council standards.
- ) Supply and installation of F72 32MPa concrete base course.
- ) Supply and installation of spine and core pavement treatment in accordance with Rockdale Public Domain Paving Style Sheet dated 03/10/2015.
- ) Associated landscape works to Council specifications.

### 2. General Requirements

- ) Public Domain Plan – Part 3: Preliminary Design of Schedule 4 – Design Specifications
- ) Specification for design – AUS-SPEC:
  - o 0021 – Site regrading
  - o 0041 – Geometric road layout
  - o 0043 – Subsurface drainage (design)
  - o 0044 – Pathways and cycleways
  - o 0061 – Bridges and other structures
  - o 0074 – Stormwater drainage (design)
  - o 0160 – Quality (design)
  - o Wollie Creek and Bonar Street Precinct Public Domain Plan: Technical Manual.
- ) Variation to Nominated Standards – where AUS-SPEC makes reference to the Austroads *Guide to Road Design*, the design shall comply with the NSW Roads and Traffic Authority Supplement to Austroads *Guide to Road Design*, and where AUS-SPEC makes reference to the Australian Standards AS1742 and AS1743, the design shall comply with the NSW Roads and Traffic Authority Supplement to Australian Standards AS1742 and AS1743.
- ) Inconsistency – where an inconsistency exists between the nominated design standards the prevailing standard shall be determined by the Council's Manager – City Infrastructure
- ) Applicable Legislation – Commonwealth and New South Wales Legislation.
- ) Drawing coordinates shall conform to GDA94 (Geocentric Datum of Australia). Levels shall conform to AHD (Australian Height Datum).
- ) Submission formats:
  - o Two (2) printed copies of the plans
  - o One (1) printed copy of the specification
  - o Two (2) printed copies of the Review of Environmental Factors (REF)
  - o One (1) USB with electronic format of all documents as follows:
    - Design drawings in DWG file format and portable document format (PDF).
    - Specification and REF in portable document format (PDF).

#### 2.1 Limit of Works

- ) The limit of works shall be all works required to comply with AUS-SPEC, and shall be not less than the minimum requirements specified by the conditions of consent.

#### 2.2 Drawing Presentation

- ) The detailed design plans are to be prepared in accordance with the Council's *Engineering Drawing Guide: for works in conjunction with developments and subdivisions*. The drawings must show all necessary design details for construction by the Developer.

#### 2.3 Swept Paths

- ) The preparation and presentation of swept path diagrams shall be in accordance with the Council's *Engineering Drawing Guide: for works in conjunction with developments and*

*subdivisions*. Swept paths, based on the nominated design vehicle, must be provided for:

- All movements at intersections.

#### **2.4 Design Parameters – Road and Pavement Design**

- J Design vehicle for swept path diagrams: design single unit bus, 12.5m long.
- J Equivalent Standard Axles for pavement design: 3 x 10<sup>5</sup>
- J Design life for road pavement: 25 years
- J Kerb profiles, pram ramps, etc shall be in accordance with the Model (Road) Drawings for Kerb and Gutter (R15) issued by the NSW Roads and Traffic Authority.

#### **2.5 Drainage**

- J Drainage pipes shall be reinforced concrete (RC), rubber ring jointed (RRJ) pipes only.
- J Pit details shall be in accordance with the Model (Road) Drawings for Stormwater Drainage (R11) – Gully Pits issued by the NSW Roads and Traffic Authority.

#### **2.6 Subsurface Drainage**

- J Design of subsurface drainage shall be in accordance with 0043 – *Subsurface drainage (design)*.
- J Alternatively, the Roads and Traffic Authority's *Combined Stormwater and Subsurface Drainage* (Drawing reference MD.R33.A08.A) can be adopted.

#### **2.7 Road Pavement**

- J A formal pavement design shall be prepared by a registered N.A.T.A. laboratory based on sampling and testing of the subgrade materials from the site. Details of the pavement design, results of subgrade testing (including 4 day soaked CBR's) are to be submitted with the design drawings.
- J Pavements should be designed using the general principles of Austroads 1992 "Pavement Design – A Guide to the Structural Design of Road Pavements".
- J Alternatively, the Roads and Traffic Authority's *Standard PTB Structure* (Drawing reference 0000.000.PT.0003) can be adopted.
- J Sandstone shall not be used in pavements. Wearing surfaces shall be asphaltic concrete (AC) only.

#### **2.8 Road Alignment**

- J Footpath design consistent with AS1428, and NSW Bicycle Guidelines. Attention is drawn to the provisions for minimum height clearance (2.2m); minimum clear width (1.5m); maximum grades (longitudinal and cross-fall); and kerb ramp details.
- J All kerb returns must be designed such that no part of the vehicle crosses the centerline.
- J All vehicle footpath crossing profiles are to be provided.
- J The design must not result in any un-drained low-points, and as far as practicable low points within the kerb return shall be avoided to eliminate the use of pits with curved lintels.

#### **2.9 Landscape Details**

- J Landscaping details are as agreed with Council in the Detailed Design Specifications.
- J The landscape plan for the treatment of the road reserve must be separate to landscape treatments within the boundary of the property.

#### **2.10 Traffic Facilities**

- J The following traffic facilities shall be provided in accordance with the NSW Roads and Traffic Authority Supplement to Austroads *Guide to Road Design*, and NSW Roads and Traffic Authority Supplement to Australian Standards AS1742 and AS1743.
  - Line marking and regulatory signage in New Road (East).
  - Parking signage in New Road (East).

#### **2.11 On-Street Parking**

- J Where flush concrete edging is used as an edge treatment for pavement in lieu of standard kerb and gutter shapes adjacent to on-street parking spaces, wheel stops shall be designed in accordance with AS2890.3:1993.

## 2.12 Dilapidation Report

- J The dilapidation report required by conditions of consent must include photos and details of surrounding public infrastructure and adjoining boundary fences.

## 2.13 Certification Requirements and Quality Assurance

### Design qualification

- J The design must be certified by a Professional Engineer with current registration on the National Professional Engineers Register (NPER), stating that the design meets the required standards:
  - o Civil Engineering area of practice for all civil plans, including drainage design.
  - o Structural Engineering area of practice for all structural load carrying elements.
- J A certification report conforming to Annexure A of 0160 – *Quality (design)* must accompany the design.

## 2.14 Utility Services – applicable only in relation to the Extension of Hesten Lane

- J The extension of Hesten Lane (Item A.1 of the option A Development Contributions) shall comply with Ausgrid Network Standards for underground supply of electricity, including underground supply within the new road.

## 2.15 Street Lighting – applicable only in relation to the Extension of Hesten Lane

- J The extension of Hesten Lane (Item A.1 of the Option A Development Contributions) shall design and implement new street lighting as required to meet the design lighting category from AS1158 (Category P3 – Lighting for roads and public spaces).
- J The location of street lighting poles shall comply with RTA requirements:
  - o Impact absorbing poles may be located not less than 1.0m from the edge of the nearest traffic lane; and
  - o Non-impact absorbing poles may be located not less than 3.0m from the edge of the nearest traffic lane.
- J Design to AusGrid Network Standard - Street Lighting Design and Construction NS119.
- J Column footings must be designed according to the site conditions, and if standard details are being considered, the site conditions must be confirmed.

## 3. Specification

- J A specification is to be developed based on AUS-SPEC. The compilation of the specification shall be undertaken in accordance with the Council's *Engineering Specification Guide: for works in conjunction with developments and subdivisions*.
- J The specification compiler will be required to be a current subscriber to NATSPEC.

## 4. Preliminary Design

To be provided by the Developer at the time of the lodging of the Development Application for the Development.

## Schedule 5 Parking Land

The area of land shown on the below map outlined in purple to be dedicated to Council as the Parking Land – being the area of approximately 342 square metres of the Land (in stratum) forming part of Lot 1 DP 912313 and part of Lot 1 DP 45541 for the provision of parking:



## Appendix

(Clause 49)

*Environmental Planning and Assessment Regulation 2000*

(Clause 25E)

## Explanatory Note

### Proposed Planning Agreement

Under s93F of the *Environmental Planning and Assessment Act 1979*

#### 1. Parties

**Bayside Council** ABN 80 690 785 443 of 444-446 Princes Highway, Rockdale NSW 2216

**(Council)**

and

**Zoe Holdings Rockdale Pty Limited** ACN 169 548 770 of (address to be inserted)

**(Developer)**

#### 2. Description of the Land to which the proposed Planning Agreement applies

2.1 75- 81 Railway Street, Rockdale as described in **Schedule 2** to the Agreement.

2.2 This Developer is the owner of the Land.

#### 3. Description of proposed Development

3.1 The proposed redevelopment of the Land for mixed uses (being a minimum Gross Floor Area of 10,300 square metres).

3.2 In conjunction with the Development, the Developer will provide Development Contributions through either Option A Development Contributions or Option B Development Contributions.

3.3 The Option A Development Contributions must be provided if the Developer or Council becomes the registered proprietor of 83-85 Railway Street, Rockdale (being Lot 1 in Deposited Plan 3560) or otherwise obtains alternative public access arrangements over 83-85 Railway Street, Rockdale prior to the lodgement of the development application for the Development. The Option B Development Contributions must be provided if the circumstances which give rise to the Option A Development Contributions does not occur.

3.4 Both Options provide for general streetscape improvements on or near the Land. Option A provides for a smaller area of streetscape improvements than Option B but provides additional Development Contributions through the dedication of land. The Contribution Value of the Option A Development Contributions is \$1,799,000 and the Option B Development Contributions is \$1,847,000.

3.5 If the Option A Development Contributions apply, then in conjunction with the Development the Developer will provide:

3.2.1 the design, construction and dedication of land (approximately 342 square metres in stratum) for provision of proposed new public carparking and a



proposed future pedestrian connection between Hesten Lane and Waltz Street, Rockdale;

- 3.2.1 southward extension of Hesten Lane, Rockdale including construction of new road infrastructure, public car parking, retaining walls, soft landscaping, lighting and signage (scope to be agreed);
  - 3.2.2 streetscape improvement works to the Parker Street frontage of the Land (scope to be agreed);
  - 3.2.3 streetscape improvement works to footpath from Railway Street, Rockdale to the Guild Theatre (within the boundary of the Land).
- 3.6 If the Option B Development Contributions apply, then in conjunction with the Development, the Developer will provide:
- 3.3.1 streetscape improvement works to the Hesten Lane, Parker Street and Railway Street frontages of the Land (scope to be agreed);
  - 3.3.2 streetscape improvement works to footpath from Railway Street, Rockdale to the Guild Theatre (within the boundary of the Land);
  - 3.3.3 streetscape improvement works to the northern side of Waltz Street between Walkin Street and Railway Street (scope to be agreed).

#### **4. Summary of objectives, nature and effect of the proposed Planning Agreement**

##### **4.1 Objectives of proposed Planning Agreement**

4.1.1 The objectives of the proposed Planning agreement are to:

4.1.1.1 provide Development Contributions for the benefit of the public in the form of streetscape improvement works;

4.1.1.2 if Option A Development Contributions apply:

) provide Development Contributions for the benefit of the public in the form of:

- dedication of land at no cost to Council
- works to create new public carparking, the extension of a road to provide better public access, and to facilitate a proposed future pedestrian connection; and

4.1.1.3 achieve the provision of these Development Contributions with greater certainty and at less risk and less cost to Council than would be possible through the outright purchase of the land or the use of section 94 development contributions alone.

##### **4.2 Nature and effect of proposed Planning Agreement**

4.2.1 The proposed Planning Agreement will not come into effect until the proposed instrument Change comes into force and Development Consent is granted for development achieving not less than 10,300 square metres of Gross Floor Area on the Land.

- 4.2.2 The proposed Planning Agreement will require the Developer to carry out streetscape improvement works and footpath improvement works for the Public Purpose of providing public amenities, at no cost to Council.
- 4.2.3 If the Option A Development Contributions apply, the proposed Planning Agreement will require the Developer to:
- 4.2.3.1 carry out the following additional Work for a public purpose:
- ) the design, construction and dedication of land for provision of proposed new public carparking and a proposed future pedestrian connection; and
  - ) construction of new section of existing road for the provision of new public car parking and improved access by the public.
- 4.2.4 The estimated value of the Works and other contributions under the proposed Planning Agreement are \$1,799,000 for the Option A Development Contributions and \$1,847,000 for the Option B Development Contributions.

## **5. Assessment of the merits of the proposed Planning Agreement**

### **5.1 The impact of the proposed Agreement on the public or any relevant section of the public**

- 5.1.1 The proposed Planning Agreement impacts on the public by promoting the public interests as outlined in paragraph 5.2.1.

### **5.2 How the proposed Planning Agreement promotes the public interest and one or more objects of the *Environmental Planning and Assessment Act 1979***

- 5.2.1 The proposed Planning Agreement promotes the public interest by securing the provision of Development Contributions, through the carrying out of Work for the purposes of improving community facilities and, in general, for the purposes of improving and promoting the community's quality of life.
- 5.2.2 If the Option A Development Contributions apply, the proposed Planning Agreement will further promote the public interest by securing the dedication of land free of cost and the carrying out of additional Work, for the purposes of improving community facilities, infrastructure and services and, in general, for the purposes of improving and promoting the community's quality of life.
- 5.2.2 The proposed Planning Agreement promotes the objects of *the Environmental Planning and Assessment Act 1979* by;
- ) encouraging the development and conservation of natural and urban resources for the purpose of promoting the social and economic welfare of the community and a better environment;
  - ) encouraging the promotion and co-ordination of the orderly and economic use and development of land;
  - ) encouraging the provision of land for public purposes; and
  - ) encouraging the provision and co-ordination of community services and facilities.

### **5.3 For Planning Authorities:**

#### **5.3.1 Development corporations – How the proposed Planning Agreement promotes its statutory responsibilities**

N/A

**5.3.2 Other public authorities – How the proposed Planning Agreement promotes the objects (if any) of the Act under which it is constituted**

The proposed Planning Agreement promotes the Principles of *the Local Government Act 1993* by:

- 5.3.2.1 allowing Council to improve and develop the resources of the area appropriate to the current and future needs of the local community and the wider public through the provision of streetscape improvement works and footpath improvement works; and
- 5.3.2.2 if Option A applies, allowing Council to improve and develop the resources of the area through the provision of the new public car parking spaces, construction of a new section of an existing road and use dedicated land for provision of a proposed future pedestrian connection.

**5.3.3 Councils – How the proposed Planning Agreement promotes the elements of the Council’s Charter (cl 25E(2)(d))**

- 5.3.3.1 Section 8 of the *Local Government Act 1993* (NSW), previously set out the Council’s charter. However, commencing 23 September 2016, the charter has been replaced with ‘Guiding principles for councils’ under section 8A of the *Local Government Act*.

Section 25E(2)(d) of the *Environmental Planning and Assessment Regulation 2000* has not been amended to reflect the change. The current (section 8A Guidelines), and previous (section 8 Charter), requirements of the *Local Government Act* are addressed below.

- 5.3.3.2 The Planning Agreement promotes the following elements of the Council’s charter, as stated under the previous wording of section 8 of the *Local Government Act 1993* (NSW):

) *“to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively”*

The Planning Agreement promotes this aspect of Council’s charter by providing for Council to provide improvements towards facilities for the community.

) *“to effectively plan for, account for, and manage the assets for which it is responsible”:*

The Planning Agreement promotes this aspect of Council’s charter by providing for Council to receive the benefit of streetscape improvement works which assist Council to manage the assets which are identified in the Planning Agreement as requiring improvement.

- 5.3.3.3 The Planning Agreement promotes the following elements of the Guiding principles for Councils in the exercise of Council functions, as stated under section 8A of the *Local Government Act 1993* (NSW):

) *“manage lands and other assets so that current and future local community needs can be met in an affordable way.”*

The Planning Agreement provides a mechanism through which Council can manage its assets by delivering improvements to community facilities, in an affordable way.

) *“work with others to secure appropriate services for local community needs.”*

The Planning Agreement provides a mechanism for Council to work with others, being the Developer, to secure streetscape improvements to public streets and footpath improvements, for local community needs.

Further, if Option A applies, the Planning Agreement provides a mechanism for Council to work with the Developer to provide new public car parking spaces, construction of a new section of an existing road and use dedicated land for provision of a proposed future pedestrian connection.

#### **5.3.4 All planning authorities – Whether the proposed Planning Agreement conforms with the authority’s capital works program**

The works identified in the proposed Planning Agreement are not works which are part of the Council’s capital works program however they are works which conform with aspects of the works identified as a priority by Council in its development contribution plans and will enable those works to be carried out with greater timeliness and certainty while reducing the financial risks to Council if Council were to do the works themselves.



Ms Meredith Wallace  
General Manager  
Rockdale City Council  
PO Box 21 Rockdale NSW 2216

Contact: Deewa Baral  
Phone: (02) 9228 6572  
Email: [deewa.baral@planning.nsw.gov.au](mailto:deewa.baral@planning.nsw.gov.au)  
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP\_2015\_ROCKD\_007\_00  
(15/14708)

Dear Ms Wallace

I refer to Council's letter dated 15 September 2015 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to change the building height standard applying to land at 75-85 Railway Street, Rockdale.

As delegate of the Minister for Planning, I have determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have agreed that the planning proposal's inconsistencies with section 117 Directions 1.1 Business and Industrial zones and 4.1 Acid Sulfate Soils are of minor significance. No further approval is required in relation to these Directions.

Please note that any inconsistency with section 117 Direction 3.5 Development Near Licensed Aerodromes has not yet been approved. Council will need to consult with the Commonwealth Department of Infrastructure and Regional Development and Sydney Airport and make a submission to the Department's Metropolitan (CBD) team seeking this approval prior to finalisation of the draft Plan.

The Department is also concerned the current proposal will amend controls recently implemented as part of the Rockdale Town Centre Masterplan. Council is encouraged to consider undertaking a review of the overarching masterplan should a number of planning proposals be submitted to Council for consideration.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this Plan.

The amending Local Environmental Plan is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the draft Plan should be made directly to Parliamentary Counsel's Office 6

ROCKDALE CITY COUNCIL

RECEIVED

23 OCT 2015



weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment for administrative purposes.

The State Government is committed to reducing the time taken to complete LEP's by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the timeframes outlined in this determination are not met.

If you have any queries in regard to this matter, please contact Ms Deewa Baral, of the Department's Metropolitan (CBD) branch on (02) 9228 6572.

Yours sincerely



20/10/15

**Lee Mulvey**  
**Director, Metropolitan (CBD)**  
**Planning Services**

Encl: Gateway Determination  
Written Authorisation to Exercise Delegation  
Attachment 5 – Delegated plan making reporting template

## Gateway Determination

**Planning Proposal (Department Ref: PP\_2015\_ROCKD\_007\_00):** to change the building height control applying to land at 75-85 Railway Street, Rockdale.

I, the Director, Metropolitan (CBD), at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Rockdale Local Environmental Plan 2011* to change the building height control for 75-85 Railway Street, Rockdale, should proceed subject to the following conditions:

1. Prior to public exhibition the planning proposal is to be amended to:
  - (a) clearly show the proposed land reservation for the provision of a through access road and on-street parking;
  - (b) include both the current and the proposed Height of Buildings and Land Reservation Acquisition maps, in accordance with Standard Technical Requirements for LEP Maps (Department of Planning and Environment website); and
  - (c) demonstrate the need for the proposal in the context of the recent amendment to *Rockdale Local Environmental Plan 2011* that implemented the Rockdale Town Centre Masterplan 2012, including justification for any inconsistency.
  
2. Prior to public exhibition, consultation is required with the following public authorities, under section 56(2)(d) of the Act, and to address section 117 Direction 3.5 Development Near Licensed Aerodromes:
  - (a) Sydney Airport; and
  - (b) Department of Infrastructure and Regional Development.

Authorities are to be provided with a copy of the planning proposal and any relevant supporting material, and given at least **21 days** to comment on the proposal. The planning proposal is to be revised to respond to any submissions received from these authorities and copies of the submissions are to be included with the revised proposal.

3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals identified in section 5.5.2 of *A guide to preparing LEPs* (Department of Planning and Environment website).
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submissions or if reclassifying land).
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 20th day of October 2015

  
**Lee Mulvey**  
**Director, Metropolitan (CBD)**  
**Planning Services**

**Delegate of the Minister for Planning**





**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Rockdale City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

| Number               | Name  |
|----------------------|---|
| PP_2015_ROCKD_007_00 | Planning proposal to change the building height for 75-85 Railway Street, Rockdale. |

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's *A guide to preparing local environmental plans* and *A guide to preparing planning proposals*.

Dated *20th October* 2015

  
**Lee Mulvey**  
Director, Metropolitan (CBD)  
Planning Services

**Attachment 5 – Delegated plan making reporting template**  
**Reporting template for delegated Local Environmental Plan amendments**

**Notes:**

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- The Relevant Planning Authority is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the Relevant Planning Authority should add additional rows to **Table 2** to include this information
- The Relevant Planning Authority must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible Plan Making Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the Relevant Planning Authority's request to have the Local Environmental Plan (the Plan) notified

**Table 1 – To be completed by Department of Planning and Environment**

| Stage   | Date/Details         |
|---|----------------------|
| Planning Proposal Number                            | PP_2015_ROCKD_007_00 |
| Date Sent to Department under s56                   | 22 September 2015    |
| Date considered at LEP Review Panel (if applicable) |                      |
| Gateway determination date                          | 20 October 2015      |

**Table 2 – To be completed by the RPA**

| Stage   | Date/Details | Notified Reg Off |
|---|--------------|------------------|
| Dates draft Plan exhibited                          |              |                  |
| Date of public hearing (if held)                    |              |                  |
| Date sent to PCO seeking Opinion                    |              |                  |
| Date Opinion received                               |              |                  |
| Date Council Resolved to Adopt Plan                 |              |                  |
| Date Plan made by GM (or other) under delegation    |              |                  |
| Date sent to the Department requesting notification |              |                  |

**Table 3 – To be completed by Department of Planning and Environment**

| Stage                         | Date/Details |
|-------------------------------|--------------|
| Notification Date and details |              |

**Additional relevant information:**



## Planning Proposal

75 – 81 Railway Street, Rockdale



**Disclaimer:** This document may only be used for the purpose for which it was commissioned. Changes to available information, legislation and schedules are made on an ongoing basis and readers should obtain up to date information. Planning Lab accepts no liability or responsibility whatsoever for or in respect of any use of or reliance upon this report and its supporting material by any third party. Information provided is not intended to be a substitute for site specific assessment or legal advice in relation to any matter. Unauthorised use of this report in any form is prohibited

# Contents

|       |  |    |
|-------|--|----|
| 1.0   | INTRODUCTION .....   | 3  |
| 2.0   | BACKGROUND.....  | 4  |
| 3.0   | THE SITE .....   | 5  |
| 3.1   | Description.....   | 5  |
| 3.2   | Surrounding Context.....   | 6  |
| 3.3   | Rockdale Local Environmental Plan 2011 .....   | 7  |
| 4.0   | SUPPORTING DOCUMENTS .....   | 9  |
| 4.1   | Urban Design Study .....   | 9  |
| 5.0   | OBJECTIVES OR INTENDED OUTCOME.....  | 10 |
| 6.0   | EXPLANATION OF PROVISIONS .....  | 12 |
| 6.1   | Rockdale Local Environmental Plan 2011 .....   | 12 |
| 7.0   | JUSTIFICATION.....   | 13 |
| 7.1   | Section A – Need for the Planning Proposal.....  | 13 |
| 7.1.1 | Is the Planning Proposal a result of a study or report? .....  | 13 |
| 7.1.2 | Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way? .....  | 13 |
| 7.2   | Section B – Relationship to Strategic Planning Framework.....  | 14 |
| 7.2.1 | Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)? ..... | 14 |
| 7.2.2 | Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan? .....  | 15 |
| 7.2.3 | Is the Planning Proposal consistent with applicable state environmental planning policies? .....   | 18 |
| 7.2.4 | Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)? .....  | 18 |
| 7.3   | Section C – Environmental, Social & Economic Impact.....   | 26 |
| 7.3.1 | Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?.....                              | 26 |
| 7.3.2 | Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed? .....   | 27 |
| 7.3.3 | How has the Planning Proposal adequately addressed any social and economic effects? .....  | 27 |
| 7.4   | Section D – State & Commonwealth Interests .....   | 27 |
| 7.4.1 | Is there adequate public infrastructure for the Planning Proposal? .....   | 27 |
| 7.4.2 | What are the views of State and commonwealth public authorities consulted in accordance with the gateway determination? .....  | 28 |
| 8.0   | MAPPING.....   | 28 |
| 9.0   | VOLUNTARY PLANNING AGREEMENTS .....  | 29 |
| 10.0  | COMMUNITY CONSULTATION.....  | 30 |
| 11.0  | CONSEQUENTIAL ROCKDALE DCP AMENDMENTS .....  | 31 |
| 12.0  | PROJECT TIMELINE .....   | 32 |
| 13.0  | CONCLUSION.....  | 33 |

|   |           |
|---|-----------|
| <b>ANNEXURE 1: URBAN DESIGN STUDY – CANDALEPAS AND ASSOCIATES .....</b> | <b>34</b> |
| <b>ANNEXURE 2: ACOUSTIC - RENZO TONIN .....</b>                         | <b>35</b> |
| <b>ANNEXURE 3: ELECTRICAL - NPC .....</b>                               | <b>36</b> |
| <b>ANNEXURE 4: HYDRAULICS - AJ WHIPPS .....</b>                         | <b>37</b> |
| <b>ANNEXURE 5: TRAFFIC - ARUP .....</b>                                 | <b>38</b> |
| <b>ANNEXURE 6: WIND - WINDTECH.....</b>                                 | <b>39</b> |

## **Tables**

|  |    |
|--|----|
| Table 1 Relevant Objectives of Community Strategic Plan 2013-2025..... | 17 |
| Table 2 S117 Directions .....  | 19 |
| Table 3 Project Timeline.....  | 32 |

# 1.0 Introduction

Planning Lab acts on behalf of Zoe Holdings Rockdale Pty Ltd in preparing this Planning Proposal for 75-81 Railway Street, Rockdale (referred to as 'the site').

This Planning Proposal has been prepared in accordance with the Department of Planning and Environment's (DP&E) Gateway process and provides justification for the amendment of *Rockdale Local Environmental Plan 2011* (LEP 2011).

The site is located in Rockdale town centre. The Rockdale Town Centre Masterplan (Rockdale Town Centre Masterplan) envisages significant transit oriented urban renewal growth within the centre.

The purpose of this Planning Proposal is to respond to the predicted growth of the immediate station environs by seeking an increase in building height on the site that would allow for an additional two storeys greater than those presented in the Rockdale Town Centre LEP 2011.

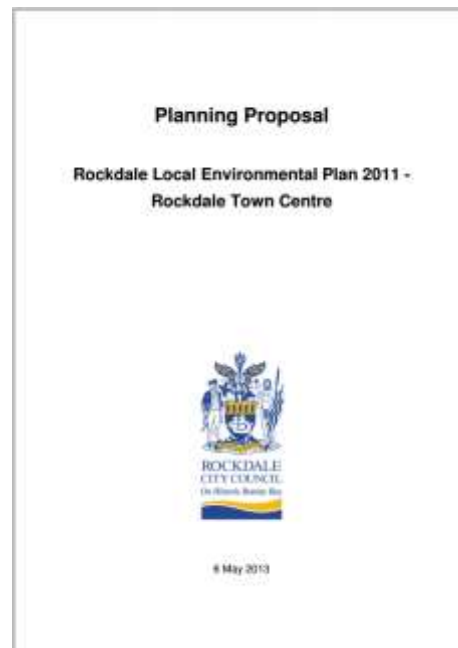
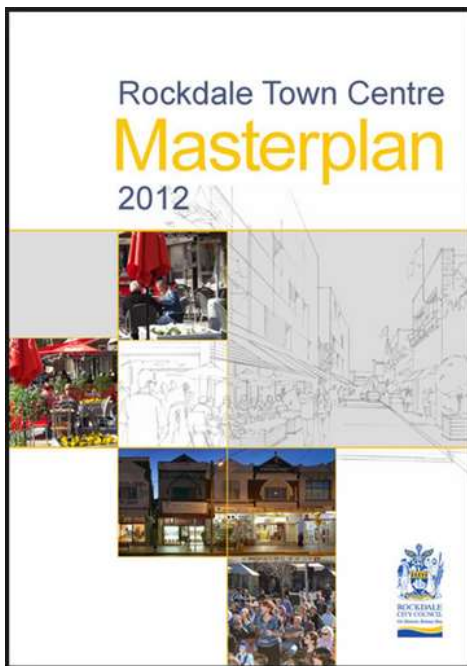
The site is located at a prominent corner of a future north-western gateway to the newly planned Rockdale town centre.

This Planning Proposal seeks to increase the building height of buildings permissible on the site from 22m to 28m in order to provide a prominent and contextually appropriate built form which responds to the 'inner-town-centre' context and maximises the site's development potential in the immediate Rockdale Railway Station interchange area. The increased height will enable an 8 storey corner element to reinforce the focal corner gateway site into the centre.

It is anticipated that future development of the site would comprise mixed uses including shop top housing above ground level.

## 2.0 Background

On 5 December 2012, Rockdale City Council adopted the Rockdale Town Centre Masterplan. The masterplan sets out the vision and strategies for the growth and revitalisation of the Centre. In order to support the significant growth envisaged in the town centre, Rockdale Council submitted a Planning Proposal for the relevant zone changes and increased density in the city centre.



### **Relationship to recent amendments to the Rockdale LEP 2011 (amendment 8 dated 5 June 2015)**

As part of this Planning Proposal to amend the Rockdale LEP 2011, the amendments included an increase in height to 22m for buildings permissible on the subject site. This Planning Proposal was supported by Council and the subject of a Gateway Determination on 6 May 2014, and the Rockdale LEP 2011 Amendment #8 made on 5 June 2015. In many other areas of the Rockdale Town Centre the Height of Buildings was increased to 28m to realise greater development potential and activation within the Rockdale Town Centre.

At the time of the RLEP 2011 Planning Proposal, the subject site was not considered for this Height of Building because it had a relatively modern commercial development and was deemed unlikely to be subject to redevelopment opportunities. In addition no request was made for a 28m height to be considered. The subject sites at 75-81 Railway Street are now under a single ownership and have the capacity to be redeveloped. As a consequence it is now appropriate that consideration is given to a Height of Building that is in line with other areas of the Rockdale Town Centre identified in the RLEP2011, as they may be amalgamated and redeveloped.

The applicant for this Planning Proposal which amends Rockdale LEP 2011 is the owner of 75-81 Railway Street, Rockdale. This planning proposal has been drafted in consultation with Rockdale City Council.



## 3.0 The Site

### 3.1 Description

The site is described 75 – 81 Railway Street Rockdale and comprises 4 allotments under common ownership by Zoe Holdings, being Lot 101 DP771165, Lot 3 DP 82942, Lot 1 DP455421 and Lot 1 DP912313.



**Figure 1 : Site Location (Source: Google Earth)**

The site has an area of approximately 2,947sqm, with a 70m frontage to Railway Street, and 39m frontage to Parker Street. The site is occupied by a three storey commercial building with a basement and rooftop parking. Vehicle access to the site is via Hesten Lane and Railway Street.

### 3.2 Surrounding Context

The site is situated within the Rockdale town centre. The centre has visibly declined in recent years as a vibrant local retail hub as a consequence of competition from nearby major centres at Kogarah and Hurstville, but is in the process of an urban renewal led transformation.

The new direction proposed for the centre reflects the community's desires and aspirations as well as Council's own strategic land use, integrated transportation planning, urban design, and economic development principles.

As identified in the Rockdale Town Centre Masterplan, the town centre core area is divided into precincts. The site is located within the 'Walz and Frederick Streets Precinct'. The precinct is currently dominated by two storey buildings; however the permitted building height is up to 22m.

Uses surrounding the site include railway lines to the east, Rockdale Station to the southeast (100m), low density residential to the north and the Walz commercial precinct to the west and south. The following panoramic photos illustrate the existing uses on the site as viewed from Railway Street Rockdale.



**Figure 2 : Photograph of 75-81 Railway Street, Rockdale (Source: G Cirillo)**



**Figure 3 : Photograph of 75-81 Railway Street, Rockdale (Source: G Cirillo)**

### 3.3 Rockdale Local Environmental Plan 2011

The site is zoned B2 Local Centre under the Rockdale Local Environmental Plan 2011 (LEP 2011).



**Figure 4 : Zoning Map Extract from Rockdale LEP 2011 (Source: AUSTRALII)**

The objectives of the zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To encourage residential development where it is complementary to and does not detract from the commercial focus of the Rockdale town centre.

Development permitted with consent in the B2 zone includes:

*Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Group homes; Hostels; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4.*

The maximum permitted building height for the site is currently 22m. Land directly opposite the railway line, between Greaves Avenue and Princes Highway allow a maximum building height of 22m with the opportunity to increase the building height an additional 12m if the lot area is at least 1,500sqm.



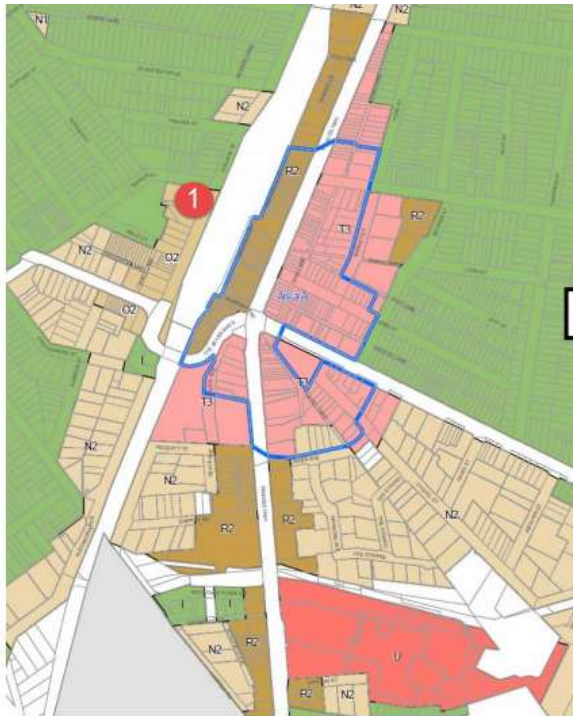


Figure 4 – Current maximum building height controls

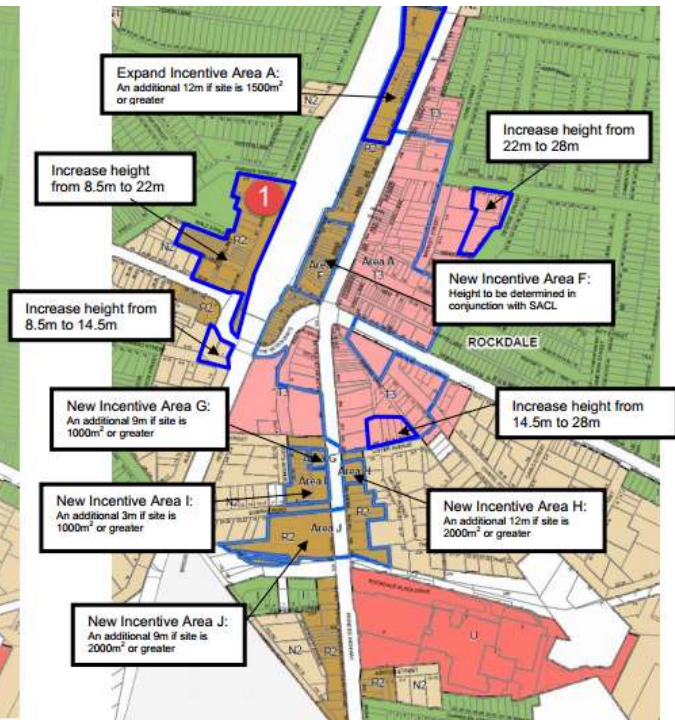


Figure 5 – Proposed maximum building height controls

**Figure 5 : Subject Site Marked 1 in Rockdale LEP 2011 and Draft Town Centre Planning Proposal. Source: Rockdale City Council 2014/2015.**

As shown in Figure 5 above, building height is proposed to be increased from 8.5m (as it currently exists) to 22m across the western side of Rockdale Station as shown on the attached Urban Design Study by Candalepas and Associates.

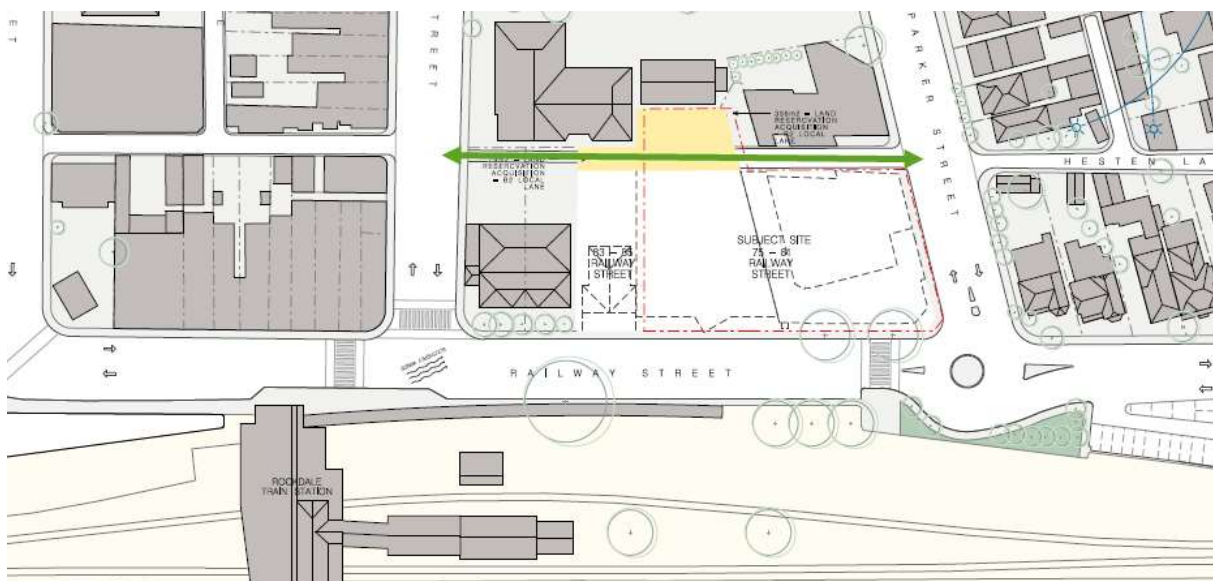
## 4.0 Supporting Documents

An Urban Design Study has been carried out by Candalepas and Associates in accordance with the requirements of the NSW Department of Planning & Environment and addressing the detailed checklist issued by Rockdale City Council for planning proposals. The study analyses the subject site and have determined appropriate size, bulk, scale and form options for future development, and include more detailed architectural concept drawings for 75 – 81 Railway Street, Rockdale (**Refer: Annexure 1**).

### 4.1 Urban Design Study

The *Urban Design Study* by Candalepas and Associates demonstrates that a suitable and appropriate built form of 8 storeys can be achieved on the site and is considered necessary to initiate the revitalisation of the area with an appropriate density and mass. The Urban Design Study is generally consistent with the strategic vision for an urban renewal led revitalisation of the Rockdale Town Centre and Masterplan.

It is also noted that the site and the adjoining site at 83-85 Railway Street has been identified by Rockdale City Council as being suitable for a through-site-link in the rear of the subject site, which links to the Council car park at the rear of the Council owned Guild Theatre site. The option to create a through site link has been identified in the VPA which accompanies this Planning Proposal.



**Figure 6 – Through Site Link Proposed Across the Rear of the Subject Site and Adjoining Land**



## 5.0 Objectives or Intended Outcome

The overarching objective of the proposed amendment to draft Rockdale Town Centre LEP 2011 is to facilitate a redevelopment of the site and provide a prominent corner element to reinforce the focal corner gateway to the Centre. The redevelopment will also capitalise on its immediate proximity to Rockdale Railway Station and bus interchange public transport.



**Figure 7 –Aerial Photographs of the Subject Site**

The intended outcome of this Planning Proposal is to provide for an opportunity to revitalise 75 – 81 Railway Street, Rockdale. This will necessitate an amendment draft LEP 2011, specifically increasing the maximum permitted building height to 28m.

It is recommended that Council support the Planning Proposal which changes in the maximum allowable height on the subject site from 22m to 28m.

The amended maximum allowable height will recognise the unique position of the site in immediate proximity to Rockdale Railway Station, and its prominent corner location as a future north-western gateway to the newly planned Rockdale town centre.

The increased height will enable an 8 storey corner element to reinforce this focal corner gateway site.

An appropriate and well considered 8 storey form can be well managed through detailed design incorporating building articulation, façade modulation and a careful selection of external materials with a subsequent DA. The resultant built form can retain a ‘human scale’ whilst facilitating transformative urban renewal in the Rockdale town centre.

It is considered that there is substantive urban design merit in considering a 28m height limit on this site which would effectively balance the heights proposed on the eastern sector of the town centre, east of Rockdale Station.

The additional height on this site is considered appropriate from an urban design perspective and would define any future residential development as a local landmark, signalling one's arrival at the Rockdale town centre from the north.

The built form will comprise a distinctive built form that would highlight the prominent position of the site and arrival into the new town centre.

This additional height would not impact upon views enjoyed from the north from the neighbouring development on Parker Street.

Further, solar access would be required to comply with SEPP 65 and the NSW Apartment Design Guide. A preliminary shadow analysis has been prepared by Candalepas and Associates and it accompanies this Planning Proposal. In any case, these and other particular related design considerations are also to be assessed in full through a future DA.

A 28 metre building height would be an appropriate addition to the existing streetscape and it is recommended that the maximum height control be amended accordingly.

## 6.0 Explanation of Provisions

The provisions to be included in Rockdale LEP 2011 are outlined below, in accordance with Section 55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

### 6.1 Rockdale Local Environmental Plan 2011

#### ***Name of Plan***

*This plan is Rockdale Local Environmental Plan 2011*

#### ***Aims of the plan***

*This plan aims to:*

- *Amend the Height of Buildings Map to reflect a maximum permissible building height of 28m for the site, and*

#### ***Land to which this plan applies***

*This plan applies to the land shown on the accompanying maps.*

## **7.0 Justification**

### **7.1 Section A – Need for the Planning Proposal**

#### **7.1.1 Is the Planning Proposal a result of a study or report?**

This Planning Proposal relies heavily upon the transit-oriented urban renewal foundations of the Rockdale Town Centre Masterplan and separate independent urban planning analysis by Planning Lab with detailed urban design and architectural analysis by Candalepas and Associates. The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved. Part of the design strategy for the town centre is to increase residential densities in appropriate locations close the public transport, which involves an increase in maximum building height and a provision to remove FSR controls.

This Planning Proposal responds to the vision of the Masterplan, facilitating an increased density on the site to help revitalise the area.

#### **7.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The Planning Proposal is considered the most appropriate and feasible mechanism to achieve revitalisation and redevelopment of the site, whilst also providing significant public domain benefits. More specifically, the current height controls do not provide sufficient incentive for redevelopment if Council also now wishes for a large section of the site to be dedicated for the purpose of a through site link. As the site is identified within the Rockdale Town Centre Masterplan as being on a prominent corner as a future north-western gateway to the newly planned Rockdale town centre, a compliant development would not achieve the desired entrance statement activation or revitalisation of the area.

An appropriate and well considered eight story built form can facilitate the urban renewal to help revitalise the town centre. The built form can be well managed through detailed design incorporating building articulation and facade modulation to ensure a 'human scale' can be retained.

## **7.2 Section B – Relationship to Strategic Planning Framework**

### **7.2.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

#### **A Plan for Growing Sydney**

A Plan for Growing Sydney is an action plan to meet the vision of Sydney as a strong global city and a great place to live.

This Planning Proposal is consistent with the Plan, in particular Direction 2.2: Accelerate urban renewal across Sydney, providing homes closer to jobs. This direction specifies urban renewal in transport corridors, directly in line with this Planning Proposal. The Planning Proposal is to facilitate urban renewal adjacent to Rockdale Station and bus interchange and within the town centre.

#### **7.2.2 Draft Eastern City District Plan**

The site is located within the Draft Eastern City District Plan.

This Planning Proposal is consistent with the priorities articulated within the draft District Plan, specifically including

1. Planning Priority E5 Providing housing supply, choice and affordability with access to jobs and services
2. Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage
3. Planning Priority E10 Delivering integrated land use and transport planning and a 30-minute city
4. Planning Priority E11: Growing investment, business opportunities and jobs in strategic centres



**7.2.3 Is the Planning Proposal consistent with the local council’s Community Strategic Plan, or other local strategic plan?**

## Rockdale City Community Strategic Plan 2013-2015

The Community Strategic Plan 2013-2025 is part of the Rockdale City Plan 2013-2025. The Community Strategic Plan identifies the long term aspirations the communities of Rockdale want to see delivered.

The vision is built around four strategic community outcomes of:

- Outcome 1 – Rockdale is a welcoming and creative City with active, healthy and safe communities.
- Outcome 2 – Rockdale is a City with a high quality natural and built environment and valued heritage in liveable neighbourhoods. A City that is easy to get around and has good links and connections to other parts of Sydney and beyond.
- Outcome 3 – Rockdale is a City with a thriving economy that provides jobs for local people and opportunities for lifelong learning.
- Outcome 4 – Rockdale is a City with engaged communities, effective leadership and access to decision making.

The following table discusses the consistency of the proposal in relation to the relevant actions contained within the Community Strategic Plan.

**Table 1 Relevant Objectives of Community Strategic Plan 2013-2025**

| <b>Objective</b>   | <b>Strategy</b>   | <b>Comment</b>   |
|--|---|--|
| <b>Outcome 2</b>   |   |  |
| 2.2 Our City has a well - managed and sustainable built environment, quality and diverse development with effective housing choice | 2.2.2 Promote high quality, well designed and sustainable development and places that enhances the City | The Planning Proposal would assist in promoting high quality, sustainable development in the Rockdale town centre. |
| <b>Outcome 3</b>   |   |  |
| 3.3 Our City has vibrant town centres that provide a range of services and experiences for our residents, workers and visitors     | 3.3.1 Ensure Town Centres are improved on a rolling program   | The Planning Proposal will revitalise the town centre to create a vibrant space for residents and employees.       |

## Rockdale Town Centre Masterplan

The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved, not just how it looks and functions, but also what role it will play economically and culturally.

| <b>Design Strategy</b>                                 | <b>Objective</b>   | <b>Comment</b>   |
|--|--|--|
| <b>Community vision and design strategy</b>            |  |  |
| Design Strategy 3: Increase the vitality and lifestyle | The lifestyle of the Centre will be improved by encouraging elements in the Town Centre with a social or public focus: open spaces, dining, entertainment, markets, community services | The Planning Proposal would assist in developing a viable mixed use development, encouraging the revitalisation of the town centre and improving local amenity.  |
|  | Vibrancy and activity in the Centre will be generated through increased residential densities  | The Planning Proposal promotes an increase in residential density within the Rockdale town centre.   |
| Design Strategy 4: Improve the pedestrian experience   | The different precincts of the centre will be connected by laneways and a pedestrian network making the Centre easy to explore for visitors and enjoyable for residents                | A through-site-link option is proposed through the site, incorporating 415sqm of land to form part of a VPA, and to form part of a VPA accompanying the Planning Proposal. This will enhance the permeability of site and improve the pedestrian |

| Design Strategy | Objective | Comment                          |
|-----------------|-----------|----------------------------------|
|                 |           | experience envisaged by Council. |

**7.2.4 Is the Planning Proposal consistent with applicable state environmental planning policies?**

The proposal is consistent with all relevant state planning policies (SEPPs). The following SEPPs apply to the site.

***State Environmental Planning Policy No. 65- Design Quality of Residential Flat Buildings***

SEPP 65 aims to improve the design quality of residential flat development. The Policy recognises that the design quality of development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design.

In accordance with the requirements of the SEPP, all matters for consideration under SEPP 65 would be addressed in full at the development application stage. The Urban Design Strategy by Candalepas and Associates demonstrates that the development of the site can comply with the requirements of SEPP 65. In this regard appropriate cross ventilation, solar access and residential amenity can be achieved.

***State Environmental Planning Policy 55- Remediation of Land***

SEPP 55 introduces planning controls for the remediation of contaminated land. The policy states that the planning authority must consider whether the land is contaminated, and if so that the land is suitable in its contaminated state for the permitted uses in the zone, or that the land requires remediation before the land is developed for that purpose.

No changes to the permissible uses of the site are proposed other than those envisaged by draft Rockdale LEP 2011 (and as amended for the Rockdale town centre). Site investigations would be carried out as part of any future development application for the redevelopment of the site. Any areas of contamination would be remediated prior to development of the land, in accordance with all relevant statutory requirements and policy guidelines.

**7.2.5 Is the Planning Proposal consistent with applicable Ministerial Directions (s117 directions)?**

The relevant Section 117 Directions are considered in the table below.

## Table 2 S117 Directions



| Direction                                       | Requirement  | Comment   |
|---|--|---|
| <p><b>1.1 Business and Industrial Zones</b></p> | <p>This direction applies when a relevant planning authority prepares a Planning Proposal that would affect land within an existing or proposed business or industrial zone</p> <p>The objectives of this direction are to:</p> <ol style="list-style-type: none"> <li>1. <i>encourage employment growth in suitable locations,</i></li> <li>2. <i>protect employment land in business and industrial zones, and</i></li> <li>3. <i>support the viability of identified strategic centres.</i></li> </ol> <p>A Planning Proposal must:</p> <ol style="list-style-type: none"> <li>(a) <i>give effect to the objectives of this direction,</i></li> <li>(b) <i>retain the areas and locations of existing business and industrial zones,</i></li> <li>(c) <i>not reduce the total potential floor space area for employment uses and related public services in business zones,</i></li> <li>(d) <i>not reduce the total potential floor space area for industrial uses in industrial zones, and</i></li> <li>(e) <i>ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</i></li> </ol> | <p>The Planning Proposal involves an increase in the height, but is not proposing any other change to the zoning provisions.</p> <p>The Planning Proposal would still support business uses on the land.</p>  |
| <p><b>3.1 Residential Zones</b></p>             | <p><b>Objectives</b></p> <p>(1) The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>  | <p>The Planning Proposal is consistent with the objectives of this direction. It would enable an intensification of residential development on the site in an area well-served by both road and public transport and with access to all necessary services.</p> |

| Direction  | Requirement   | Comment   |
|--|---|---|
|  | <p><b>What a relevant planning authority must do if this direction applies:</b></p> <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p> |   |
| <p><b>3.4 Integrating land use and transport</b></p> | <p><b>Objectives</b></p> <p>(1) The objectives of this direction are:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and providing for the efficient movement of freight.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p>  | <p>The site is well serviced by public transport. It is located about 100m from Rockdale Station and the associated rail/bus interchange.</p> |

| Direction  | Requirement   | Comment   |
|--|---|---|
|  | <p>(4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice –Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p>  |   |
| <p><b>3.5<br/>Development<br/>Near<br/>Licensed<br/>Aerodromes</b></p> | <p><b>Objective</b></p> <p>(a) to ensure the effective and safe operation of aerodromes, and</p> <p>(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</p> <p>(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,</p> <p>(b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,</p> <p>(c) for land affected by the OLS:</p> <p>(i) prepare appropriate development standards, such as height, and</p> | <p>The Planning Proposal increases total building height to approximately RL 48.</p> <p>It is understood that the site is located within 25 ANEF contour of the ANEF 2033 map.</p> <p>The planning proposal may be required to be referred to Air Services Australia to determine whether any air navigation issues arise in relation to the Obstacle Limitation Surface of Sydney Airport.</p> <p>Any future development is to comply with the relevant airport and air navigation requirements.</p> |

| Direction                            | Requirement  | Comment   |
|--------------------------------------|--|---|
|                                      | <p>(ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(5) A planning proposal must not rezone land:</p> <p>(a) for residential purposes, nor increase residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or</p> <p>(b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or</p> <p>(c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.</p> <p>(6) A planning proposal that rezones land:</p> <p>(a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or</p> <p>(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or</p> <p>(c) for commercial or industrial purposes where the ANEF is above 30, must include a provision to ensure that development meets AS 2021 regarding interior noise levels.</p> |   |
| <p><b>4.1 Acid Sulfate Soils</b></p> | <p><b>Objective</b></p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted</p>  | <p>The site is identified as Class 5 Acid Sulfate Soils in LEP 2011.</p> <p>The need for an Acid Soils Management Plan will be determined at DA stage, as required by Clause 6.1 of LEP 2011.</p> |

| Direction  | Requirement  | Comment  |
|--|--|--|
|  | <p>by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(5) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or</p> <p>(b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(6) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with paragraph (5).</p> |  |
| <p><b>6.1 Approval and referral requirements</b></p> | <p><b>Objective</b></p> <p>(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of</p>   | <p>This Planning Proposal does not include the provision to require concurrence, consultation or referral to a Minister or public authority; and is therefore consistent with the direction.</p> |



| Direction                                  | Requirement   | Comment  |
|--|---|--|
|  | <p>development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>(i) the appropriate Minister or public authority, and</p> <p>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment,</p> <p>(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> |  |
| <p><b>6.3 Site Specific Provisions</b></p> | <p><b>Objective</b></p> <p>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or</p>   | <p>This Planning Proposal does not propose restrictive site-specific provisions but seeks to amend the LEP to increase the building height control.</p> <p>In order to ensure a built form and scale that are appropriate in the context, an Urban Design Study has been prepared for the site (<b>Refer Annexure 1</b>).</p> <p>It is considered appropriate to include this information with the Planning Proposal as demonstration of the potential merits of the</p> |

| Direction   | Requirement   | Comment   |
|---|---|---|
|   | <p>requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p>   | <p>proposed LEP amendment.</p>  |
| <p><b>7.1<br/>Implementation of A Plan for Growing Sydney</b></p> | <p><b>Objective</b></p> <p>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</p> <p><b>What a relevant planning authority must do if this direction applies</b></p> <p>Planning proposals shall be consistent with the NSW Government's A Plan for Growing Sydney published in December 2014.</p> | <p>The Planning Proposal is generally consistent with A Plan for Growing Sydney published in December 2014 as indicated in the discussion at Section 6.2.1.</p> |

### 7.3 Section C – Environmental, Social & Economic Impact

#### 7.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site is currently developed with a commercial building with no natural areas on site. There are no critical habitats or threatened species, populations or ecological communities, or their habitats that will be adversely affected by the Planning Proposal.

### **7.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

Specialist reports accompany this Planning Proposal which directly address the environmental effects as a result of the Planning Proposal, specifically addressing considerations such as overshadowing and traffic related impacts.

### **7.3.3 How has the Planning Proposal adequately addressed any social and economic effects?**

The predominance of housing in this part of Rockdale is largely in the form of detached housing. Housing affordability pressures and an increase in population for those over 55 years of age, raises the demand for new housing types, including a mix of apartment sizes with ready access to shops, transport, recreational and open space facilities. The introduction of improved housing choice is consistent with one of the key principles from A Plan for Growing Sydney to increase housing choice around all centres through urban renewal in established areas. This Planning Proposal facilitates housing choice by providing additional residential units in an ideal location with easy access to retail facilities, public transport and local neighbourhood services.

It is also noted that the applicant proposes to make provision for a through-site-link option as part of the VPA for the site.

It is not anticipated that the Planning Proposal will have any negative economic effects which need to be addressed as part of the proposal.

## **7.4 Section D – State & Commonwealth Interests**

### **7.4.1 Is there adequate public infrastructure for the Planning Proposal?**

The site is currently well serviced by Rockdale Train Station and the accompanying bus interchange.

In terms of adequacy of public infrastructure for the Planning Proposal, technical reports accompany this Planning Proposal addressing urban design, acoustics, electrical, hydraulic, traffic and wind impacts in the vicinity of the site:

**Annexure 1: Urban Design Study – Candalepas and Associates**

**Annexure 2: Acoustic - Renzo Tonin**

**Annexure 3: Electrical - NPC**

**Annexure 4: Hydraulics - AJ Whipps**

**Annexure 5: Traffic - Arup**

**Annexure 6: Wind - Windtech**

Any required upgrades to infrastructure arising from the redevelopment of the site will also be assessed at DA stage.

**7.4.2 What are the views of State and commonwealth public authorities consulted in accordance with the gateway determination?**

This would be determined following consultation with the State and Commonwealth Authorities identified in a Gateway Determination. Any issues raised by these authorities would be addressed as appropriate.

## 8.0 Voluntary Planning Agreement

A Voluntary Planning Agreement (VPA) is to be entered into between the owner of land which is the subject of this Planning Proposal and is to be agreed in principle between the parties prior to exhibition of the Planning Proposal.

The VPA is to identify the change in the developable value of the land arising from this Planning Proposal in accordance with the Rockdale City Council Voluntary Planning Agreement Policy 2007 and the "*Methodology for valuing public benefits under a planning agreement*" cited in Section 2.13 of that policy having regard to the increase in the allowable height by 2 storeys and also to the reservation of land for a public purpose, being the through-site-link across the rear of the subject properties.

Council is required to ensure that a proposed planning agreement is publicly notified as part of, in the same manner as and, where practicable, at the same time as the application for instrument change or development application to which it relates. The planning agreement must therefore be negotiated and documented before it is publicly notified as required by the Act and Regulation. The Planning Proposal is to be concurrently exhibited with the draft VPA.

It is understood that Council will generally require a planning agreement to provide that the developer's obligations under the agreement take effect when the first development consent operates in respect of development that is the subject of the agreement, and will operate progressively, in accordance with its terms, as the relevant development proceeds from the issue of the first construction certificate in respect of that development until the grant of the final occupation certificate.



## 9.0 Community Consultation

A Gateway Determination would specify community consultation to be undertaken, in accordance with Section 56 (2)(c) of the EP&A Act as part of the LEP amendment process.

Community consultation would be commenced by the placing of a public notice in the local newspaper and on the Rockdale Council website and/or the DP&E website.

The DP&E's 'A guide to preparing local environmental plans' provides timeframes for the exhibition. It is considered this application is to undertake a 28 day exhibition period. Normal exhibition material would be made available by the relevant planning authority during the exhibition period. The community consultation process would be completed when the relevant planning authority has considered any submissions received concerning the proposed LEP amendment and has forwarded those reports to the DP&E for final consideration by the Minister.

## 10.0 Consequential Rockdale DCP Amendments

In parallel with the Planning Proposal, it is intended to make consequential changes to Rockdale DCP – Part 7.5 Rockdale Town Centre – Amendment 3 in so far as it relates to podium heights fronting streets and laneway frontages. It is intended to raise the podium height to 5 storeys both at Railway Street and the Hesten Lane frontages. These amendments are shown and justified in the Urban Design Study by Candalepas and Associates.

## 11.0 Project Timeline

The project timeline is outlined below.

**Table 3 Project Timeline**

| <b>Milestone</b>  | <b>Proposed Date</b>  |
|---|-----------------------|
| Anticipated commencement date (date of Gateway determination)   | October 2015          |
| Anticipated timeframe for the completion of required technical information                                  | October – March 2016  |
| Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) | February 2016         |
| Commencement and completion dates for public exhibition period  | February – March 2018 |
| Dates for public hearing (if required)  | NA                    |
| Timeframe for consideration of submissions  | March 2018            |
| Timeframe for the consideration of a proposal post exhibition   | April 2018            |
| Date of submission to the department to finalise the LEP  | April 2018            |
| Anticipated date RPA will make the plan (if delegated)  | April 2018            |
| Anticipated date RPA will forward to the department for notification  | April 2018            |

## 12.0 Conclusion

This report has considered the context of the area, the future vision of the Rockdale town centre, as well as the relevant site specific outcomes for the site.

In order to promote the revitalisation of the Rockdale Town Centre, this Planning Proposal facilitates the future development of 75 – 81 Railway Street. It aims to increase the maximum permitted height of a building in order to allow for a prominent and focal gateway into the town centre.

This Planning Proposal relies heavily upon the transit-oriented urban renewal foundations of the Rockdale Town Centre Masterplan and separate independent urban planning analysis by Planning Lab with detailed urban design and architectural analysis by Candalepas and Associates.

The Rockdale Town Centre Masterplan guides future change to ensure the community's vision is achieved. Part of the design strategy for the town centre is to increase residential densities in appropriate locations close the public transport, which involves an increase in maximum building height and a provision to remove FSR controls.

This Planning Proposal responds to the vision of the Masterplan, facilitating an increased density on the site to help revitalise the area.

The Planning Proposal is considered the most appropriate and feasible mechanism to achieve revitalisation and redevelopment of the site, whilst also providing significant public domain benefits. More specifically, the current height controls do not provide sufficient incentive for redevelopment particularly if a large section of the site is to be dedicated for the purpose of a through-site-link.

As the site is identified within the Rockdale Town Centre Masterplan as being on a prominent corner as a future north-western gateway to the newly planned Rockdale town centre, a compliant development would not achieve the desired entrance statement activation or revitalisation of the area.

An appropriate and well considered eight story built form can facilitate the urban renewal to help revitalise the town centre. The built form can be well managed through detailed design incorporating building articulation and facade modulation to ensure a 'human scale' can be retained.

This Planning Proposal has demonstrated that an increase in the permitted building height of this site is justified, appropriate and can be supported by Rockdale City Council.

# **Annexure 1: Urban Design Study – Candalepas and Associates**



## **Annexure 2: Acoustic - Renzo Tonin**

## **Annexure 3: Electrical - NPC**

## **Annexure 4: Hydraulics - AJ Whipps**

## **Annexure 5: Traffic - Arup**

## **Annexure 6: Wind - Windtech**



# URBAN DESIGN REPORT SUPPORTING A PLANNING PROPOSAL – ISSUE TO COUNCIL

PROJECT:  
75–81 RAILWAY STREET,  
ROCKDALE

CLIENT:  
ZOE HOLDINGS ROCKDALE PTY. LTD.

PROJECT No:  
5724

DATE:  
13 FEB 2018

ISSUE:  
B

ARCHITECT:

## CANDALEPAS ASSOCIATES

309 SUSSEX ST  
SYDNEY NSW 2000  
T: 9283 7755 F: 9283 7477

DRAWING SCHEDULE:

|          |   |
|----------|---|
| PP-1.01  | COVERSHEET  |
| PP-2.01  | INTRODUCTION, METHODOLOGY AND SITE LOCATION                 |
| PP-3.01  | PURPOSE AND AIMS  |
| PP-4.01  | LOCAL CONTEXT /LAND USE                                     |
| PP-4.02  | LOCAL CONTEXT /BUILDING HEIGHT                              |
| PP-4.03  | LOCAL CONTEXT /ADOPTED BUILDING HEIGHT                      |
| PP-4.04  | LOCAL CONTEXT /TYPOLOGIES                                   |
| PP-4.05  | LOCAL CONTEXT /HERITAGE                                     |
| PP-4.06  | LOCAL CONTEXT /STREET NETWORK                               |
| PP-4.07  | LOCAL CONTEXT /PUBLIC TRANSPORT                             |
| PP-4.08  | LOCAL CONTEXT /FACILITIES                                   |
| PP-5.01  | SITE CONTEXT /ANALYSIS                                      |
| PP-5.02  | SITE CONTEXT /PHOTOS  |
| PP-6.01  | SITE CHALLENGES AND CONSTRAINTS                             |
| PP-7.01  | OPTION TESTING /A   |
| PP-7.02  | OPTION TESTING /B   |
| PP-8.01  | DESIGN PRINCIPLES   |
| PP-9.01  | PROPOSAL /LAND USE  |
| PP-9.02  | PROPOSAL /BUILDING HEIGHT                                   |
| PP-9.03  | PROPOSAL /PEDESTRIAN AND VEHICULAR ACCESS                   |
| PP-9.04  | PROPOSAL /OPEN SPACE  |
| PP-9.05  | PROPOSAL /BUILDING ENVELOPE AND SETBACKS                    |
| PP-9.10  | PROPOSAL /INDICATIVE GROUND FLOOR PLAN                      |
| PP-9.11  | PROPOSAL /INDICATIVE TYPICAL LOWER & UPPER LEVEL FLOOR PLAN |
| PP-9.12  | PROPOSAL /INDICATIVE TYPICAL SECTION                        |
| PP-9.13  | PROPOSAL /INDICATIVE RAILWAY & PARKER STREET ELEVATION      |
| PP-9.20  | PROPOSAL /INDICATIVE DEVELOPMENT CALCULATIONS               |
| PP-9.30  | PROPOSAL /INDICATIVE SHADOW DIAGRAMS 21 MARCH               |
| PP-9.31  | PROPOSAL /INDICATIVE SHADOW DIAGRAMS 21 JUNE                |
| PP-9.32  | PROPOSAL /INDICATIVE SHADOW DIAGRAMS 21 DECEMBER            |
| PP-9.40  | PROPOSAL /INDICATIVE PHOTOMONTAGE 1                         |
| PP-9.41  | PROPOSAL /INDICATIVE PHOTOMONTAGE 2                         |
| PP-9.42  | PROPOSAL /INDICATIVE PHOTOMONTAGE 3                         |
| PP-10.01 | HEIGHT OF BUILDINGS MAP                                     |







**INTRODUCTION, METHODOLOGY AND SITE LOCATION**

Candalepas Associates have been engaged by Zoe Holdings Rockdale Pty Limited to prepare this Urban Design Report ('the Report') as part a Planning Proposal for the 75-81 Railway Street, Rockdale ('the Site').

This Report has been prepared in accordance with Rockdale City Council's draft guidelines for urban design reports and in consultation with Council's town planning staff. The Report is based on several site visits, a review of the current controls for the Site and Council's strategic vision for urban renewal of the Rockdale Town Centre as set out in the Rockdale Town Centre Planning Proposal and the associated Town Centre Masterplan. The Report and proposal also draw on Candalepas Associates extensive experience with projects of similar use, context and density.

The subject site, 75-81 Railway Street is located between Walz Street and Parker Street immediately to the west of Rockdale Railway Station. 75-81 Railway Street sits on the corner of Railway and Parker Street. It also has a frontage to Walz Lane to the west. The subject site is located on the edge of the Rockdale Town Centre which does not extend beyond Parker Street.

**LEGEND**

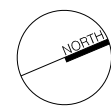
- SUBJECT SITE
- 1 SITE 1
- 75-81 RAILWAY STREET  
LOT 101 IN DP 771165  
LOT 3 IN DP82942  
LOT 1 IN DP455421  
LOT 1 IN DP912313

FOR PLANNING PROPOSAL PURPOSES ONLY  
NOT FOR CONSTRUCTION  
© COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
CANDALEPAS ASSOCIATES  
309 SUSSEX STREET  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7477  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG No. - 5773

PROJECT:  
75-81 RAILWAY STREET, ROCKDALE  
CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED  
SCALE: 1:2000@A3  
0 10m 20m 50m



DATE:  
FEB 2018  
CHECKED 1:  
ACu  
CHECKED 2:  
-  
DRAWN BY:  
DA, FT, LC, MT

DRAWING:  
INTRODUCTION,  
METHODOLOGY  
AND  
SITE LOCATION  
DRAWING No.  
PP - 2.01

JOB No.  
5724  
ISSUE  
B



PURPOSE AND AIMS

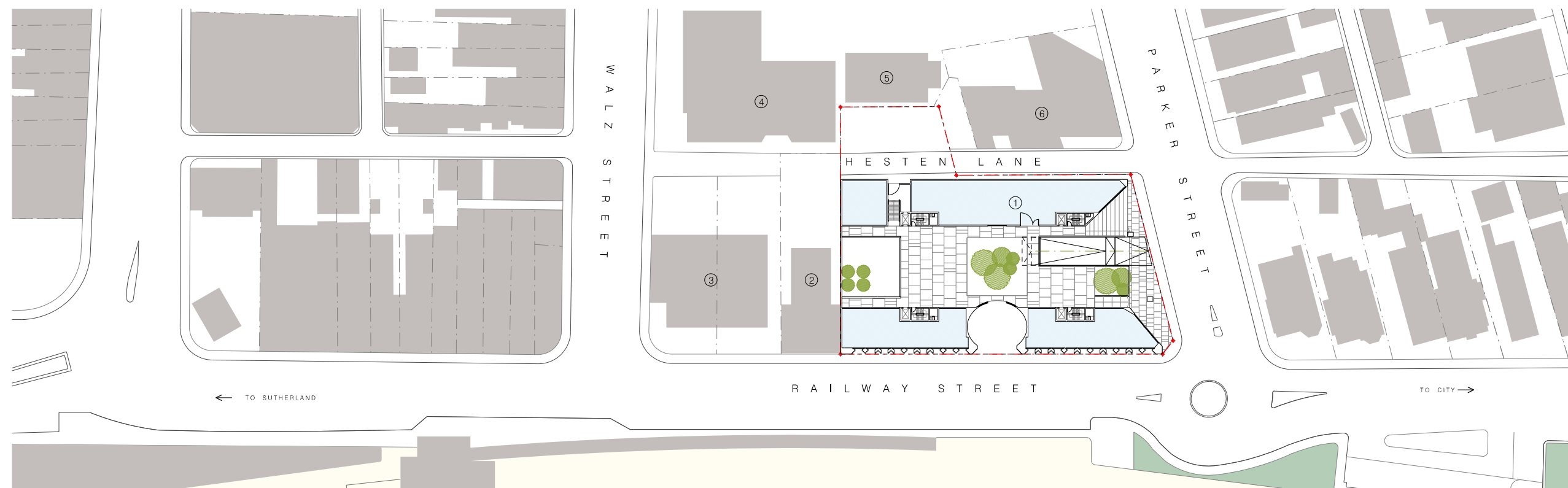
The Planning Proposal seeks to increase the maximum permissible height for the Site from 22 metres as adopted by Council in October 2014 to 28 metres.

The proposal aims to contribute to the enhancement of the public domain by including a new lane to the west of the Site and a public forecourt in Parker Street. The extension of Hesten Lane through to Walz Street will repair a broken link in the lane network which is characteristic for the Town Centre. The proposal also has the potential to contribute to the creation of a new public precinct surrounding Guild Theatre, an important public institution within the Rockdale Local Government Area.

This Report explores an appropriate size, bulk, form and architectural expression for the Site. It argues that the increase in height of six metres will have a minimal additional environmental impact. At the same time the creation of a new lane and potentially forecourt to the theatre will make a positive contribution to the character, urban quality and vitality of the Site and its context.



02\_ FUTURE PRECINCT AXONOMETRIC



LEGEND

- SUBJECT SITE
- ① 75 - 81 RAILWAY STREET
- ② 83 - 85 RAILWAY STREET
- ③ GUILD THEATRE / 87 RAILWAY STREET
- ④ 3 - 13 WATKIN STREET
- ⑤ 3 - 13 WATKIN STREET
- ⑥ 2 - 4 PARKER STREET

01\_ FUTURE PRECINCT PLAN\_1:1000

|   |            |                  |                       |
|---|------------|------------------|-----------------------|
| B | 15/02/18   | ISSUE TO COUNCIL | A3                    |
| A | 01/04/15   | ISSUE TO COUNCIL |                       |
|   | Issue Date | Description      | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT

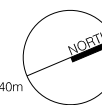
THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
 CANDALEPAS  
 ASSOCIATES  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

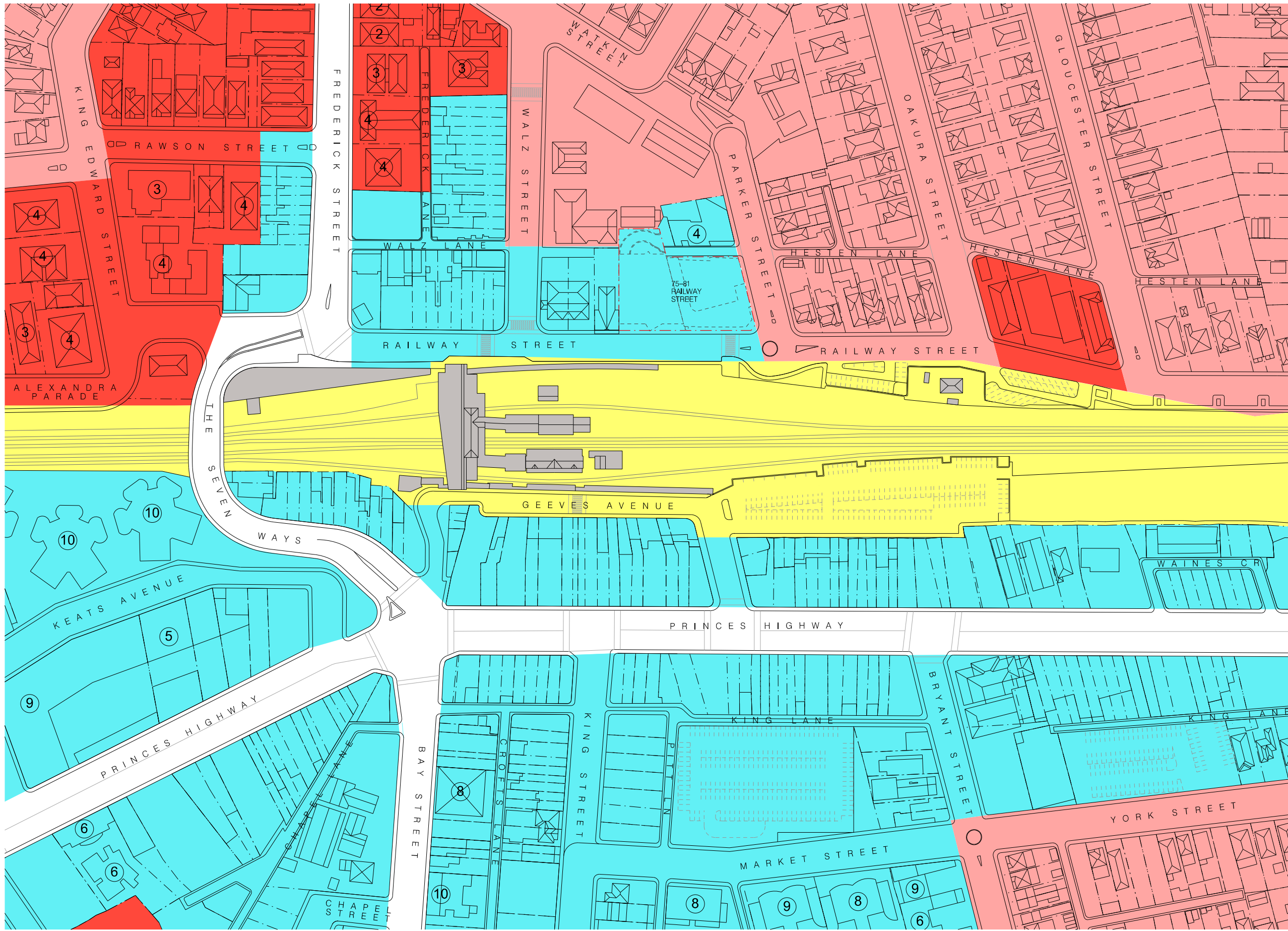
SCALE: 1:1000@A3  
 0 5m 10m 20m 40m



DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 PURPOSE AND  
 AIMS  
 DRAWING No.  
 PP - 3.01

JOB No.  
 5724  
 ISSUE  
 B



**LAND USE**

The subject site is within the Rockdale Town Centre as defined in the Rockdale DCP Part 7.5 Amendment 3. The land is zoned B2 Local Centre. Most of the Town Centre is located on the opposite site of the Railway Station along Princes Highway between Bay Street and Bryant Street. Existing land uses within the vicinity of the site include public buildings such as the Guild Theatre, St Joseph's Church and Primary School. All of which are located in the same city block together with a small mixed use development to the west of 75-81 Railway Street. To the north, on the opposite site of Parker Street the zoning changes to R2 Local Density Residential which is consistent with the predominantly single and double storey dwellings. The southern site of Walz Street is dominated by a row of single storey shops, some of which have a one storey residential use above them.

**LEGEND**

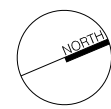
- SUBJECT SITE
- 7 NUMBER OF STOREYS
- LAND ZONING – B2 LOCAL CENTRE ROCKDALE LEP2011
- LAND ZONING – R2 LOCAL DENSITY RESIDENTIAL ROCKDALE LEP2011
- LAND ZONING – R4 HIGH DENSITY RESIDENTIAL ROCKDALE LEP2011
- LAND ZONING – SP2 INFRASTRUCTURE ROCKDALE LEP2011

1:002/18 ISSUE TO COUNCIL  
 1:003/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. – 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:2000@A3  
 0 10m 20m 50m

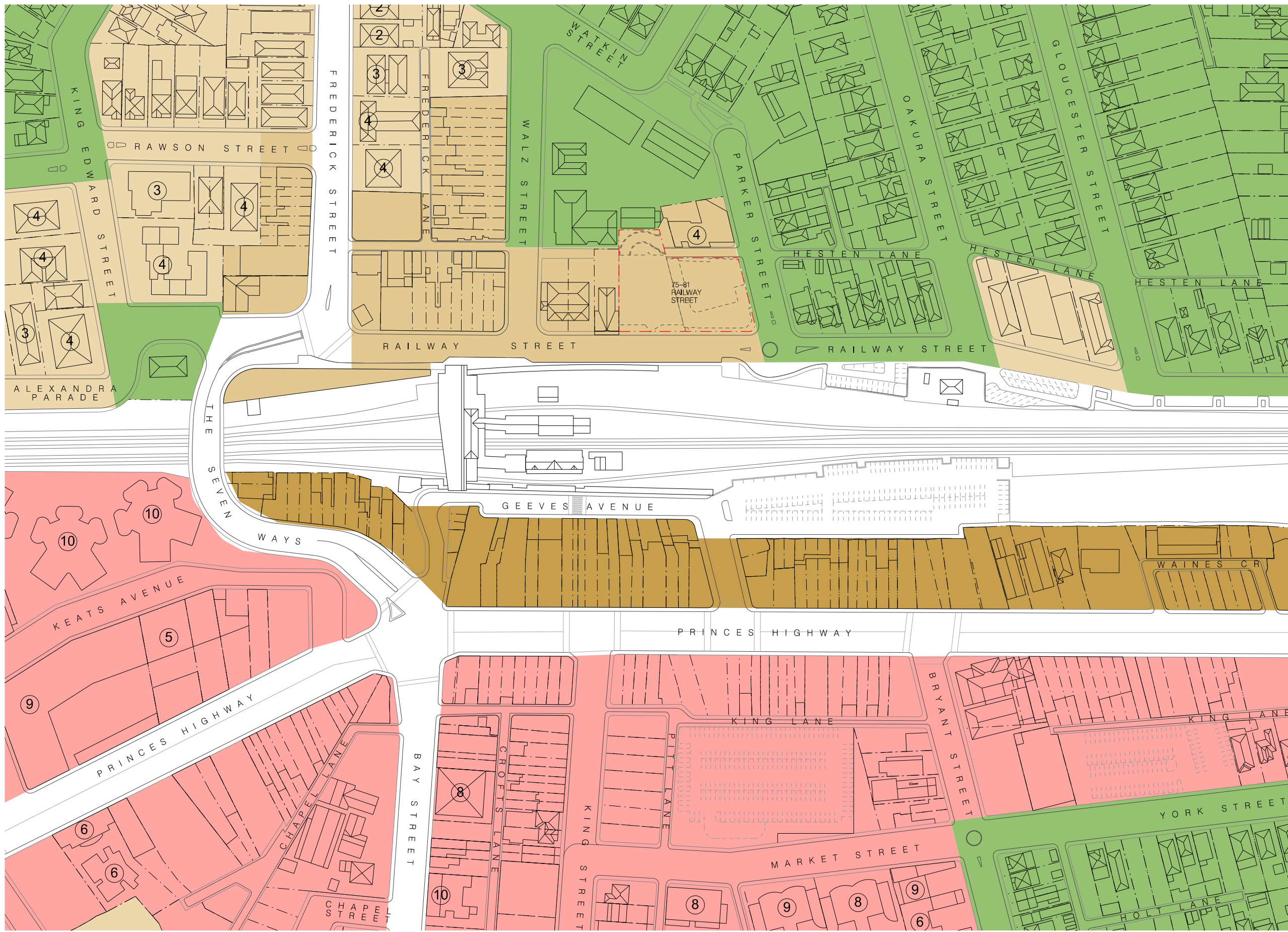


DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 LOCAL CONTEXT /  
 LAND USE  
 DRAWING No.  
**PP – 4.01**

JOB No.  
**5724**  
 ISSUE  
**B**





**BUILDING HEIGHT**

Buildings heights in the Rockdale Town Centre vary from single storey shops to ten storey residential flat buildings. Taller buildings, which are typically residential in use, are located on the eastern side of Rockdale Railway Station. Building heights can reach nine and ten storeys there. To the west of the station building heights are predominantly one to three storeys. There is a recently constructed four storey mixed use development in 2-4 Parker Street immediately to the west of the subject site. The single residential dwellings on the northern side of Parker Street are one to two storeys in height. Permitted building heights in the Rockdale Town Centre vary from 14.5 to 16 metres on the western side of the station to 22 to 28 metres east of the station.

**LEGEND**

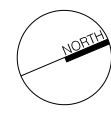
- SUBJECT SITE
- 7 NUMBER OF STOREYS
- 1 - 8.5m ROCKDALE LEP2011
- N2 - 14.5m ROCKDALE LEP2011
- O2 - 16m ROCKDALE LEP2011
- R2 - 22m ROCKDALE LEP2011
- T3 - 28m ROCKDALE LEP2011

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:2000@A3  
 0 10m 20m 50m



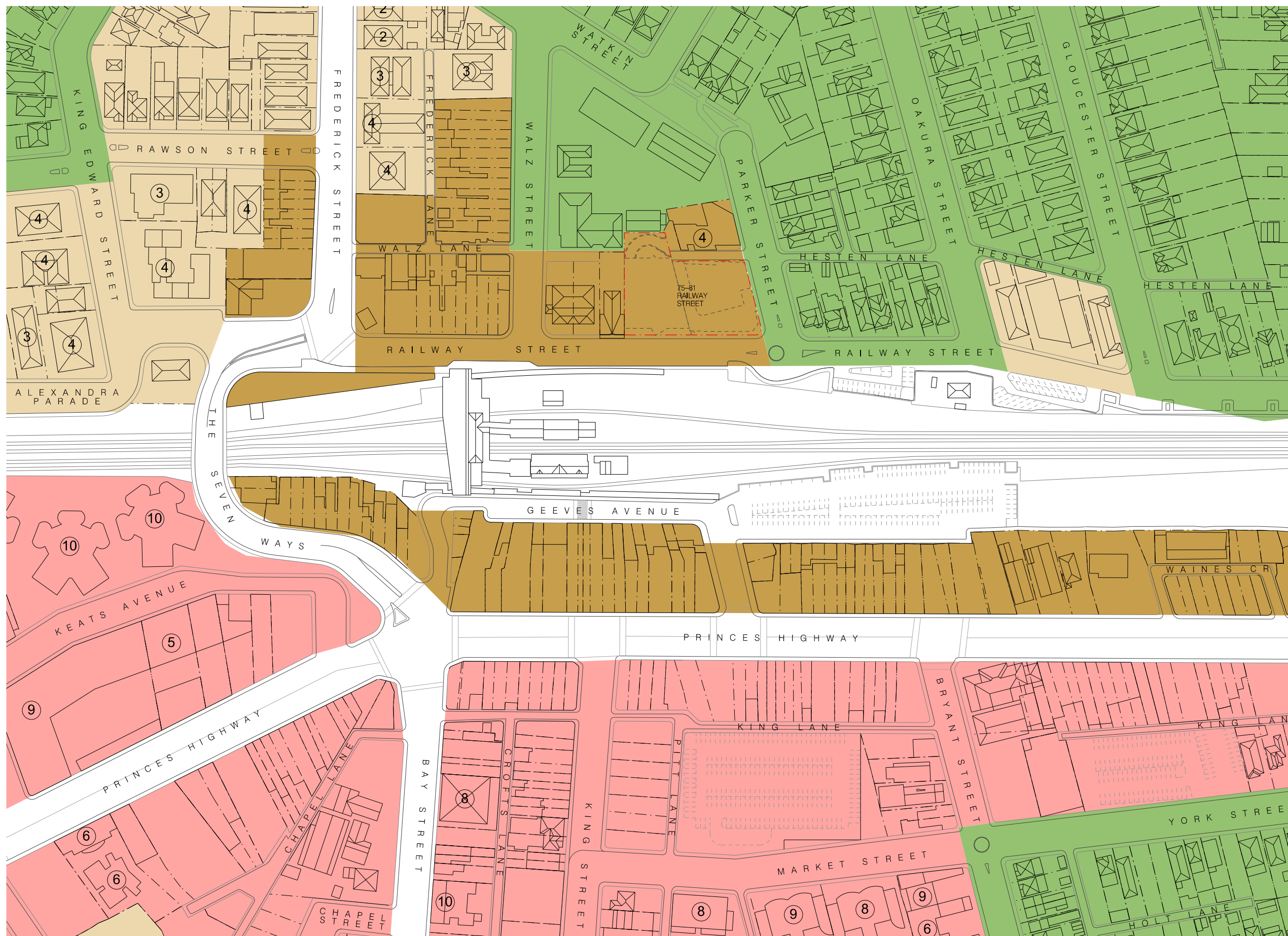
DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 LOCAL CONTEXT /  
 BUILDING HEIGHT  
 DRAWING No.  
**PP - 4.02**

JOB No.  
**5724**  
 ISSUE  
**B**

ADOPTED BUILDING HEIGHT

In its recent Planning Proposal for the Rockdale Town Centre which was adopted in October 2014 Council has increased the building heights on the western side of the railway station to 22 metres. East of the station the building heights have been kept at 22 to 28 metres.



LEGEND

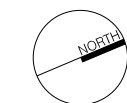
- - - SUBJECT SITE
- ⑦ NUMBER OF STOREYS
- I - 8.5m RTC PLANNING PROPOSAL
- N2 - 14.5m RTC PLANNING PROPOSAL
- O2 - 16m RTC PLANNING PROPOSAL
- R2 - 22m RTC PLANNING PROPOSAL
- T3 - 28m RTC PLANNING PROPOSAL

B 15/02/18 ISSUE TO COUNCIL  
 A 03/03/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
 CANDALEPAS ASSOCIATES  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:2000@A3  
 0 10m 20m 50m

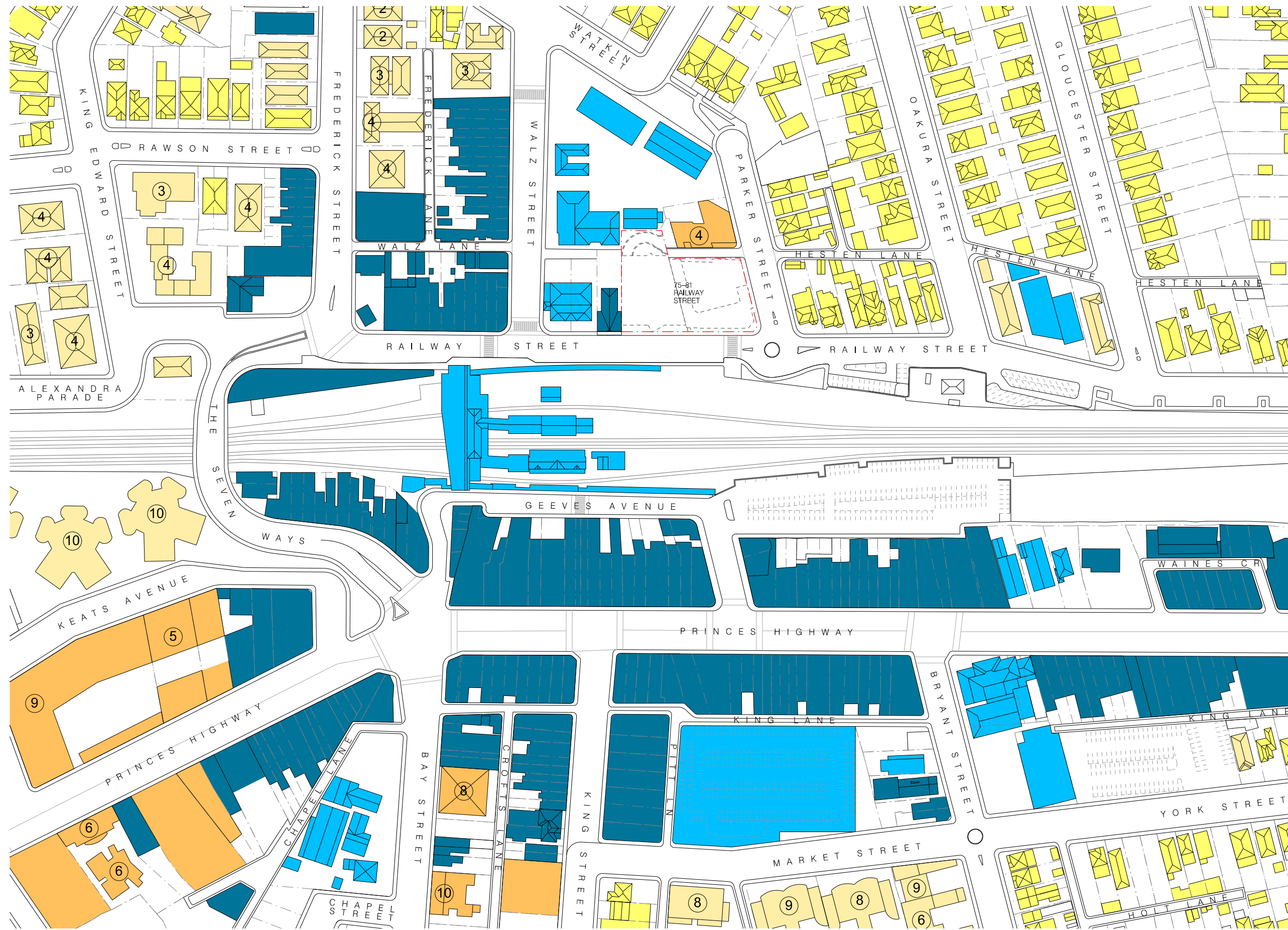


DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 LOCAL CONTEXT /  
 ADOPTED BUILDING  
 HEIGHT  
 DRAWING No.  
 PP - 4.03

JOB No.  
 5724  
 ISSUE  
 B





**TPOLOGIES**

The area around the subject site is heterogenic in use, height and building type. Immediately east and west of the station single and two storey rows of shops dominate the streetscape. In the back of these traditionally small and narrow main street type buildings sites have been consolidated. East of the station more recently built typologies include eight to ten storey residential flat buildings and mixed-use developments with retail on the ground floor. West of the station buildings are smaller and include two and three storey apartment buildings. In addition, free-standing public buildings are dotted through-out the Rockdale Town Centre. As the subject site is on the edge of the Rockdale Town Centre there are also single dwellings in the immediate vicinity.

**LEGEND**

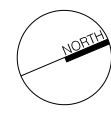
- SUBJECT SITE
- 7 NUMBER OF STOREYS
- MIXED USE DEVELOPMENT
- RESIDENTIAL FLAT BUILDINGS
- SINGLE RESIDENTIAL DWELLINGS
- RETAIL
- PUBLIC BUILDINGS

13/02/18 ISSUE TO COUNCIL  
 04/03/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

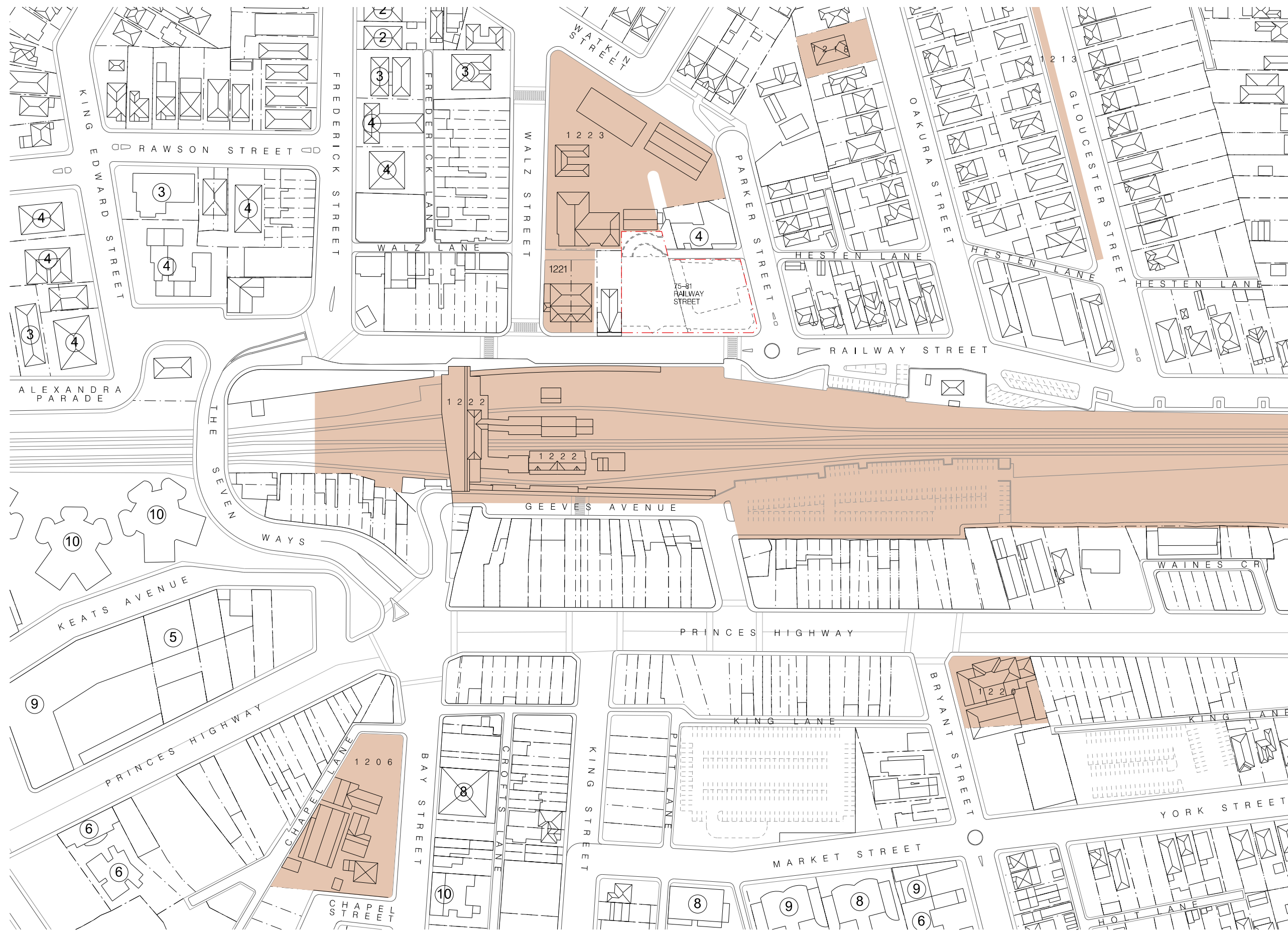
PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:2000@A3  
 0 10m 20m 50m



DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
**LOCAL CONTEXT /**  
**TPOLOGIES**  
 DRAWING No.  
**PP - 4.04**

JOB No.  
**5724**  
 ISSUE  
**B**



**HERITAGE**

There are five heritage items located within the Rockdale Town Centre. The site shares a boundary with the listed St Joseph's Convent. The convent fronts onto Walz Street, Watkin Street and Parker Street. It turns its back to the subject site and used to be separated from them by a lane. The Rockdale School of Arts building which is also known as the Guild Theatre is in proximity but not directly adjacent to the subject site.

**LEGEND**

- SUBJECT SITE
- ITEM - HERITAGE
- 1206 UNITING CHURCH AND BUILDINGS
- 1213 PALMS TREES ON VERGE
- 1218 FEDERATION HOUSE
- 1220 ROCKDALE TOWN HALL
- 1221 ROCKDALE SCHOOL OF ARTS (GUILD THEATRE)
- 1222 BRICK BUILDINGS ON PLATFORMS, SIGNAL BOX AND OVERHEAD BOOKING OFFICE
- 1223 ST JOSEPH'S CONVENT

15/02/18 ISSUE TO COUNCIL  
 04/03/18 ISSUE TO COUNCIL  
 B A Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT

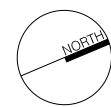
THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:2000@A3  
 0 10m 20m 50m

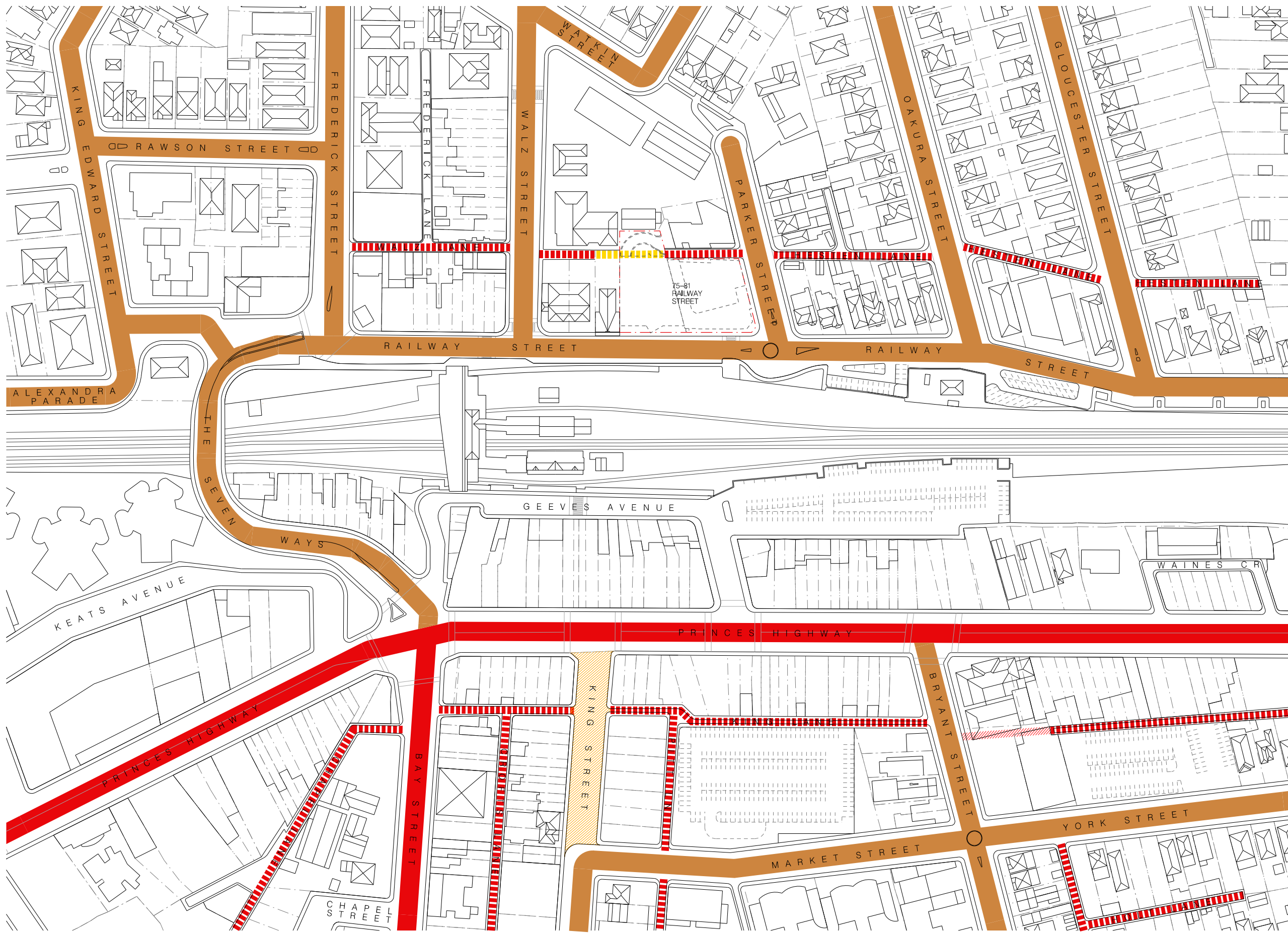


DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
**LOCAL CONTEXT / HERITAGE**  
 DRAWING No.  
**PP - 4.05**

JOB No.  
**5724**  
 ISSUE  
**B**





## STREET NETWORK

Rockdale Town Centre is characterised by a network of roads and lanes. Major roads are located on the eastern side of the station. The Princes Highway as Rockdale's traditional main street runs in a north-south direction one block east of the station connecting southern parts of Greater Sydney to the CBD. It has its main intersection with Bay Street which connects Rockdale to Botany Bay. There is a pedestrian zone in King Street between the highway and Market Street. The subject site is serviced by local roads, such as Railway Street, which links to Princes Highway via a bridge across the rail tracks. The roads are supported by a network of lanes which provides delivery access to a lot of properties but also a more pleasant pedestrian environment. King Lane runs parallel to Princes Highway. Walz and Heston lane follow Railway Street. At the back of the subject site, between Walz Street and Parker Street, the lane is discontinuous due to built structures in 75-81 Railway Street.

## LEGEND

- SUBJECT SITE
- MAIN ROADS
- LOCAL ROADS
- PEDESTRIAN ZONE
- LANES
- PEDESTRIAN THROUGH SITE LINK
- POTENTIAL LANEWAY CONNECTION

13/02/18 ISSUE TO COUNCIL  
 02/04/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT

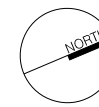
THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
 CANDALEPAS  
 ASSOCIATES  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

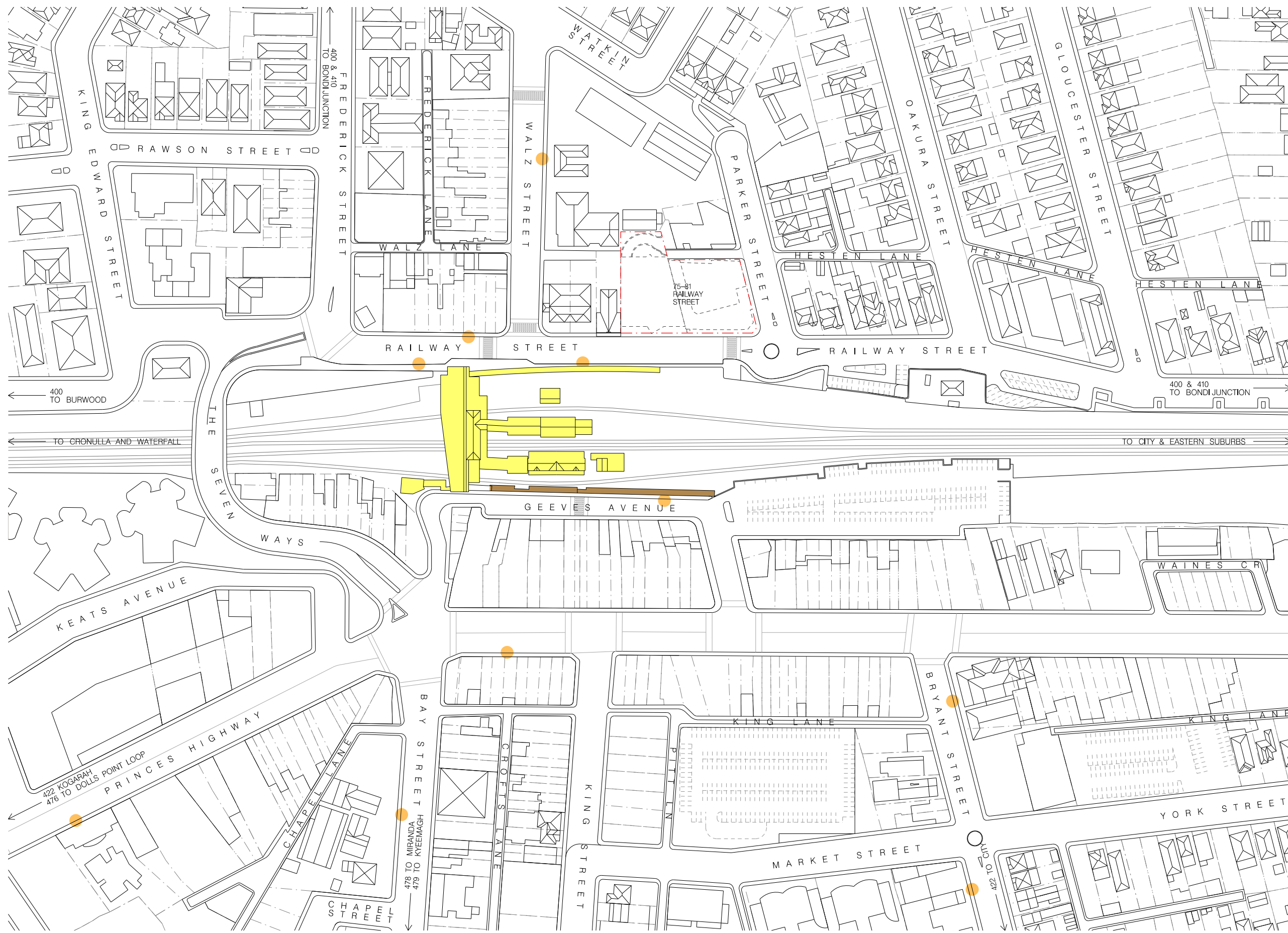
SCALE: 1:2000@A3  
 0 10m 20m 50m



DATE:  
 FEB 2018  
 CHECKED 1:  
 ACU  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 LOCAL CONTEXT /  
 STREET NETWORK  
 DRAWING No.  
 PP - 4.06

JOB No.  
 5724  
 ISSUE  
 B



**PUBLIC TRANSPORT**

The subject site has excellent access to public transport. Rockdale Town Centre is serviced by the Illawarra-Eastern suburbs train line and by numerous bus services which provide connections within the Local Government Area, to the Sydney CBD and also beyond to Greater Sydney. The Site is located right opposite the train station. A great number of bus stops are either right in front of the property or within short walking distance.

**LEGEND**

- SUBJECT SITE
- ROCKDALE TRAIN STATION
- ILLAWARRA-EASTERN SUBURBS LINE
- ROCKDALE BUS TERMINAL
- 476 ROCKDALE – DOLLS POINT LOOP
- 478 ROCKDALE STATIO – MIRANDA
- 479 ROCKDALE – KYEEMARCH LOOP
- BUS STOP
- 400 BURWOOD – BONDI JUNCTION VIA AIRPORT
- 410 ROCKDALE – BONDI JUNCTION
- 422 KOGARAH – CITY
- 452 ROCKDALE – BONDI JUNCTION
- 473 ROCKDALE – CAMPSIE
- 492 ROCKDALE – DRUMMOYNE
- 493 ROCKDALE – ROSELANDS

13/02/18 ISSUE TO COUNCIL  
 01/04/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**

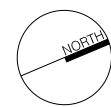
THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:2000@A3  
 0 10m 20m 50m

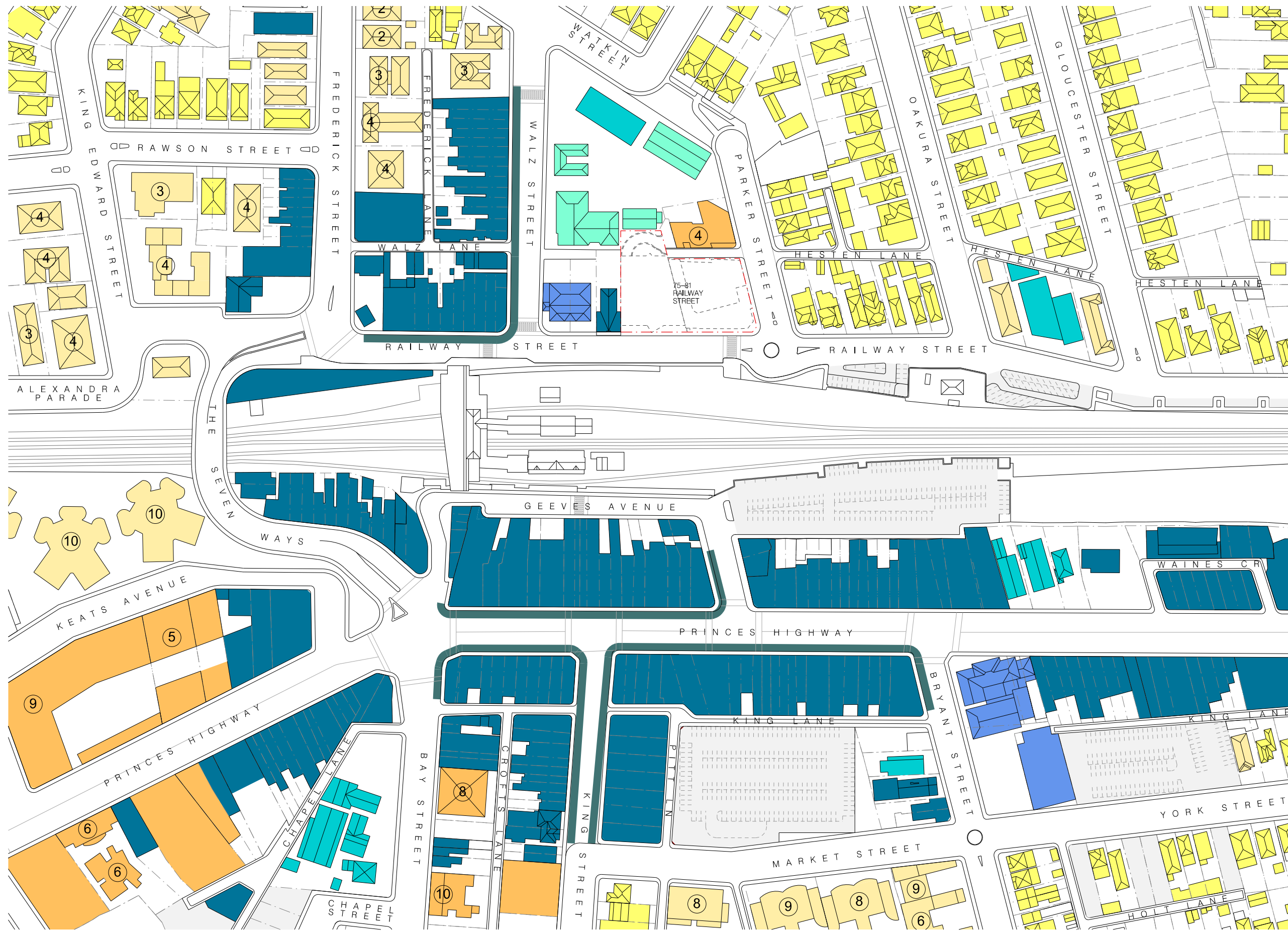


DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
**LOCAL CONTEXT / PUBLIC TRANSPORT**  
 DRAWING No.  
**PP - 4.07**

JOB No.  
**5724**  
 ISSUE  
**B**





**FACILITIES**

As the subject site is located within the Rockdale Town Centre it is in close proximity of all facilities required in day to day life. These facilities include small, main street type shops and cafes along Walz Street and Princess Highway, a primary school adjacent on the western edge of the property and various churches on both sides of the railway lines. Council chambers are also only a short walk away.

**LEGEND**

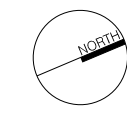
- SUBJECT SITE
- 7 NUMBER OF STOREYS
- MIXED USE DEVELOPMENT
- RESIDENTIAL FLAT BUILDINGS
- SINGLE RESIDENTIAL DWELLINGS
- RETAIL
- SERVICES
- SCHOOLS
- CHURCHES
- PARKING
- PRIMARY RETAIL

1:02:18 ISSUE TO COUNCIL  
 1:02:18 ISSUE TO COUNCIL  
 1:02:18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:2000@A3  
 0 10m 20m 50m



DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
**LOCAL CONTEXT / FACILITIES**  
 DRAWING No.  
**PP - 4.08**

JOB No.  
**5724**  
 ISSUE  
**B**



**ANALYSIS**

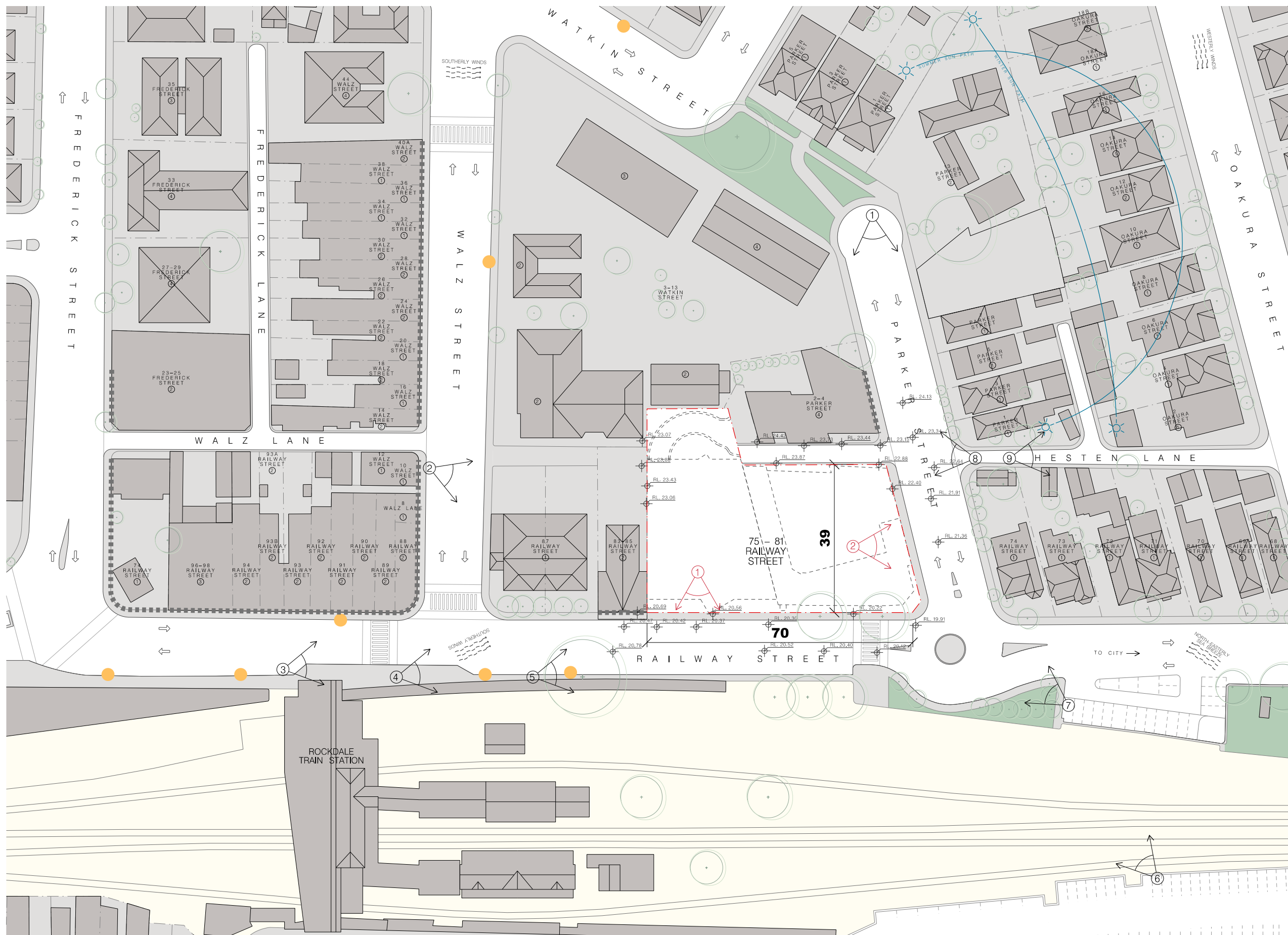
75-81 Railway Street is rectilinear in shape and runs in a north-south direction. It has an approximately 70m long eastern frontage to Railway Street and a just under 40m frontage to Parker Street. The site also has a frontage to Hesten Lane. The total site area is 2,942sqm. Prevailing winds are southerly winds in winter and north-easterly sea breezes in summer. The site has its low point on the corner of Railway Street and Parker Street as it falls by approximately one metre along its eastern boundary and by approximately three metres from Hesten Lane to Railway Street. With low level structures to the north and the east the subject site will offer views to the City and Botany Bay. Further, the corner position on the edge of the Rockdale Town Centre will ensure its prominence.

75-81 Railway Street is currently occupied by two office buildings. The building in 81 Railway Street is three storeys in height with a roof top carpark which has its access from the lane. It also has a basement carpark with a driveway off Railway Street. The building in 75-79 Railway Street is one to two storeys in height. Parking is provided at street level off the lane. Both buildings have their entry foyers in Railway Street.

The buildings on the subject site are approximately three storeys lower than the recently finished development in 2-4 Parker Street. The neighbouring building faces north onto Parker Street and also has units looking across Hesten Lane and the subject site to the east. The lane is about six metres wide and has a footpath on its western side.

**LEGEND**

- SUBJECT SITE
- ⊙ NUMBER OF STOREYS
- HERITAGE ITEMS
- BUS STOP
- ▬ RETAIL / COMMERCIAL FRONTAGE
- ⇨ VEHICULAR TRAFFIC FLOW
- ⇨ SHARED PEDESTRIAN / VEHICLE ZONE (SERVICE / LOADING VEHICLES ONLY)
- 🚲 CYCLE PATH (SHARED ZONE WHEN ON FOOTPATH)
- 👁️ SIGNIFICANT VIEWS TO THE SITE
- 👁️ SIGNIFICANT VIEWS FROM THE SITE
- EXISTING TREE



|            |                  |                       |
|------------|------------------|-----------------------|
| 13/02/18   | ISSUE TO COUNCIL | A3                    |
| 02/03/18   | ISSUE TO COUNCIL | A3                    |
| Issue Date | Description      | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT

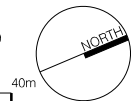
THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG. No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:1000@A3  
 0 5m 10m 20m 40m



DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 SITE CONTEXT /  
 ANALYSIS  
 DRAWING No.  
**PP - 5.01**

JOB No.  
**5724**  
 ISSUE  
**B**





01\_ VIEW EAST ALONG PARKER STREET



02\_ VIEW NORTH FROM WALZ STREET



03\_ VIEW NORTH ALONG RAILWAY STREET



04\_ VIEW NORTH ALONG RAILWAY STREET



05\_ VIEW NORTH ALONG RAILWAY STREET



06\_ VIEW WEST FROM RAILWAY



07\_ VIEW WEST FROM RAILWAY STREET



08\_ VIEW SOUTH ALONG HESTEN LANE



09\_ VIEW NORTH ALONG HESTEN LANE

LEGEND



SIGNIFICANT VIEWS TO THE SITE



SIGNIFICANT VIEWS FROM THE SITE



01\_ VIEW NORTH TOWARDS THE CITY FROM 75 - 81 RAILWAY STREET ROOF



02\_ VIEW EAST TOWARDS BOTANY BAY FROM 75 - 81 RAILWAY STREET ROOF

|   |          |                  |                             |
|---|----------|------------------|-----------------------------|
| B | 15/02/18 | ISSUE TO COUNCIL | A3<br>Drawing Original Size |
| A | 02/02/18 | ISSUE TO COUNCIL |                             |
|   |          | Description      |                             |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: -

DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

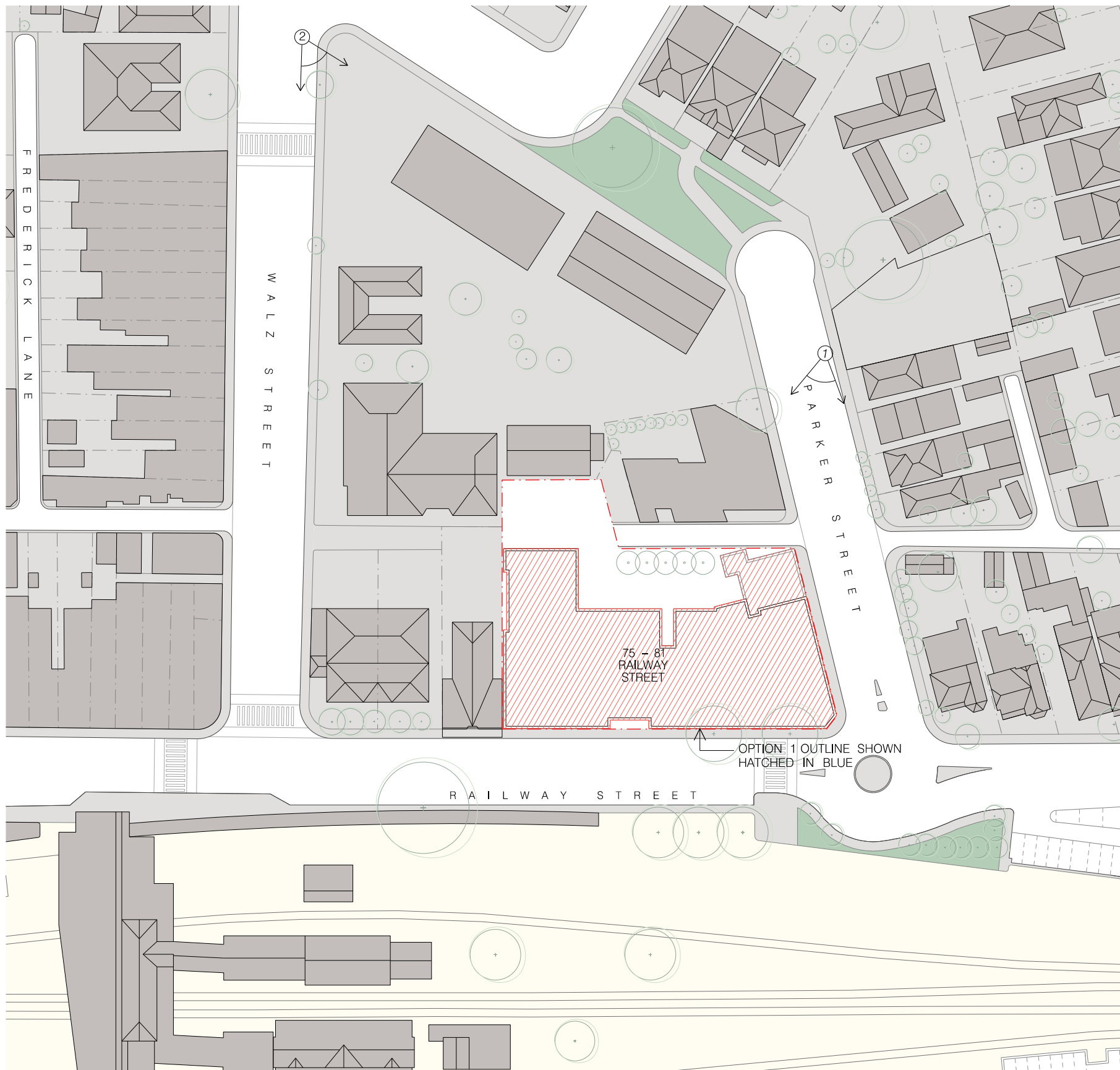
DRAWING:  
 SITE CONTEXT /  
 PHOTOS  
 DRAWING No.  
**PP - 5.02**



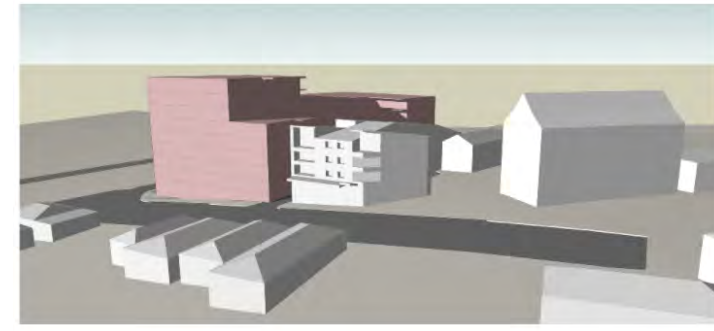
JOB No.  
**5724**  
 ISSUE  
**B**



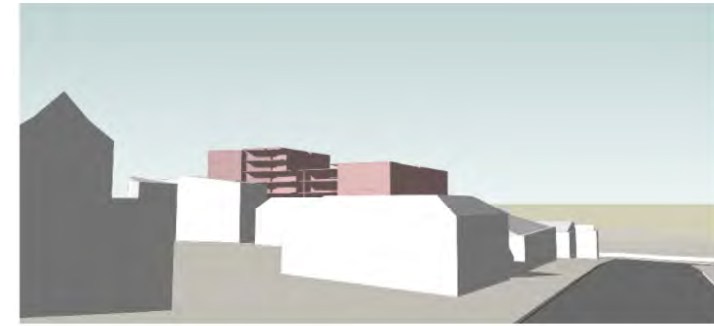




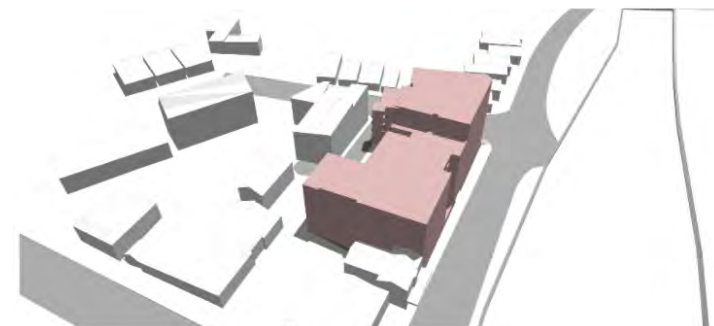
01 OPTION 1  
1:1000



1. NORTH EAST VIEW FROM PARKER STREET



2. EAST VIEW ALONG WALZ STREET



3. BIRD EYE VIEW

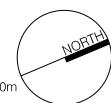
OPTION TESTING / A

Two options were explored for the Site as part of the investigations. Both options rely on establishing a lane connection between Walz Street and Parker Street.  
 Option A locates most of building mass against Railway Street and provides a backyard to the lane. This option assumes compact floor plates with the least possible building perimeter and relies on deep apartments to capture the floor space. The proposal has an eight to six storey frontage to Parker Street and creates considerable bulk on the edge of the Town Centre. This built form does not follow the existing street pattern by setting back from the lane.

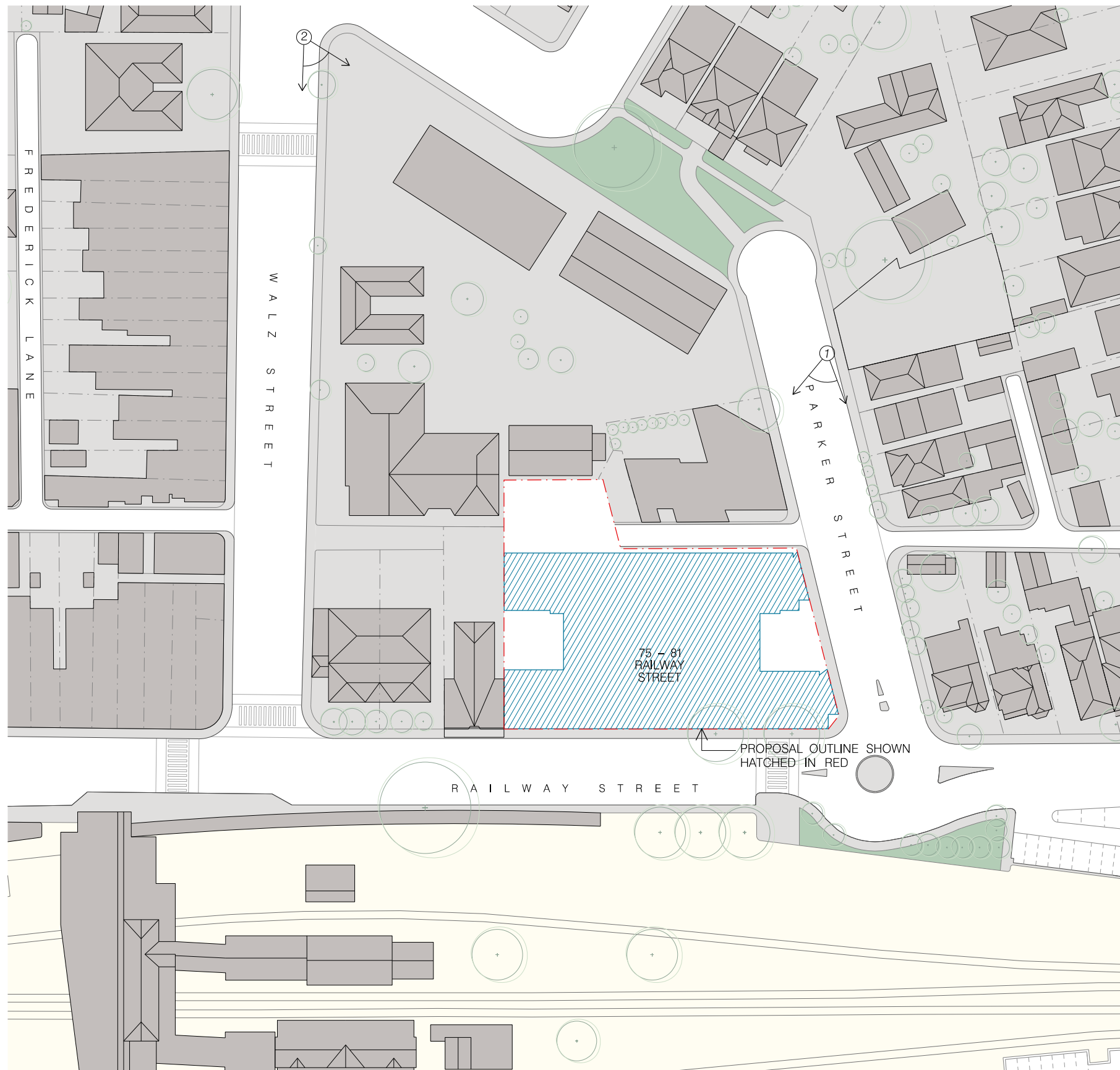
LEGEND

- SUBJECT SITE
- ▨ PROPOSED DEVELOPMENT AT 75 - 81 RAILWAY STREET
- VIEWS TO THE SITE

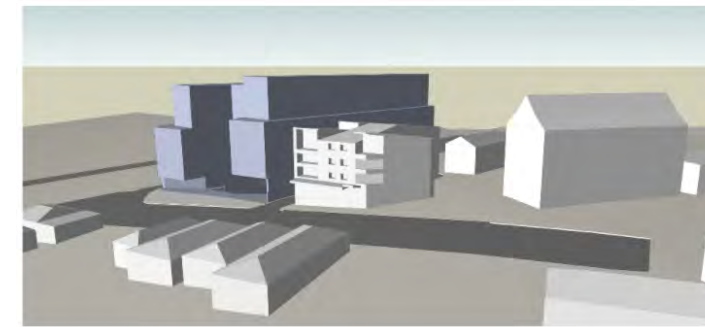
|   |  |   |   |   |   |  |
|---|--|---|---|---|---|--|
| <p>B 15/02/18 ISSUE TO COUNCIL</p> <p>A 01/04/18 ISSUE TO COUNCIL</p> <p>Issue Date Description</p> <p>Drawing Original Size A3</p> | <p>FOR PLANNING PROPOSAL PURPOSES ONLY</p> <p><b>NOT FOR CONSTRUCTION</b></p> <p><b>© COPYRIGHT</b></p> <p>THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS &amp; ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.</p> <p>DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.</p> | <p>ARCHITECT:</p> <p><b>CANDALEPAS ASSOCIATES</b></p> <p>309 SUSSEX STREET<br/>       SYDNEY NSW 2000</p> <p>T: 02 9283 7755<br/>       F: 02 9283 7477<br/>       E: architects@candalepas.com.au<br/>       NSW ARCHITECTS REG No. - 5773</p> | <p>PROJECT:</p> <p>75-81 RAILWAY STREET, ROCKDALE</p> <p>CLIENT:</p> <p>ZOE HOLDINGS ROCKDALE PTY LIMITED</p> <p>SCALE: 1:1000@A3</p> <p>0 5m 10m 20m 40m</p> | <p>DATE:</p> <p>FEB 2018</p> <p>CHECKED 1:</p> <p>ACu</p> <p>CHECKED 2:</p> <p>-</p> <p>DRAWN BY:</p> <p>DA, FT, LC, MT</p> | <p>DRAWING:</p> <p>OPTION TESTING / A</p> <p>DRAWING No.</p> <p>PP - 7.01</p> | <p>JOB No.</p> <p>5724</p> <p>ISSUE</p> <p>B</p> |
|---|--|---|---|---|---|--|







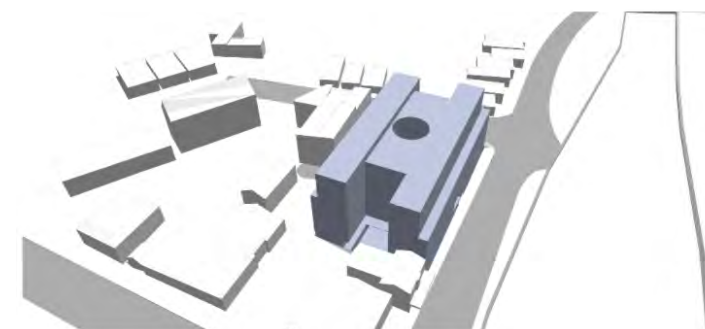
01 PROPOSAL CONTEXT PLAN  
1:1000



1. NORTH EAST VIEW FROM PARKER STREET



2. EAST VIEW ALONG WALZ STREET



3. BIRD EYE VIEW

OPTION B

Option B establishes a street edge to Railway Street and to the lane. Three generous voids are being created in the centre of plan to assist with cross ventilation and solar access. One of the voids acts as a forecourt to Parker Street. It provides an extension to the public domain and also helps to break down the bulk of the building against the single dwellings on the northern side of Parker Street. In this building configuration apartments are kept fairly shallow to maximise unit amenity.

LEGEND

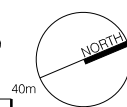
- SUBJECT SITE
- PROPOSED DEVELOPMENT AT 75 - 81 RAILWAY STREET
- VIEWS TO THE SITE

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
© COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
309 SUSSEX STREET  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7477  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG No. - 5773

PROJECT:  
75-81 RAILWAY STREET, ROCKDALE  
CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED  
SCALE: 1:1000@A3  
0 5m 10m 20m 40m



DATE:  
FEB 2018  
CHECKED 1:  
ACu  
CHECKED 2:  
-  
DRAWN BY:  
DA, FT, LC, MT

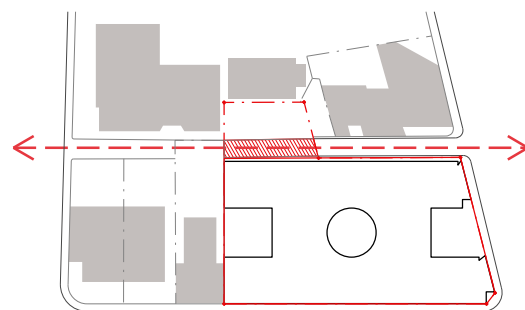
DRAWING:  
**OPTION TESTING / B**  
DRAWING No.  
**PP - 7.02**

JOB No.  
**5724**  
ISSUE  
**B**

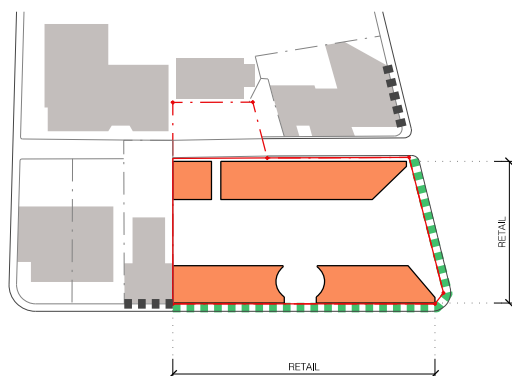


DESIGN PRINCIPLES

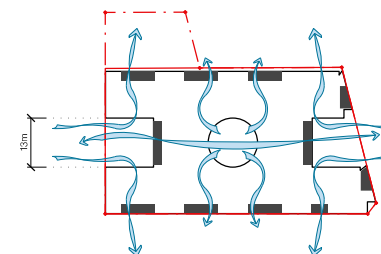
Option B was used as the basis to develop an indicative scheme for the Site. The key design principles were to enhance the public domain by establishing a new lane, a forecourt to Parker Street and by creating a strong block edge with active uses to Railway Street and Hesten Lane. The ground floor is envisaged to be of a semi-public character, which allows for permeability and access to all three surrounding streets. At a later stage this ground floor may be extended and opened up towards the Guild Theatre and create a forecourt which could be a great public space to linger before and after performances. As equally important as the contributions to the public domain are the strategies to maximise the amenity for the residents. This is achieved by creating comfortable apartments, which benefit from the use of the central voids and the increased in building perimeter. In addition, generous communal open spaces on the ground floor and on the roof will contribute to an excellent place to live.



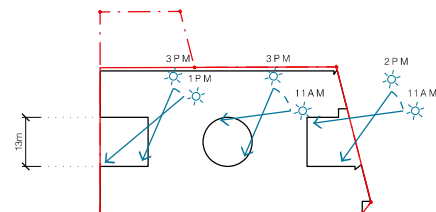
01\_ INCREASED URBAN CONNECTIVITY



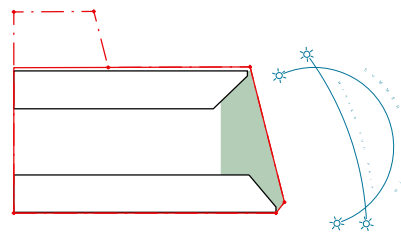
02\_ ACTIVE STREET FRONTAGES



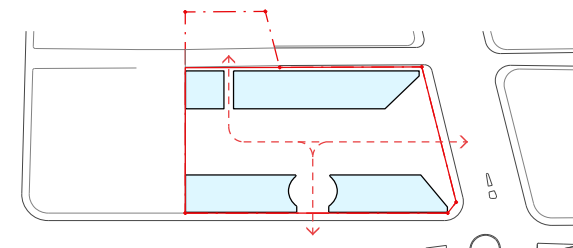
03\_ CROSS VENTILATION



04\_ INCREASED BUILDING PERIMETER FOR SOLAR ACCESS



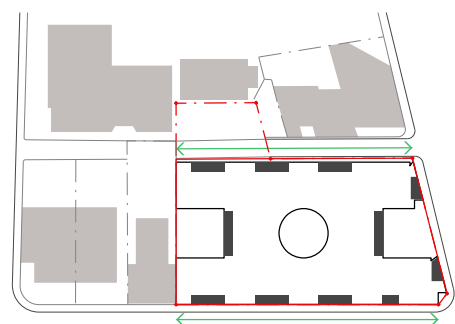
05\_ PUBLIC FORE COURT NORTH FACING



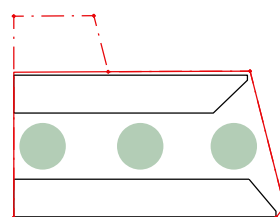
06\_ POROSITY OF GROUND FLOOR

LEGEND

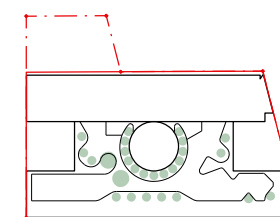
- - - COUNCIL LAND RESERVATION AREA
- SUBJECT SITE
- COMMERCIAL COMPONENT
- ~ CROSS VENTILATION
- \* SUN ACCESS DIAGRAM /21 JUNE
- ~ SOLAR PATH
- ■ ■ EXISTING RETAIL / COMMERCIAL FRONTAGE
- ■ ■ PROPOSED RETAIL / COMMERCIAL FRONTAGE
- - - PEDESTRIAN MOVEMENT
- NEW LANE
- PROPOSED TREE



07\_ REINFORCED STREET EDGE URBAN FORM



08\_ GREEN COMMON OPEN SPACE GROUND FLOOR



09\_ GREEN COMMON OPEN SPACE ROOF TOP

B 15/02/18 ISSUE TO COUNCIL  
A 04/03/18 ISSUE TO COUNCIL  
Issue Date Description  
Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
NOT FOR CONSTRUCTION  
© COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
CANDALEPAS ASSOCIATES  
309 SUSSEX STREET  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7477  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG No. - 5773

PROJECT:  
75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:2000@A3  
0 10m 20m 50m

DATE:  
FEB 2018  
CHECKED 1:  
ACu  
CHECKED 2:  
-  
DRAWN BY:  
DA, FT, LC, MT

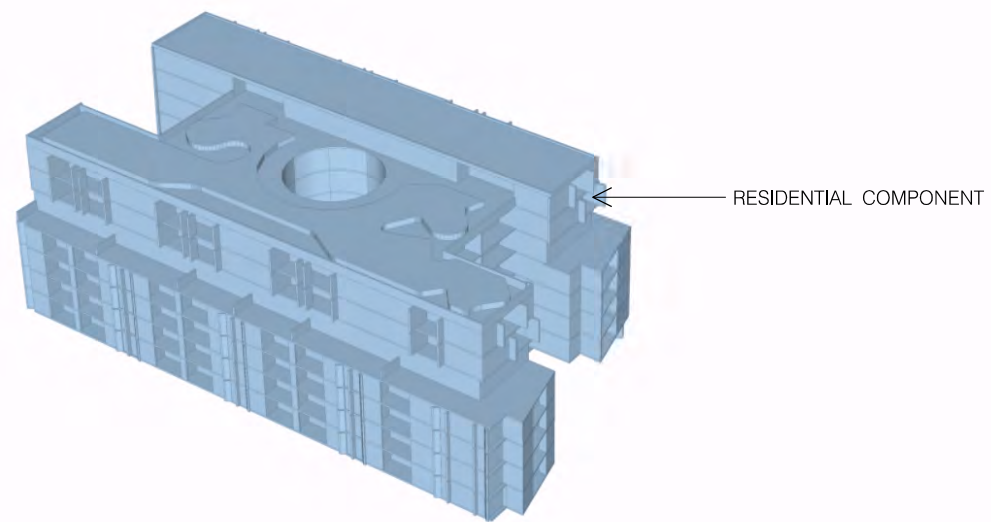
DRAWING:  
DESIGN PRINCIPLES  
DRAWING No.  
PP - 8.01



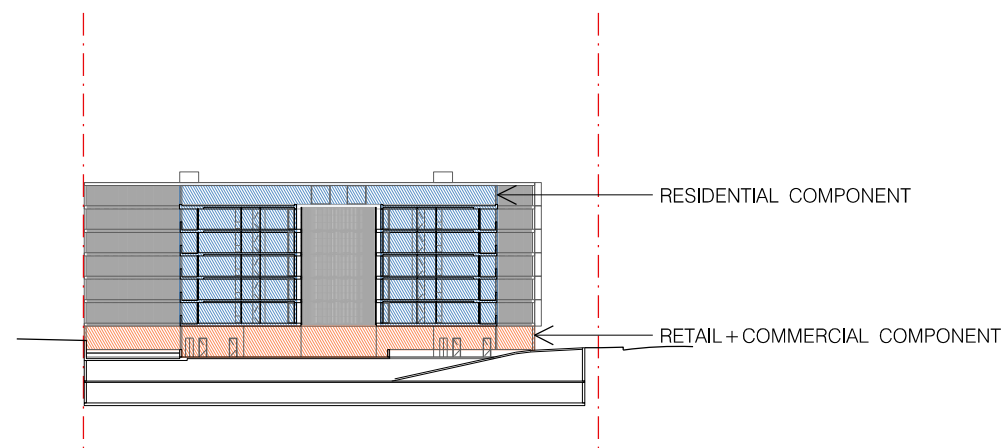
JOB No.  
5724  
ISSUE  
B

LAND USE

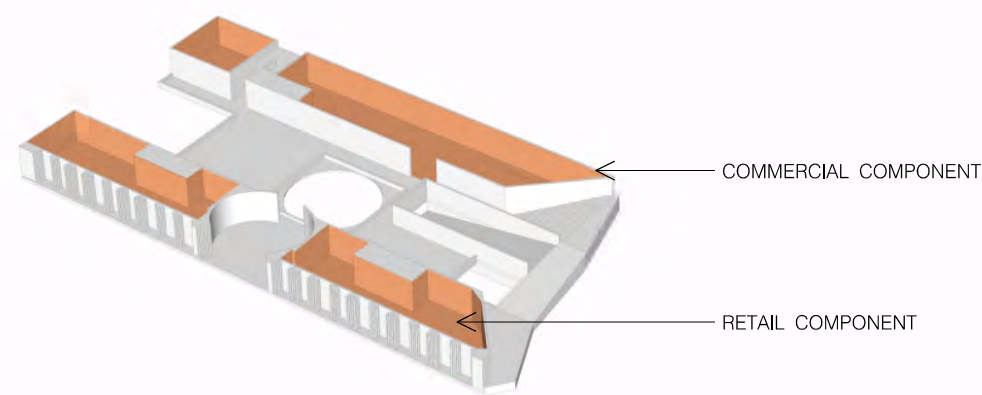
The proposal is consistent with the zoning and anticipated use for the site.  
 The project incorporates retail and commercial uses on ground floor. The retail is facing Railway Street and the corner with Parker Street. Thus activating the public domain.  
 Commercial uses are proposed along Hesten Lane. Due to the topography of the site these spaces will not be able to be accessed of Hesten Lane but from the generous courtyard in the centre of the proposed development. This courtyard can be reached from all three surrounding streets which will contribute to its semi-public nature.



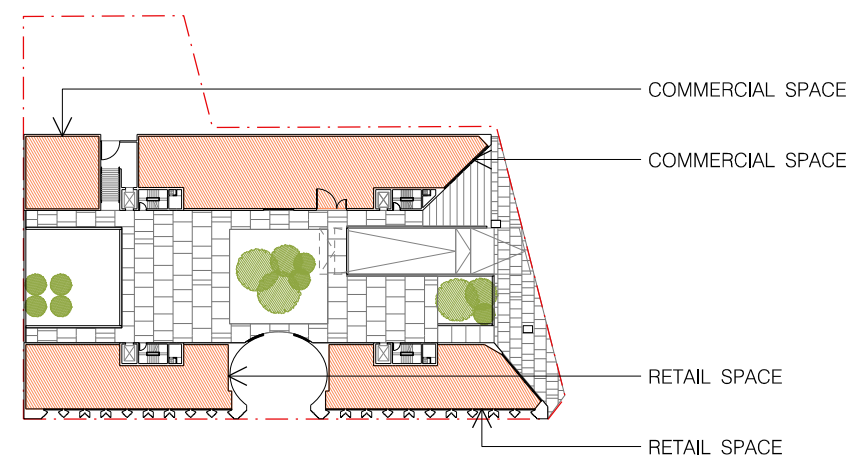
03\_ UPPER LEVELS USE DIAGRAM



04\_ SECTION C



01\_ GROUND FLOOR USE DIAGRAM



02\_ GROUND FLOOR PLAN

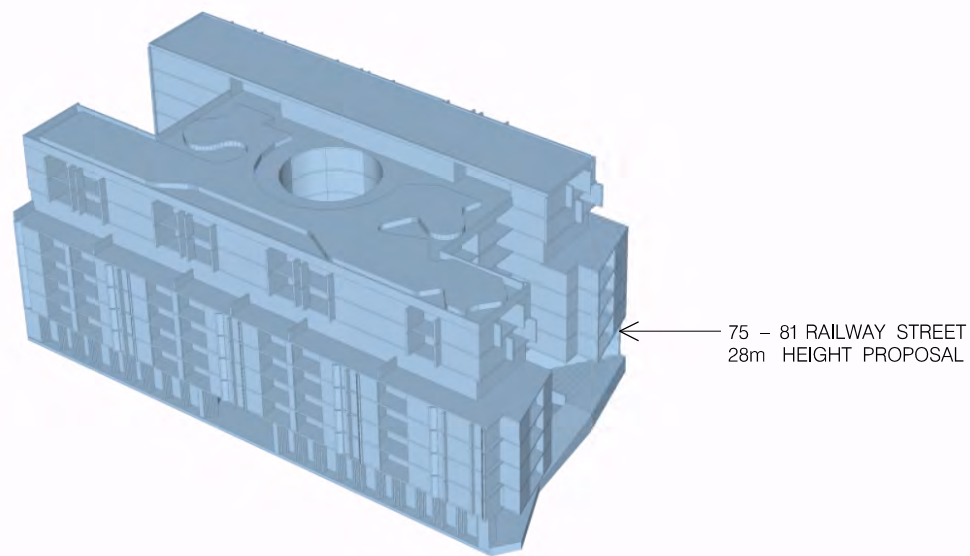
LEGEND

- SUBJECT SITE
- RETAIL + COMMERCIAL COMPONENT
- RESIDENTIAL COMPONENT

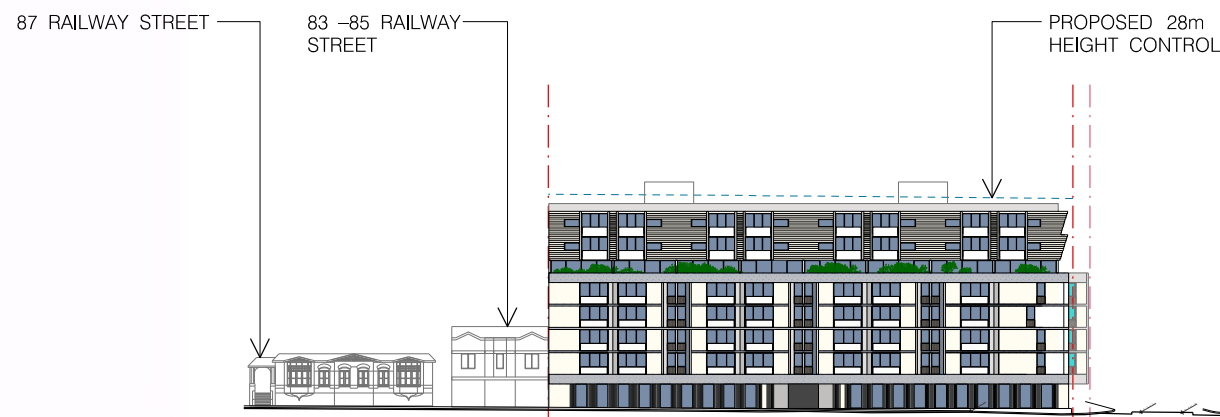
|  |  |  |  |  |  |   |   |
|--|--|--|--|--|--|---|---|
| B 15/02/18 ISSUE TO COUNCIL<br>A 04/04/18 ISSUE TO COUNCIL<br>Issue Date Description<br>Drawing Original Size A3 | FOR PLANNING PROPOSAL PURPOSES ONLY<br><b>NOT FOR CONSTRUCTION</b><br><b>©COPYRIGHT</b><br>THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.<br>DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK. | ARCHITECT:<br><b>CANDALEPAS ASSOCIATES</b><br>309 SUSSEX STREET<br>SYDNEY NSW 2000<br>T: 02 9283 7755<br>F: 02 9283 7477<br>E: architects@candalepas.com.au<br>NSW ARCHITECTS REG No. - 5773 | PROJECT:<br>75-81 RAILWAY STREET, ROCKDALE<br><br>CLIENT:<br>ZOE HOLDINGS ROCKDALE PTY LIMITED<br><br>SCALE: 1:1000@A3<br>0 5m 10m 20m 40m |  | DATE:<br>FEB 2018<br>CHECKED 1:<br>ACu<br>CHECKED 2:<br>-<br>DRAWN BY:<br>DA, FT, LC, MT | DRAWING:<br><b>PROPOSAL / LAND USE</b><br><br>DRAWING No.<br><b>PP - 9.01</b> | JOB No.<br><b>5724</b><br><br>ISSUE<br><b>B</b> |
|--|--|--|--|--|--|---|---|

**BUILDING HEIGHT**

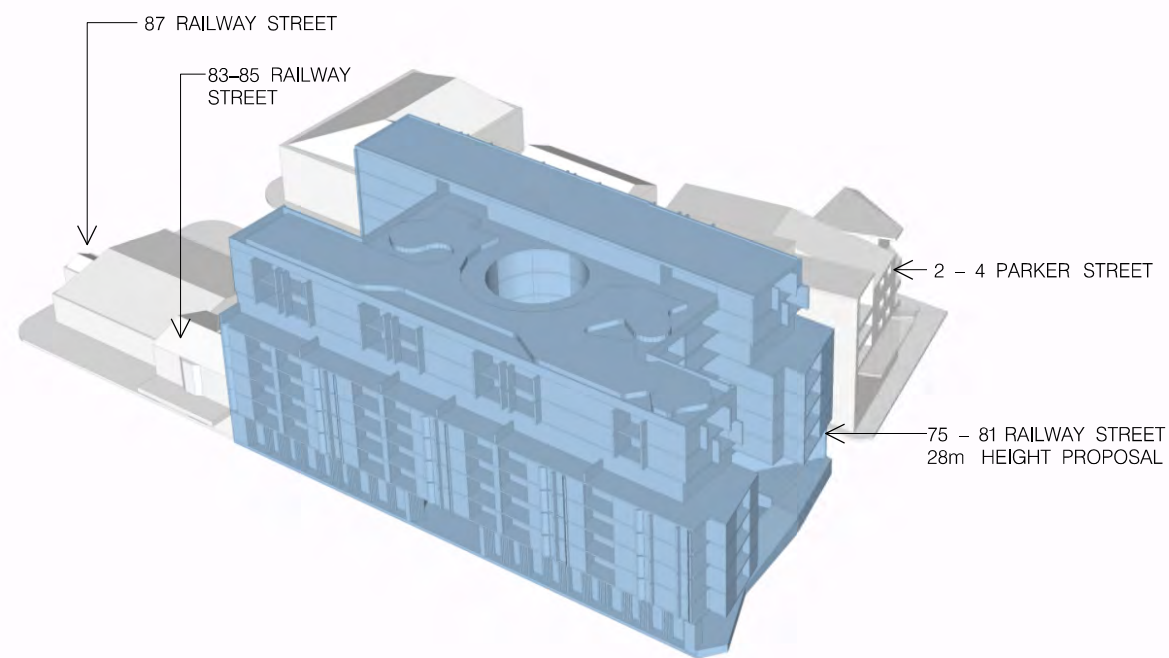
The Planning Proposal seeks to increase the currently adopted maximum permissible building height of 22 metres to 28 metres. 28 metres are currently permitted in a large portion of Town Centre on the eastern side of the railway station. The height will allow for an eight, part nine storey building. The built form of the proposal also includes setbacks above 5 storeys in order to reduce the bulk. The lower portion of the building relates to the recently finished mixed-use project in 2-4 Parker Street.



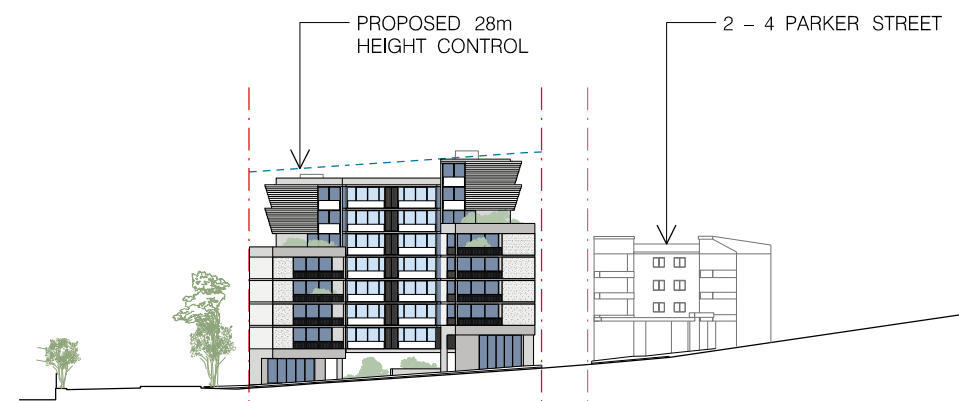
03\_ PROPOSAL AXONOMETRIC VIEW



04\_ ELEVATION WEST



01\_ CONTEXT AXONOMETRIC VIEW



02\_ ELEVATION NORTH

**LEGEND**

- SUBJECT SITE
- 28m HEIGHT PROPOSAL

|   |          |                  |               |
|---|----------|------------------|---------------|
| B | 13/02/18 | ISSUE TO COUNCIL | A3            |
| A | 01/04/15 | ISSUE TO COUNCIL |               |
|   |          | Date             | Description   |
|   |          | Issue            | Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT

THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.

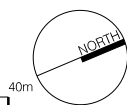
DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:1000@A3  
 0 5m 10m 20m 40m



DATE:  
 FEB 2018

CHECKED 1:  
 ACu

CHECKED 2:  
 -

DRAWN BY:  
 DA, FT, LC, MT

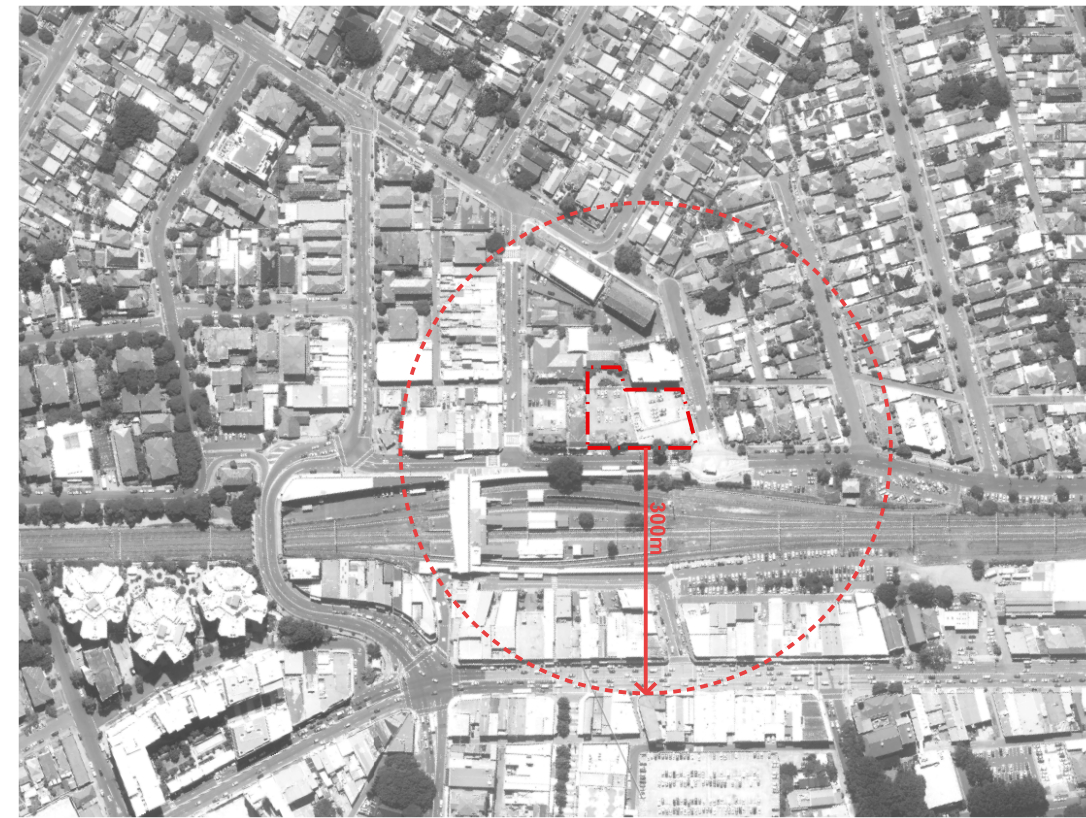
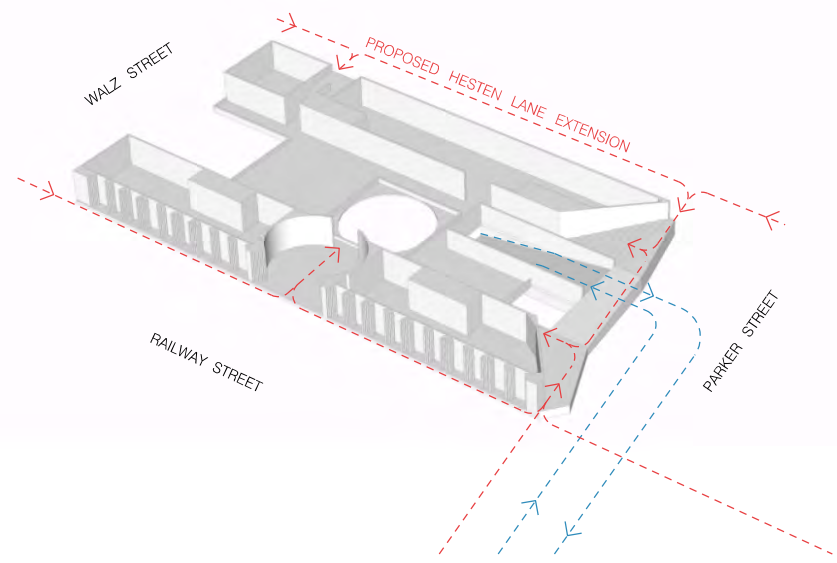
DRAWING:  
**PROPOSAL / BUILDING HEIGHT**

DRAWING No.  
**PP - 9.02**

JOB No.  
**5724**

ISSUE  
**B**



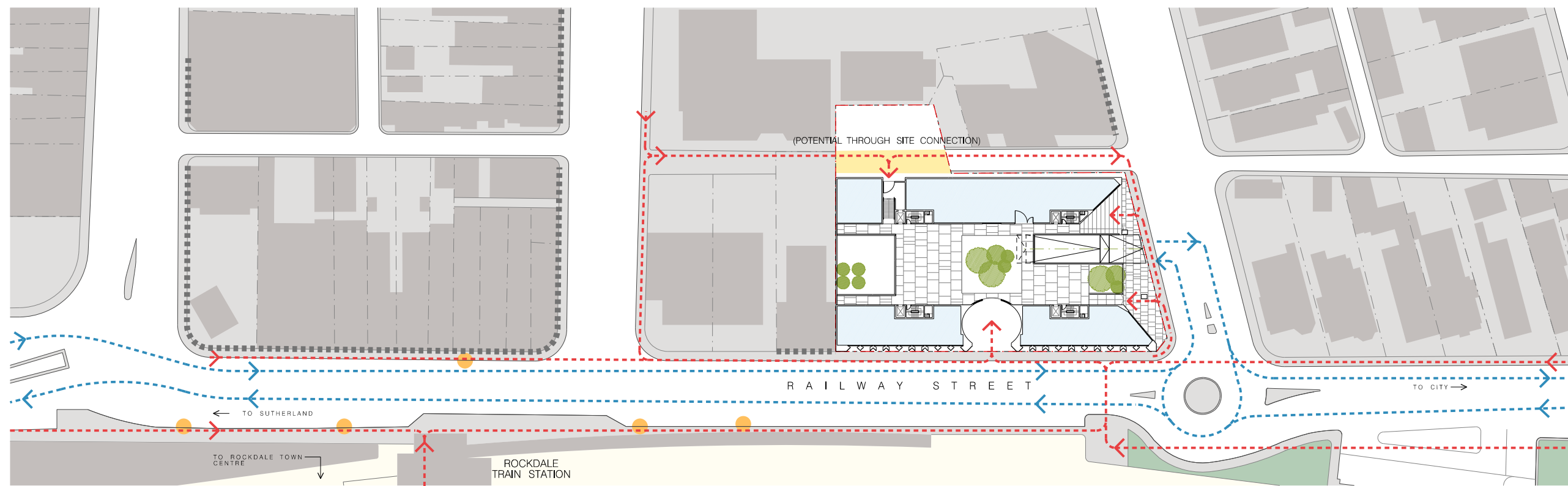


**ACCESS**

The site has excellent exposure having three street frontages. The proposal aims to create a permeable ground plane. It includes pedestrian access points on all street frontages and in addition a generous forecourt area to Parker Street. Four circulation cores can be accessed from the central courtyard and will take residents and visitors to the apartments on the upper levels. Vehicular access will be from Parker Street. Cars will enter the basement via the forecourt area and a partially open ramp.

02\_ GROUND FLOOR VEHICULAR AND PEDESTRIAN ACCESS DIAGRAM

03\_ DISTANCE TO ROCKDALE TOWN CENTRE DIAGRAM\_1:10000



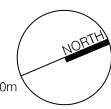
01\_ PEDESTRIAN AND VEHICULAR SITE DIAGRAM\_1:1000

|       |          |                  |                       |
|-------|----------|------------------|-----------------------|
| B     | 15/02/18 | ISSUE TO COUNCIL | A3                    |
| A     | 01/02/18 | ISSUE TO COUNCIL |                       |
| Issue | Date     | Description      | Drawing Original Size |

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:1000@A3  
 0 5m 10m 20m 40m



DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
**PROPOSAL / PEDESTRIAN AND VEHICULAR ACCESS**  
 DRAWING No.  
**PP - 9.03**

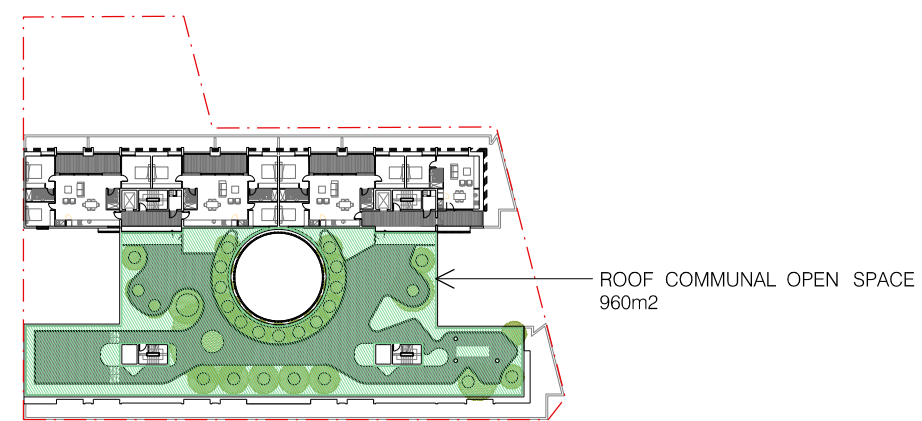
JOB No.  
**5724**  
 ISSUE  
**B**

**OPEN SPACE**

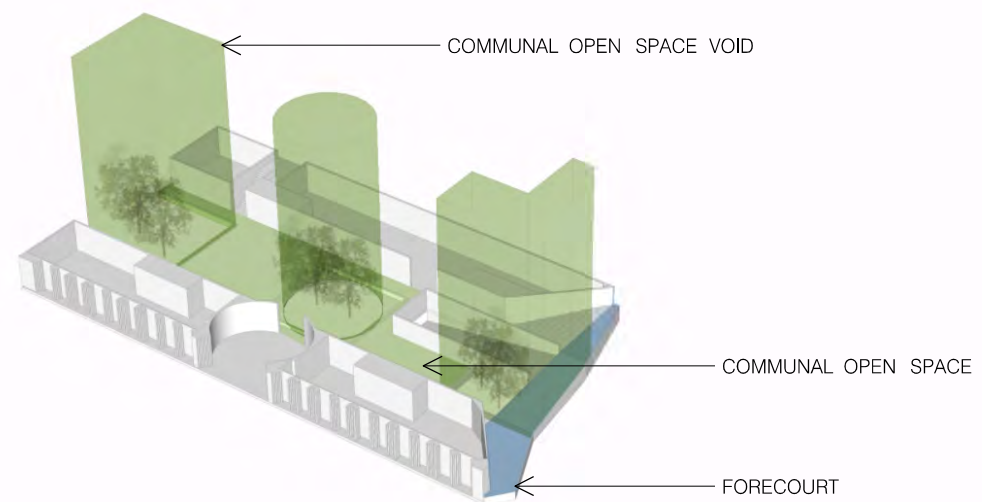
The proposal includes three types of open spaces. First, it includes a forecourt area adjacent to Parker Street which will be level with the footpath. This space will be experienced as an extension of the public domain. Second, there will be a centrally located communal open space on ground floor. This space will be semi-public in nature as it facilitates access to the different uses within the development. It runs in a north-south direction and is partially covered by the building and partially open to the sky. It sits lower than the forecourt area. The third space will be a generous communal roof terrace which will be part of the residential component of the development and therefore only accessible by the residents.



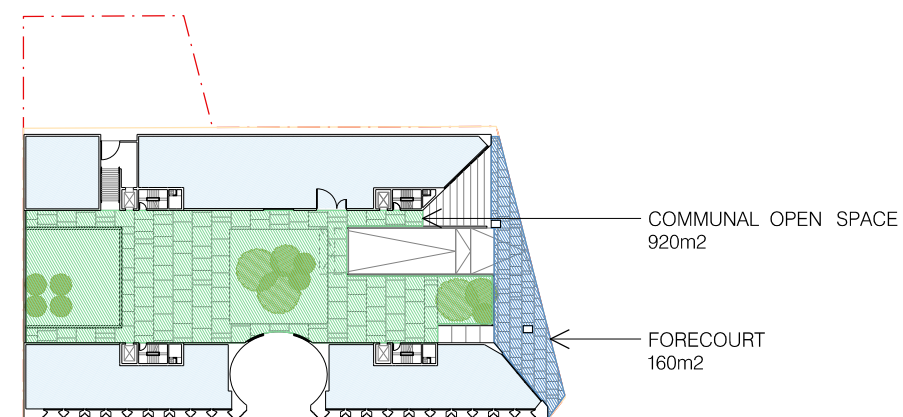
03\_ ROOF LEVEL OPEN SPACE DIAGRAM



04\_ ROOF LEVEL PLAN



01\_ GROUND FLOOR OPEN SPACE DIAGRAM



02\_ GROUND FLOOR PLAN

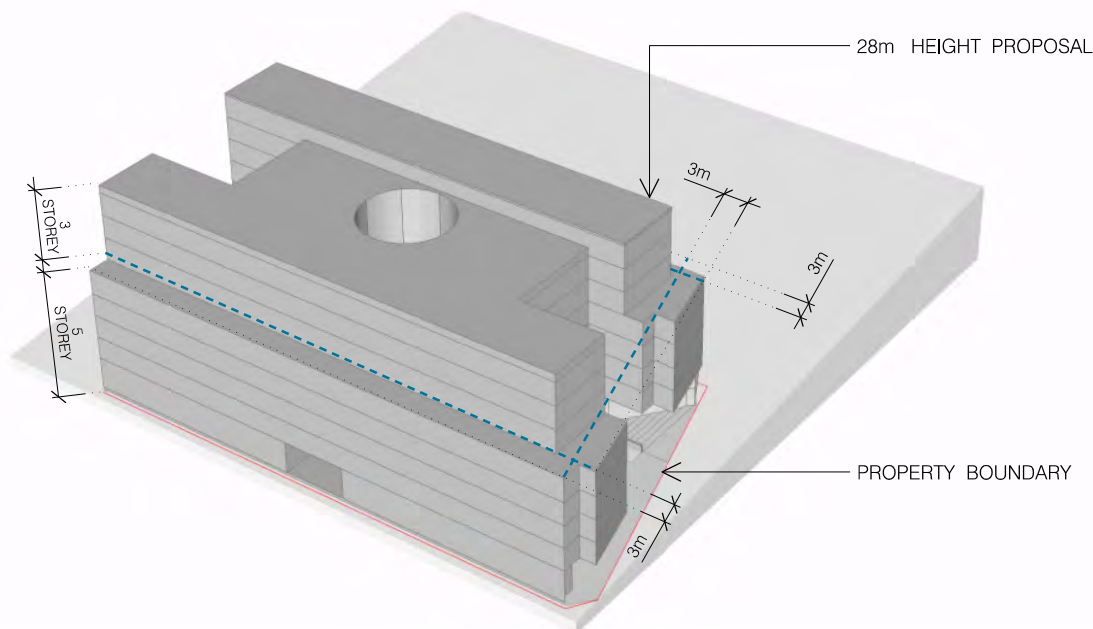
**LEGEND**

- SUBJECT SITE
- COMMUNAL OPEN SPACE
- PUBLIC OPEN SPACE

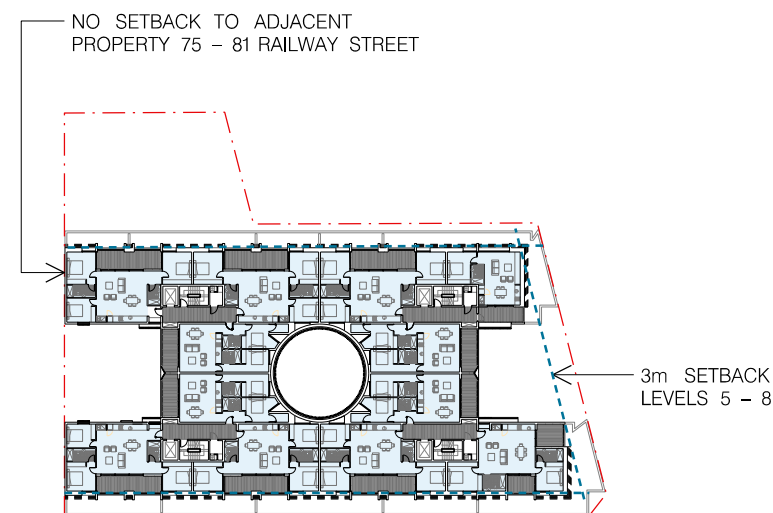
|   |  |   |   |   |  |  |
|---|--|---|---|---|--|--|
| <p>B 15/02/18 ISSUE TO COUNCIL</p> <p>A 02/04/18 ISSUE TO COUNCIL</p> <p>Issue Date Description</p> <p>Drawing Original Size A3</p> | <p>FOR PLANNING PROPOSAL PURPOSES ONLY</p> <p><b>NOT FOR CONSTRUCTION</b></p> <p><b>© COPYRIGHT</b></p> <p>THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS &amp; ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.</p> <p>DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.</p> | <p>ARCHITECT:</p> <p><b>CANDALEPAS ASSOCIATES</b></p> <p>309 SUSSEX STREET<br/>         SYDNEY NSW 2000</p> <p>T: 02 9283 7755<br/>         F: 02 9283 7477<br/>         E: architects@candalepas.com.au<br/>         NSW ARCHITECTS REG No. - 5773</p> | <p>PROJECT:</p> <p>75-81 RAILWAY STREET, ROCKDALE</p> <p>CLIENT:</p> <p>ZOE HOLDINGS ROCKDALE PTY LIMITED</p> <p>SCALE: 1:1000@A3</p> <p>0 5m 10m 20m 40m</p> | <p>DATE:</p> <p>FEB 2018</p> <p>CHECKED 1:</p> <p>ACu</p> <p>CHECKED 2:</p> <p>-</p> <p>DRAWN BY:</p> <p>DA, FT, LC, MT</p> | <p>DRAWING:</p> <p><b>PROPOSAL / OPEN SPACE</b></p> <p>DRAWING No.</p> <p><b>PP - 9.04</b></p> | <p>JOB No.</p> <p><b>5724</b></p> <p>ISSUE</p> <p><b>B</b></p> |
|---|--|---|---|---|--|--|



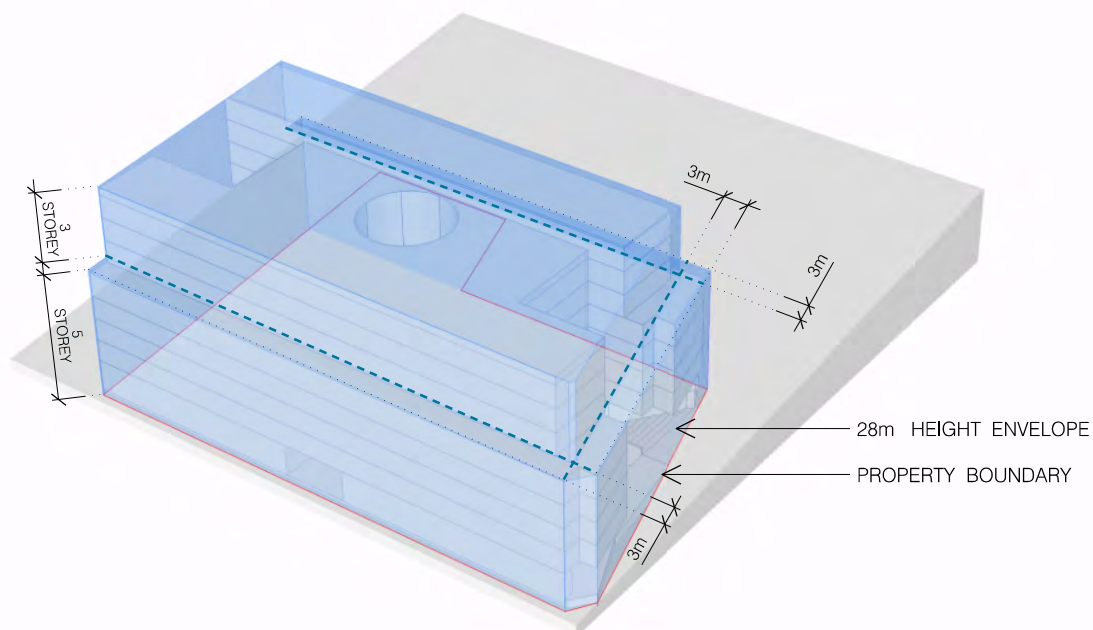
The proposed envelope is aligned with the site boundaries in Railway Street and Parker Street. There is a one metre primary setback to Hesten Lane. The Planning Proposal also seeks to vary the secondary setback control for the site as set out in the Rockdale Development Control Plan. It proposes a 3m setback above level 5 which will be applicable to all three street frontages.



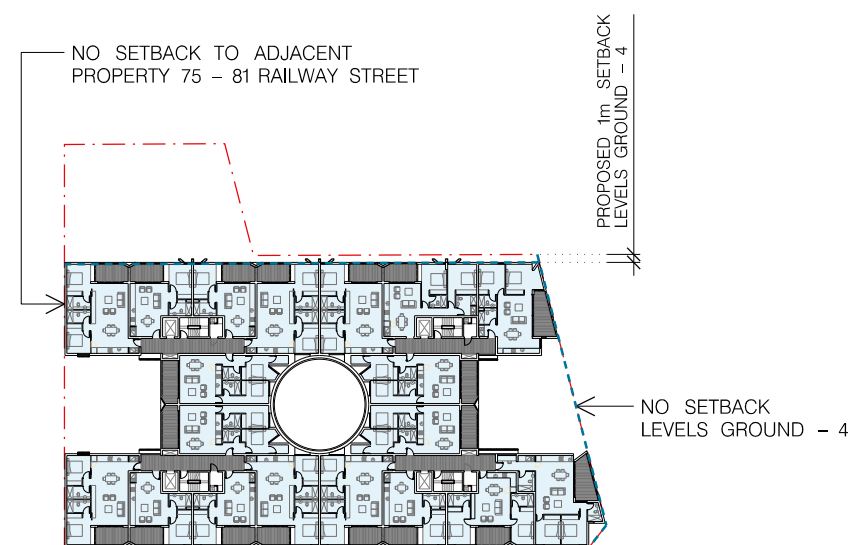
03\_ PROPOSED BUILDING WITHIN ENVELOPE



04\_ LEVEL 7 FLOOR PLAN



01\_ PROPOSED 28m HEIGHT ENVELOPE

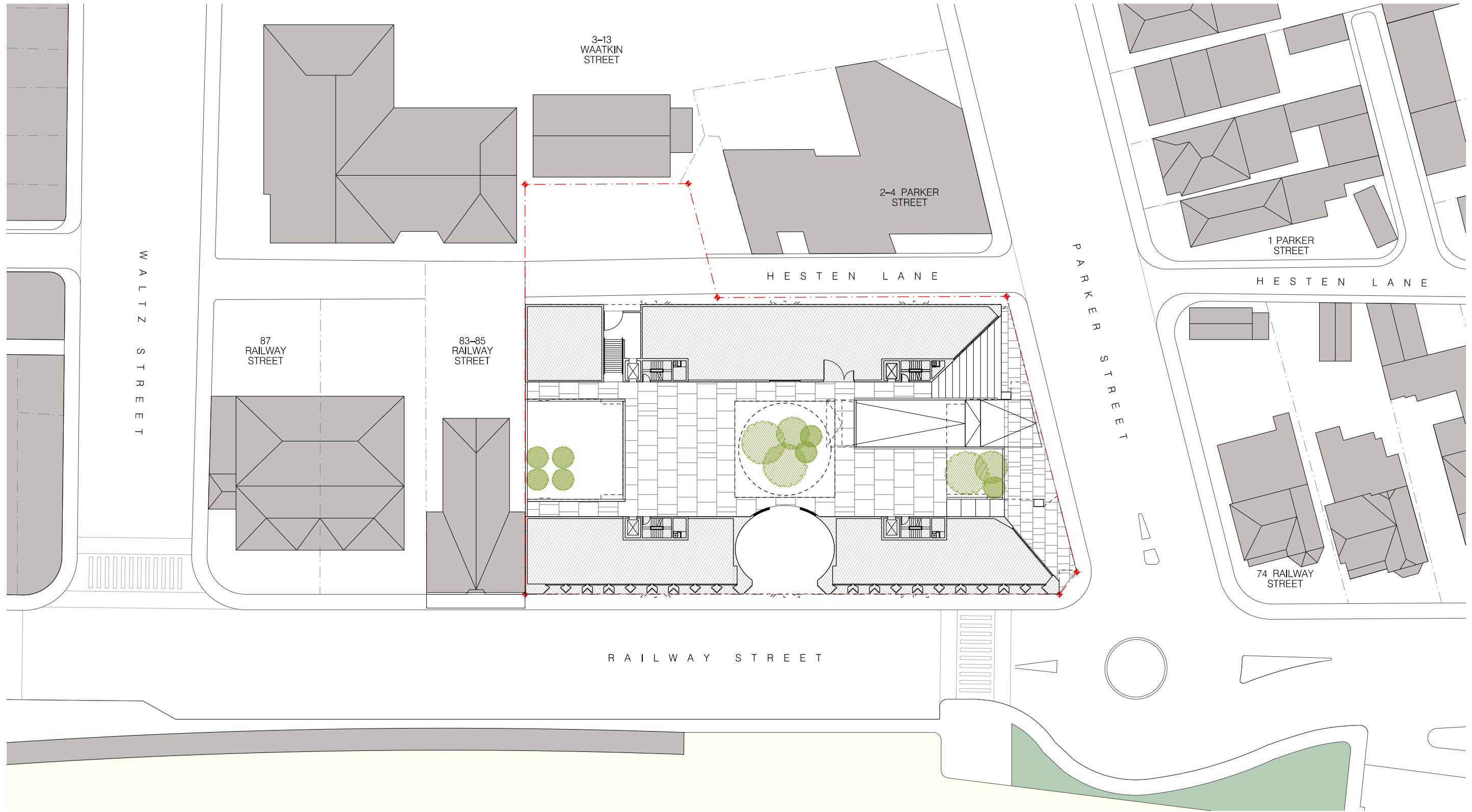


02\_ LEVELS 2 - 4 FLOOR PLAN

LEGEND

- SUBJECT SITE
- SETBACK LINE
- PROPOSED ENVELOPE

|   |   |   |   |   |  |  |
|---|---|---|---|---|--|--|
| <p>B 15/02/18 ISSUE TO COUNCIL</p> <p>A 02/04/15 ISSUE TO COUNCIL</p> <p>Issue Date Description</p> <p>Drawing Original Size A3</p> | <p>FOR PLANNING PROPOSAL PURPOSES ONLY</p> <p><b>NOT FOR CONSTRUCTION</b></p> <p>© COPYRIGHT</p> <p>THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS &amp; ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.</p> <p>DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.</p> | <p>ARCHITECT:</p> <p><b>CANDALEPAS ASSOCIATES</b></p> <p>309 SUSSEX STREET<br/>                 SYDNEY NSW 2000</p> <p>T: 02 9283 7755<br/>                 F: 02 9283 7477<br/>                 E: architects@candalepas.com.au<br/>                 NSW ARCHITECTS REG No. - 5773</p> | <p>PROJECT:</p> <p>75-81 RAILWAY STREET, ROCKDALE</p> <p>CLIENT:</p> <p>ZOE HOLDINGS ROCKDALE PTY LIMITED</p> <p>SCALE: 1:1000@A3</p> <p>0 5m 10m 20m 40m</p> | <p>DATE:</p> <p>FEB 2018</p> <p>CHECKED 1:</p> <p>ACu</p> <p>CHECKED 2:</p> <p>-</p> <p>DRAWN BY:</p> <p>DA, FT, LC, MT</p> | <p>DRAWING:</p> <p>PROPOSAL / BUILDING ENVELOPE AND SETBACKS</p> <p>DRAWING No.</p> <p>PP - 9.05</p> | <p>JOB No.</p> <p>5724</p> <p>ISSUE</p> <p>B</p> |
|---|---|---|---|---|--|--|

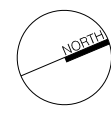


B 15/02/18 ISSUE TO COUNCIL  
 A 04/04/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

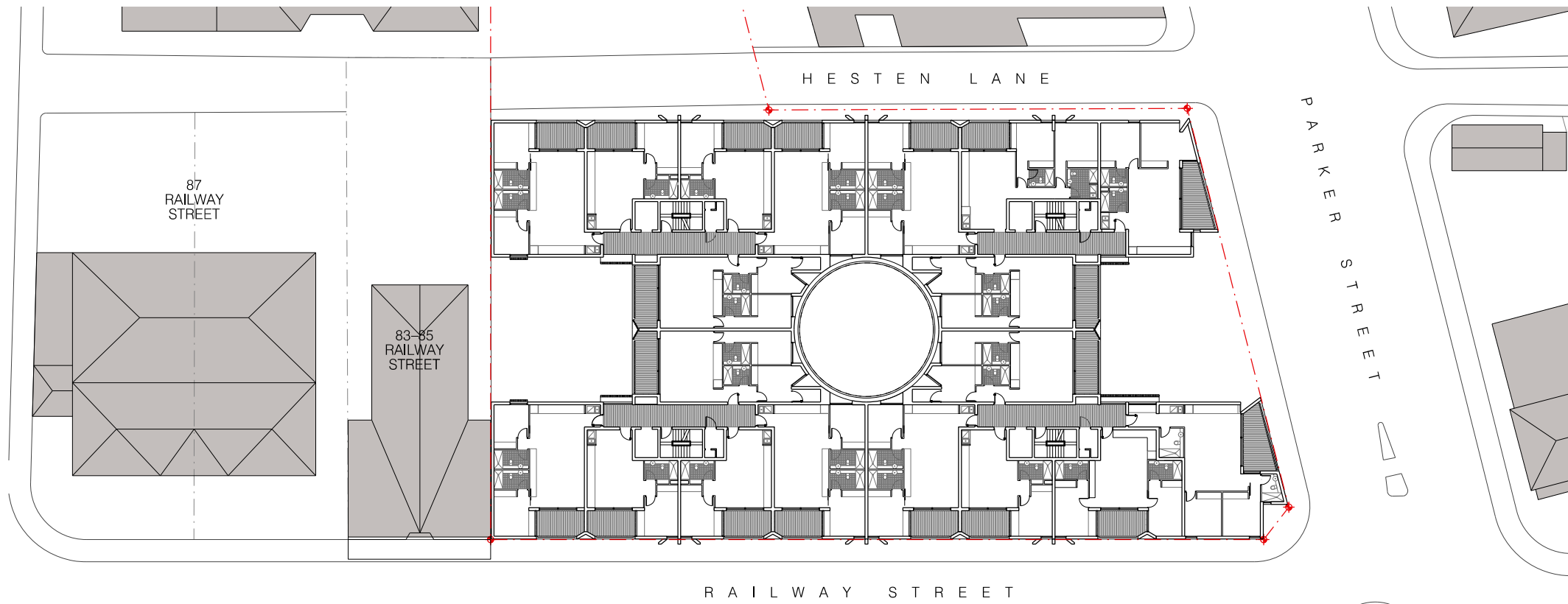
PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:500@A3



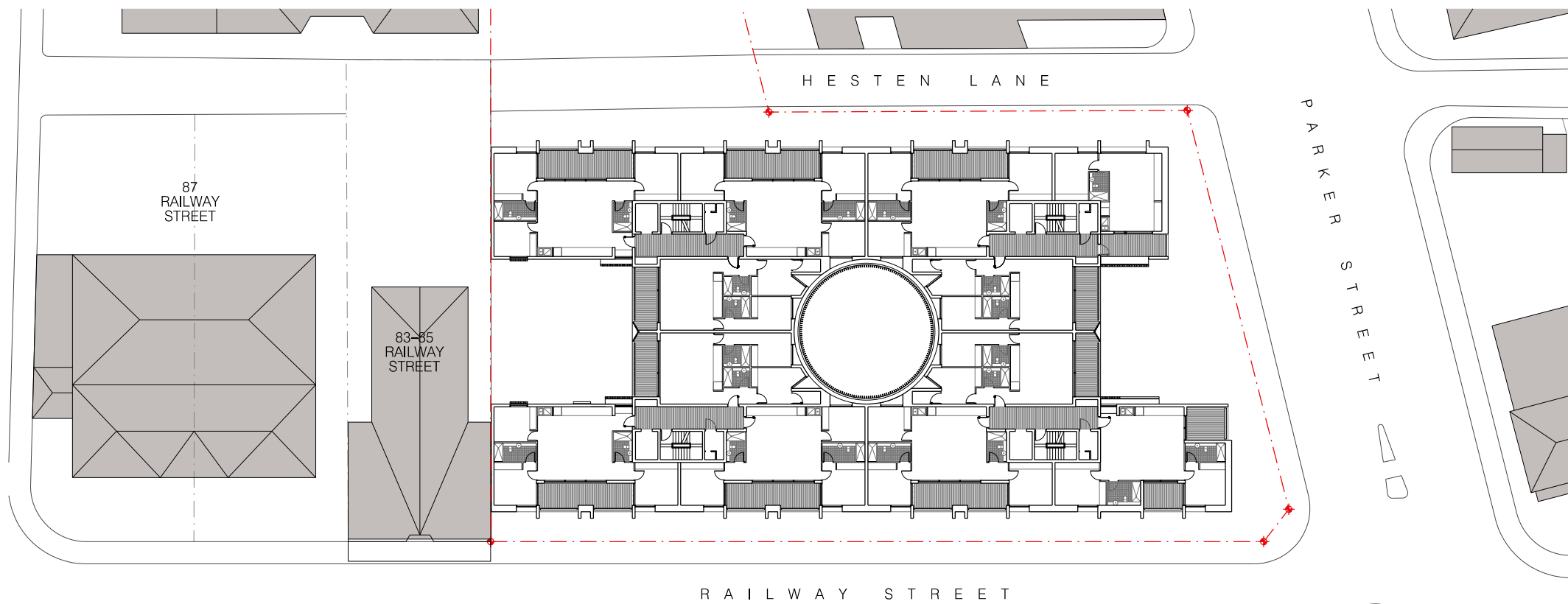
DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
**PROPOSAL /**  
**INDICATIVE**  
**GROUND FLOOR**  
**PLAN**  
 DRAWING No.  
**PP - 9.10**

JOB No.  
**5724**  
 ISSUE  
**B**



01\_ PROPOSAL /INDICATIVE LOWER LEVEL FLOOR PLAN



02\_ PROPOSAL /INDICATIVE UPPER LEVEL FLOOR PLAN

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT

ARCHITECT:  
**CANDELEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

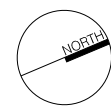
SCALE: 1:500@A3

DATE:  
 FEB 2018

CHECKED 1:  
 ACu

CHECKED 2:  
 -

DRAWN BY:  
 DA, FT, LC, MT

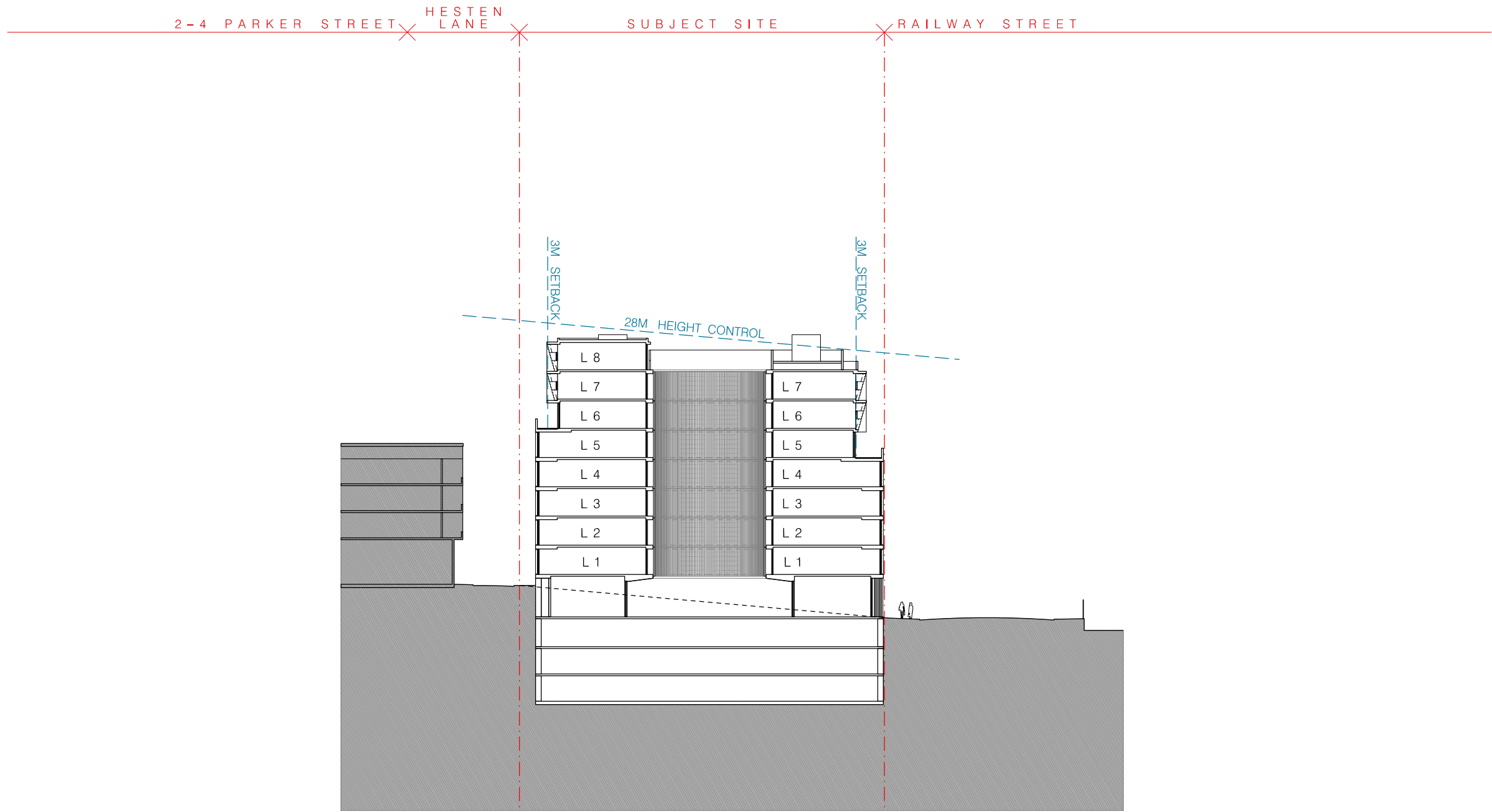


DRAWING:  
 PROPOSAL /  
 INDICATIVE LOWER  
 & UPPER LEVEL  
 FLOOR PLAN

DRAWING No.  
**PP - 9.11**

JOB No.  
**5724**

ISSUE  
**B**



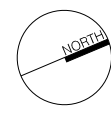
01\_ PROPOSAL TYPICAL SECTION

B 14/02/18 ISSUE TO COUNCIL  
 A 04/04/15 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
 CANDALEPAS  
 ASSOCIATES  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:500@A3

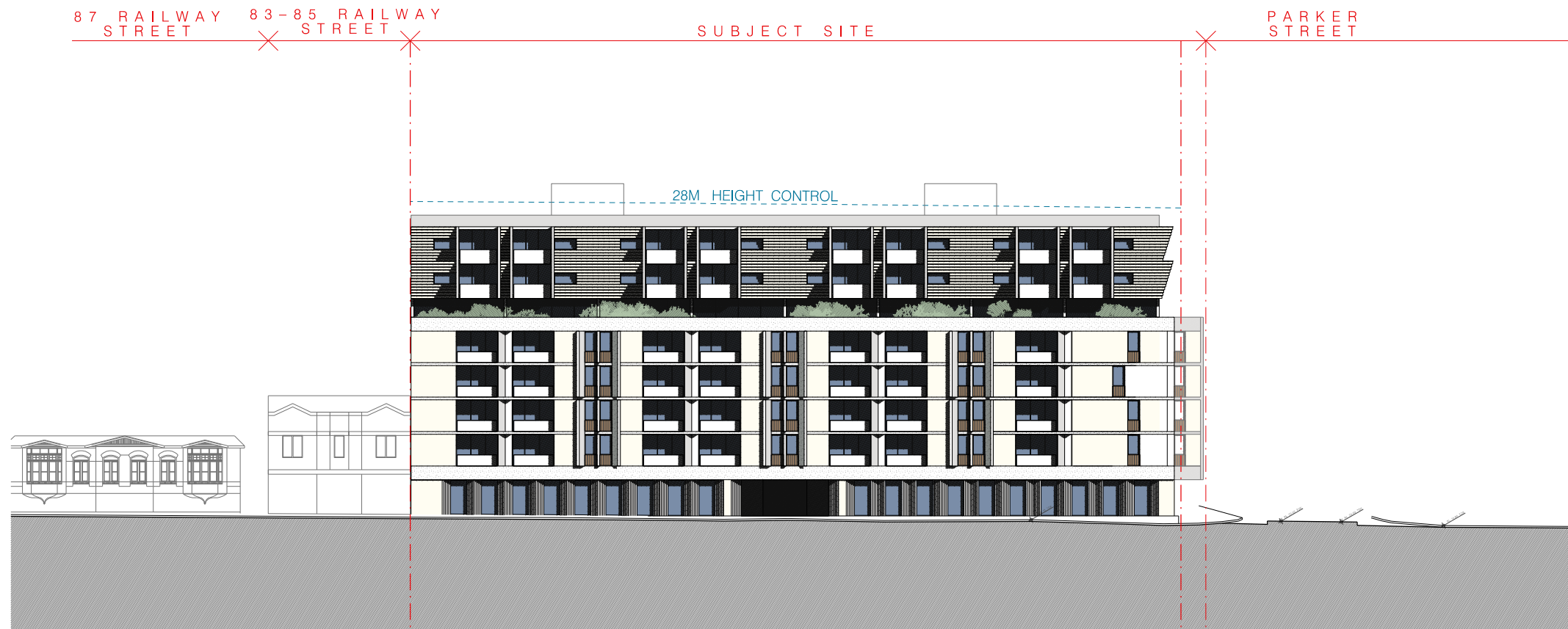


DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 PROPOSAL /  
 INDICATIVE TYPICAL  
 SECTION  
 DRAWING No.  
 PP - 9.12

JOB No.  
 5724  
 ISSUE  
 B





01\_ RAILWAY STREET ELEVATION



02\_ PARKER STREET ELEVATION

B 15/02/18 ISSUE TO COUNCIL  
 A 04/04/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
 NOT FOR CONSTRUCTION  
 © COPYRIGHT  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
 CANDALEPAS  
 ASSOCIATES  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

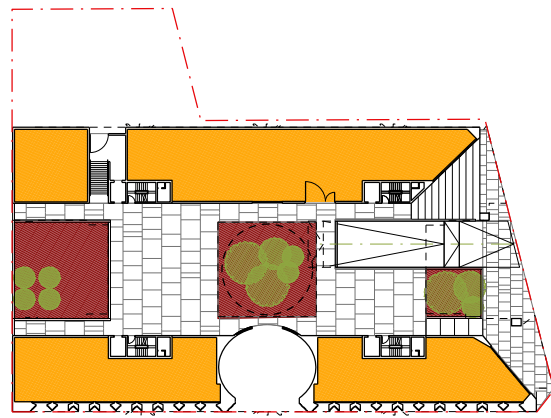
PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE: 1:500@A3

DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

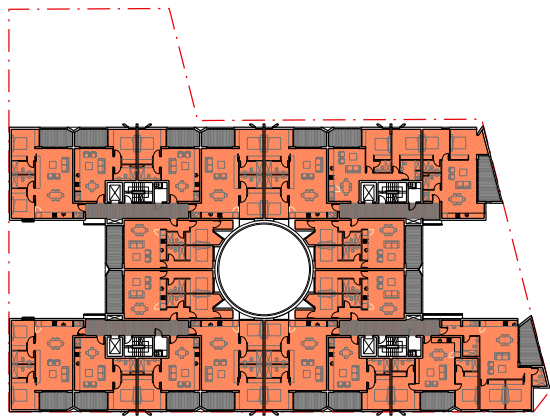
DRAWING:  
 PROPOSAL /  
 INDICATIVE  
 RAILWAY STREET &  
 PARKER STREET  
 ELEVATION  
 DRAWING No.  
 PP - 9.13

JOB No.  
 5724  
 ISSUE  
 B

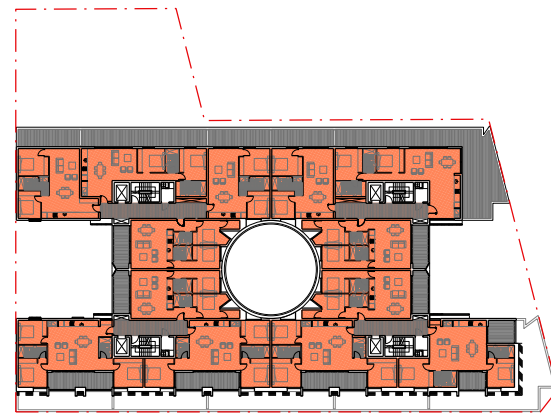




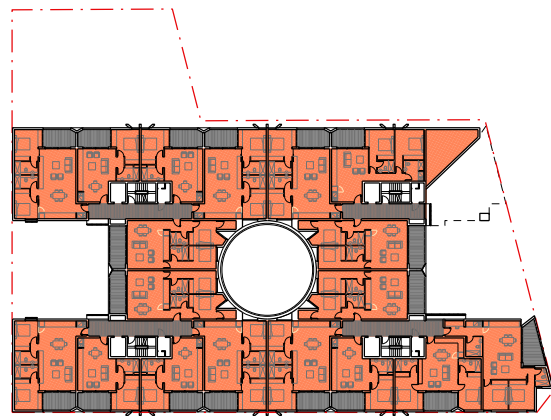
01 GROUND FLOOR PLAN  
1:1000



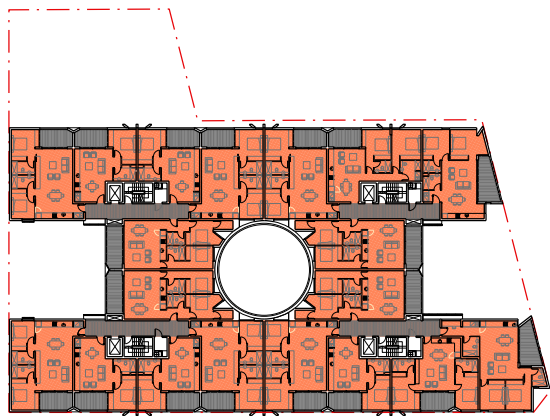
04 LEVEL 3 FLOOR PLAN  
1:1000



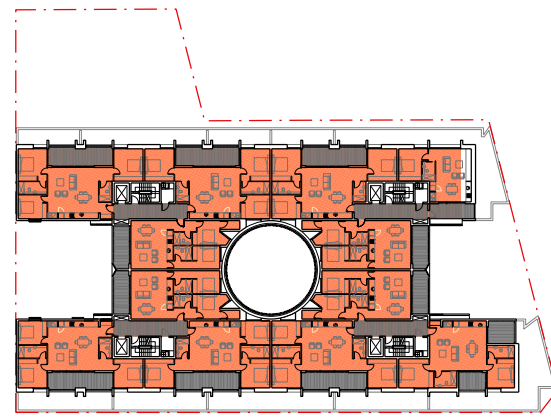
07 LEVEL 6 FLOOR PLAN  
1:1000



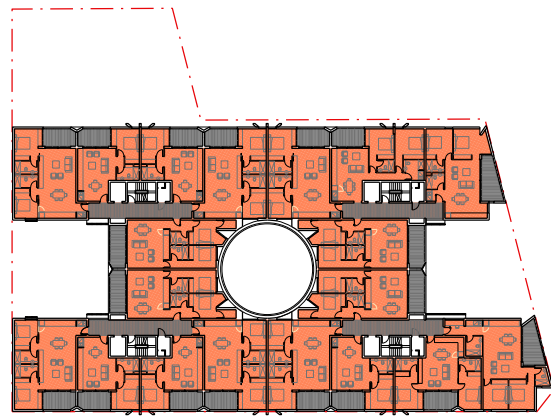
02 LEVEL 1 FLOOR PLAN  
1:1000



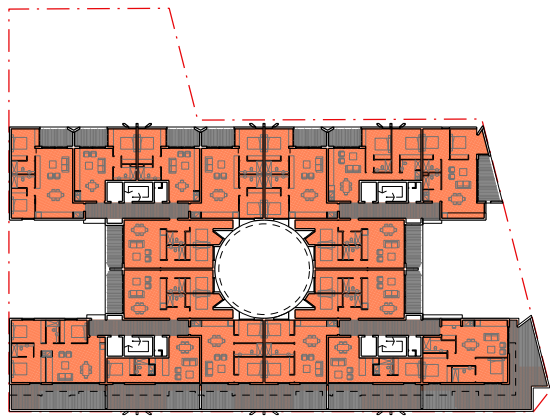
05 LEVEL 4 FLOOR PLAN  
1:1000



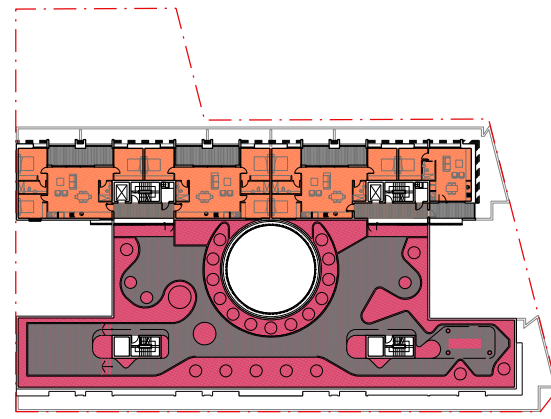
08 LEVEL 7 FLOOR PLAN  
1:1000



03 LEVEL 2 FLOOR PLAN  
1:1000



06 LEVEL 5 FLOOR PLAN  
1:1000



09 LEVEL 8 FLOOR PLAN  
1:1000

**KEY**

- RETAIL + COMMERCIAL GFA IN ACCORDANCE WITH RCC LEP 2011
- RESIDENTIAL GFA IN ACCORDANCE WITH RCC LEP 2011

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
- (b) habitable rooms in a basement or an attic, and
- (c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

- (d) any area for common vertical circulation, such as lifts and stairs, and
- (e) any basement;
- (f) storage, and
- (g) vehicular access, loading areas, garbage and services, and
- (h) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
- (i) car parking to meet any requirements of the consent authority (including access to that car parking), and
- (j) any space used for the loading or unloading of goods (including access to it), and
- (k) terraces and balconies with outer walls less than 1.4 metres high, and
- (l) voids above a floor at the level of a storey or storey above.

- COMMUNAL OPEN SPACE PROPOSED 945 sqm (7.8sqm PER DWELLING)  
ROCKDALE DCP 2011 CONTROL (55SQM PER DWELLING)
- LANDSCAPE PLANTING AREA PROPOSED 879 sqm (30% OF SITE AREA)  
ROCKDALE DCP 2011 CONTROL (15% OF SITE AREA)

| SITE AREA |           |
|-----------|-----------|
|           | 2 942 sqm |

| GFA CALCULATIONS |                         |                   |
|------------------|-------------------------|-------------------|
|                  | RETAIL/COMMERCIAL (sqm) | RESIDENTIAL (sqm) |
| GROUND FLOOR     | 855                     | -                 |
| LEVEL 1          | -                       | 1562.6            |
| LEVEL 2          | -                       | 1622.5            |
| LEVEL 3          | -                       | 1622.5            |
| LEVEL 4          | -                       | 1622.5            |
| LEVEL 5          | -                       | 1622.5            |
| LEVEL 6          | -                       | 1279.1            |
| LEVEL 7          | -                       | 1279.1            |
| LEVEL 8          | -                       | 425.3             |
| SUB-TOTAL        | 855                     | 11 036.1          |
| TOTAL GFA        |                         | 11 891.1          |

|             | COUNCIL CONTROLS | PROPOSED     |
|-------------|------------------|--------------|
| FSR         | NA               | 4.04 : 1     |
| GFA         | NA               | 11 891.1 sqm |
| MAX. HEIGHT | 22 m             | 28 m         |

| PROPOSED DEVELOPMENT MIX (121 UNITS TOTAL) |        |       |       |       |
|--|--------|-------|-------|-------|
|  | STUDIO | 1 BED | 2 BED | 3 BED |
| GF   | -      | -     | -     | -     |
| L 1  | -      | 5     | 12    | 1     |
| L 2  | -      | 5     | 14    | -     |
| L 3  | -      | 5     | 14    | -     |
| L 4  | -      | 5     | 14    | -     |
| L 5  | -      | 4     | 13    | -     |
| L 6  | -      | 0     | 10    | 3     |
| L 7  | -      | 1     | 5     | 6     |
| L 8  | -      | 1     | 0     | 3     |
| TOTAL                                      | 0      | 26    | 82    | 13    |
|  | 0%     | 21%   | 68%   | 11%   |

| CAR PARKING ANALYSIS (ROCKDALE DCP 2011)          |          |
|---|----------|
| DWELLING TYPE                                     | PROPOSED |
| 1 BED UNITS (1 SPACE PER DWELLING)                | 26       |
| 2 BED UNITS (1 SPACE PER DWELLING)                | 82       |
| 3 BED UNITS (2 SPACES PER DWELLING)               | 26       |
| VISITOR PARKING (1 PER 5 UNITS)                   | 25       |
| ACCESSIBLE SPACES (10% ADAPTABLE UNITS)           | 13       |
| CAR WASH BAY                                      | 1        |
| RESIDENTIAL CAR PARKING                           | 173      |
| RETAIL (396SQM) CAR PARKING (1 per 40SQM GFA)     | 10       |
| COMMERCIAL (459SQM) CAR PARKING (1 per 40SQM GFA) | 12       |
| TOTAL   | 195      |

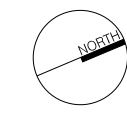
FOR PLANNING PROPOSAL PURPOSES ONLY  
NOT FOR CONSTRUCTION  
© COPYRIGHT

ARCHITECT:  
CANDALEPAS ASSOCIATES  
309 SUSSEX STREET  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7477  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG No. - 5773

PROJECT:  
75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE:



DATE:  
FEB 2018

CHECKED 1:  
ACu

CHECKED 2:  
-

DRAWN BY:  
DA, FT, LC, MT

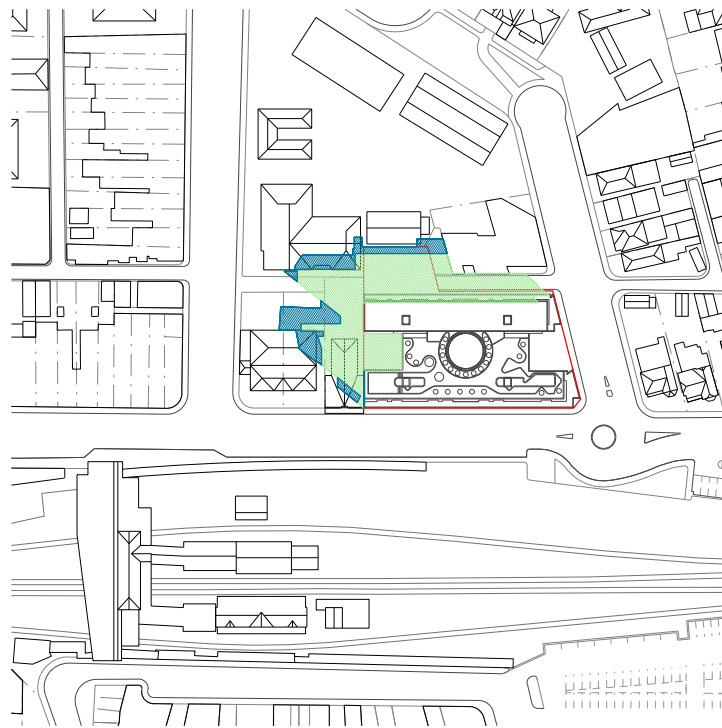
DRAWING:  
PROPOSAL /  
INDICATIVE  
DEVELOPMENT  
CALCULATIONS

DRAWING No.  
PP - 9.20

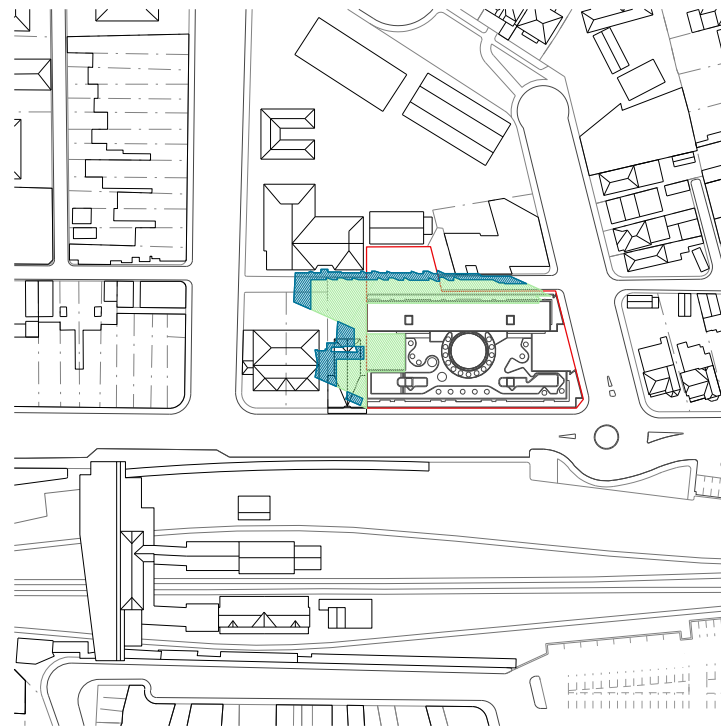
JOB No.  
5 7 2 4

ISSUE  
B

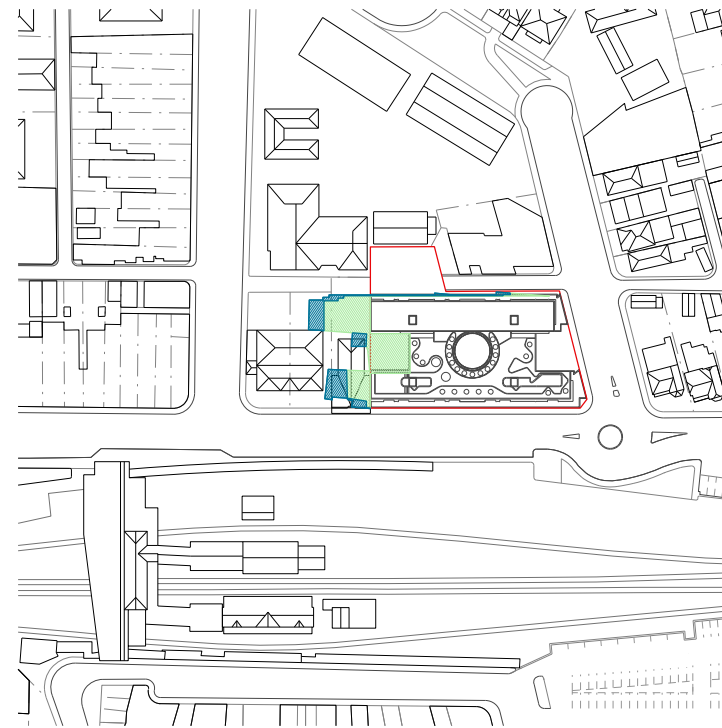
B 15/02/18 ISSUE TO COUNCIL  
A 03/03/18 ISSUE TO COUNCIL  
Issue Date Description  
Drawing Original Size  
A3



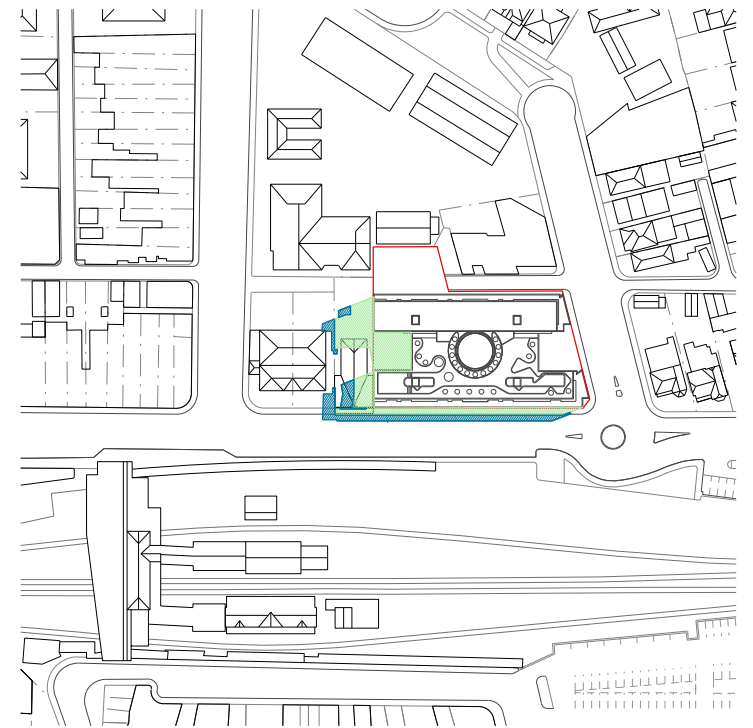
01 SHADOW DIAGRAM – 21 MARCH 9am  
1:2500



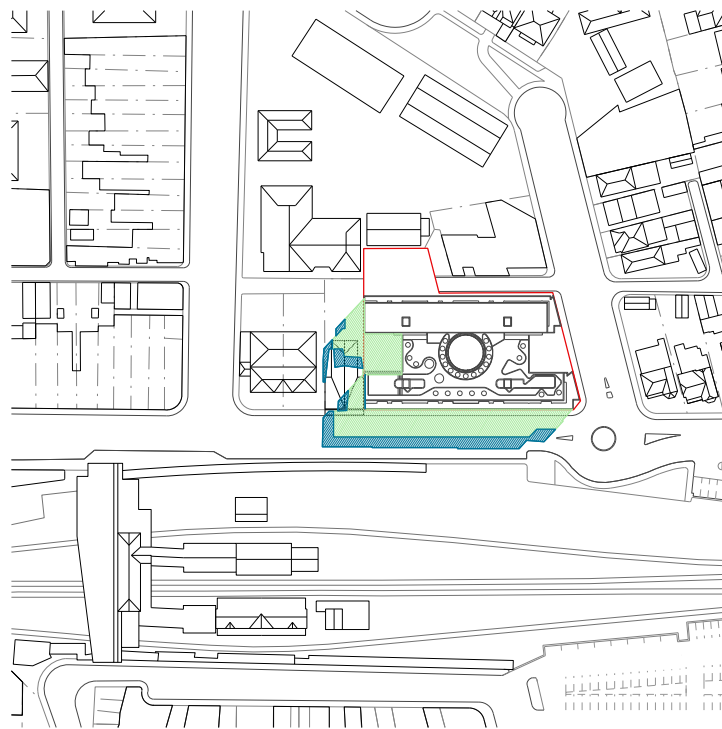
02 SHADOW DIAGRAM – 21 MARCH 10am  
1:2500



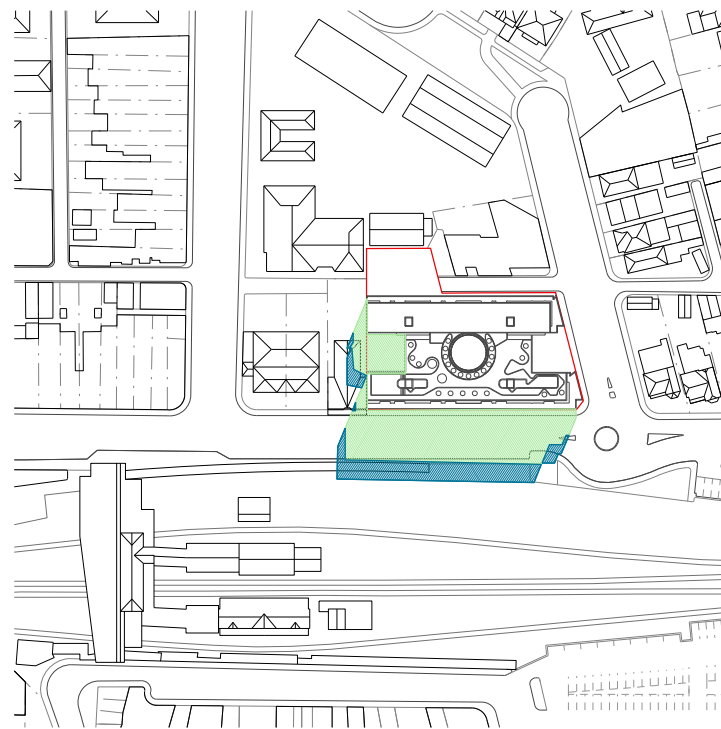
03 SHADOW DIAGRAM – 21 MARCH 11am  
1:2500



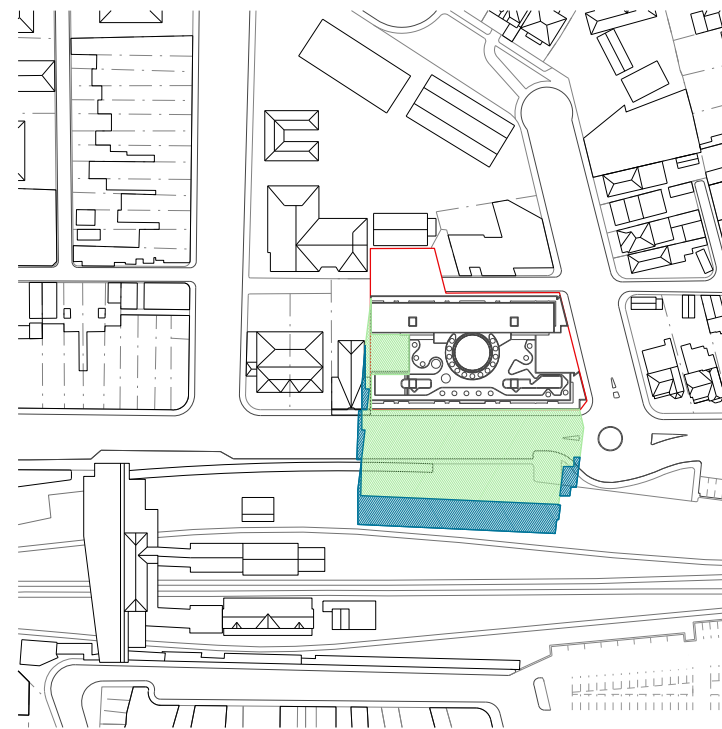
04 SHADOW DIAGRAM – 21 MARCH 12pm  
1:2500



05 SHADOW DIAGRAM – 21 MARCH 1pm  
1:2500



06 SHADOW DIAGRAM – 21 MARCH 2pm  
1:2500



07 SHADOW DIAGRAM – 21 MARCH 3pm  
1:2500

LEGEND

- SHADOWS CAST BY PROPOSED 22m HEIGHT DEVELOPMENT INDICATED IN GREEN
- SHADOWS CAST BY PROPOSED 28m HEIGHT DEVELOPMENT INDICATED IN BLUE

NOTE

ONLY BUILDINGS IN THE IMMEDIATE CONTEXT SURROUNDING THE SUBJECT SITE HAVE BEEN MODELLED TO CAST SHADOWS. THESE BUILDINGS ARE SHOWN IN WHITE.

WHERE POSSIBLE BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON SURVEY INFORMATION AS PROVIDED BY STRATA SURV DATED FEBRUARY OF 2014 AND HIGGINS SURVEYORS DATED 17 OF JUNE OF 2014. WHERE SURVEY INFORMATION WAS NOT AVAILABLE BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON ALTERNATIVE SOURCES AND ARE APPROXIMATE ONLY.

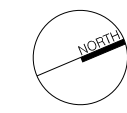
FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
 © COPYRIGHT

ARCHITECT:  
**CANDELEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candelep.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:2500@A3



DATE:  
 FEB 2018

CHECKED 1:  
 ACU

CHECKED 2:  
 -

DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
**PROPOSAL /**  
**INDICATIVE SHADOW**  
**DIAGRAMS /**  
**21 MARCH**

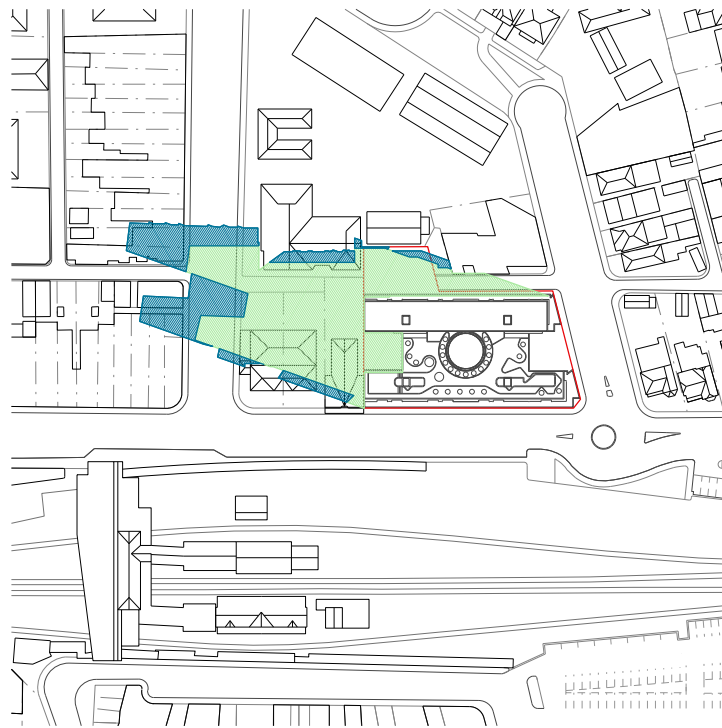
DRAWING No.  
**PP - 9.30**

JOB No.  
**5724**

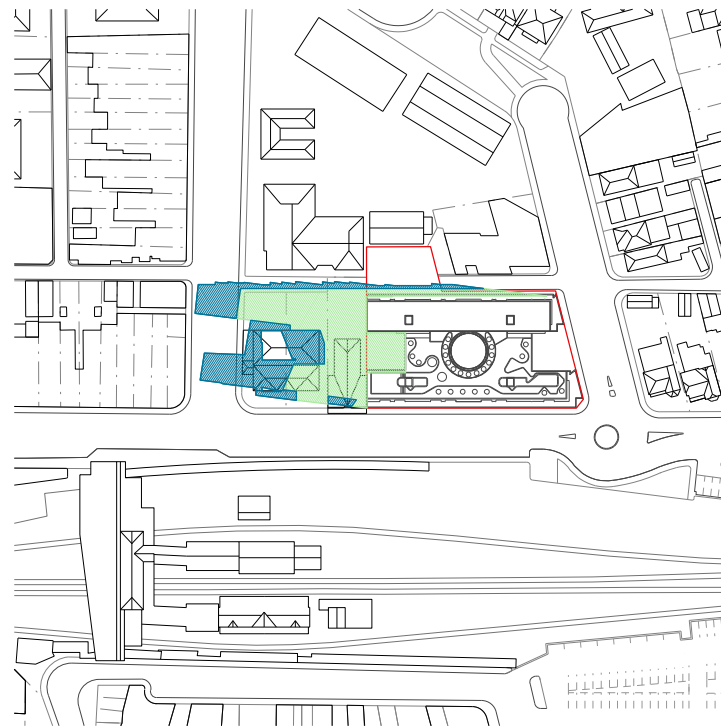
ISSUE  
**B**

1:2500@A3  
 ISSUE TO COUNCIL  
 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size

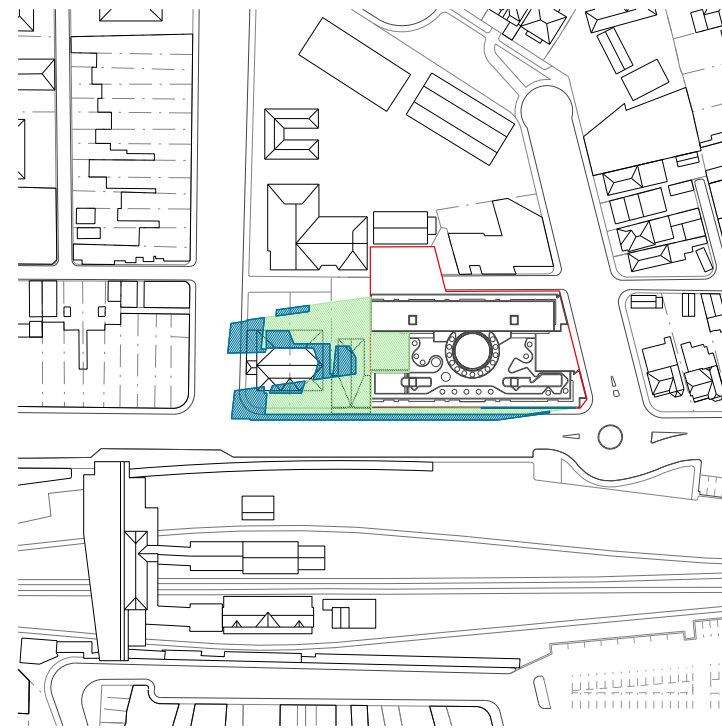




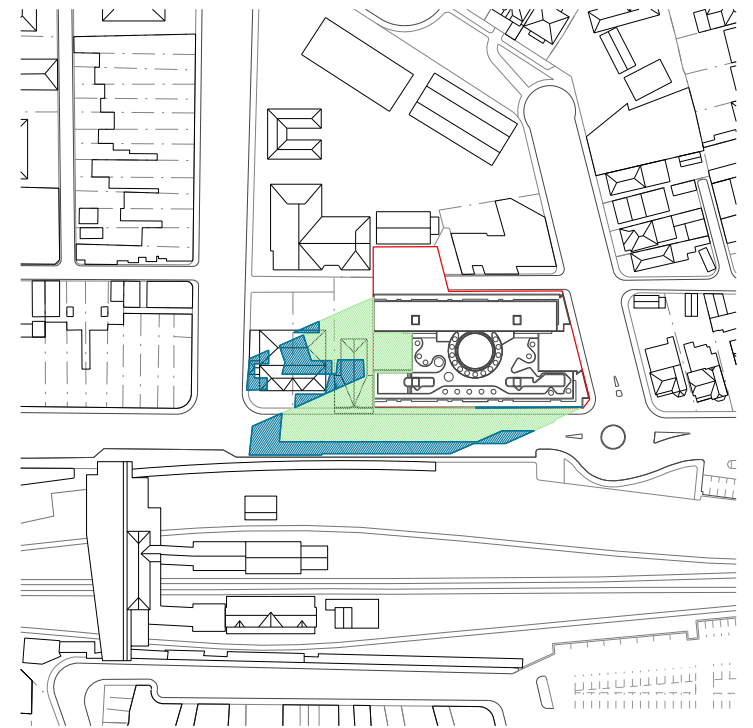
01 SHADOW DIAGRAM – 21 JUNE 9am  
1:2500



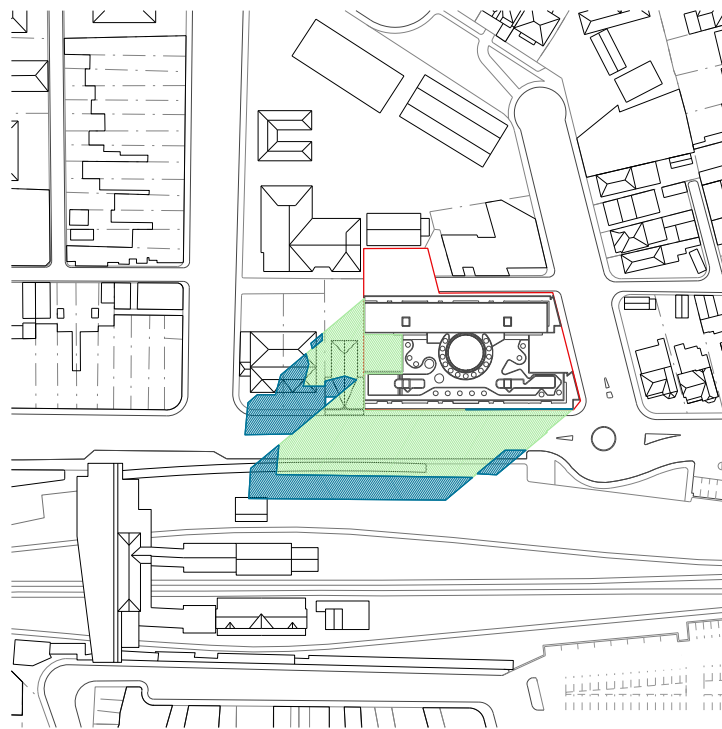
02 SHADOW DIAGRAM – 21 JUNE 10am  
1:2500



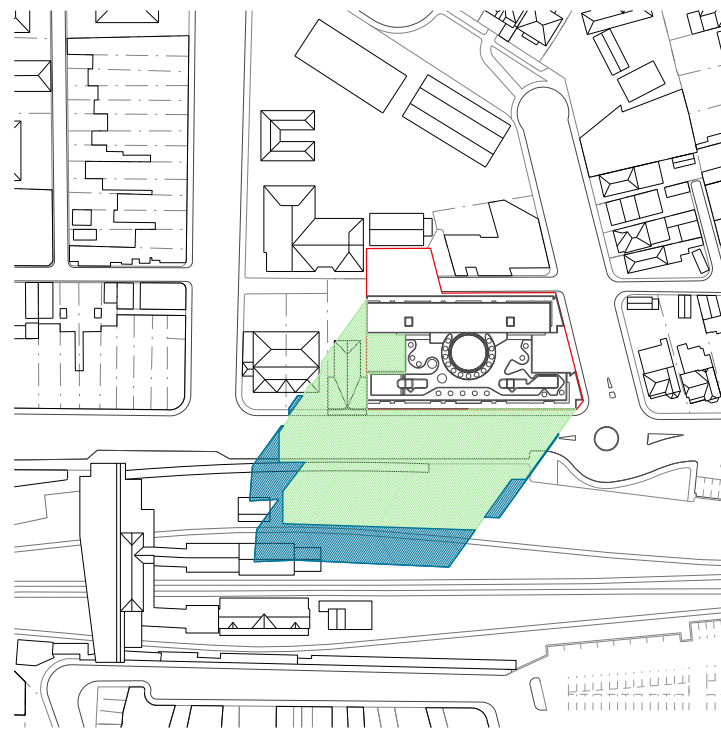
03 SHADOW DIAGRAM – 21 JUNE 11am  
1:2500



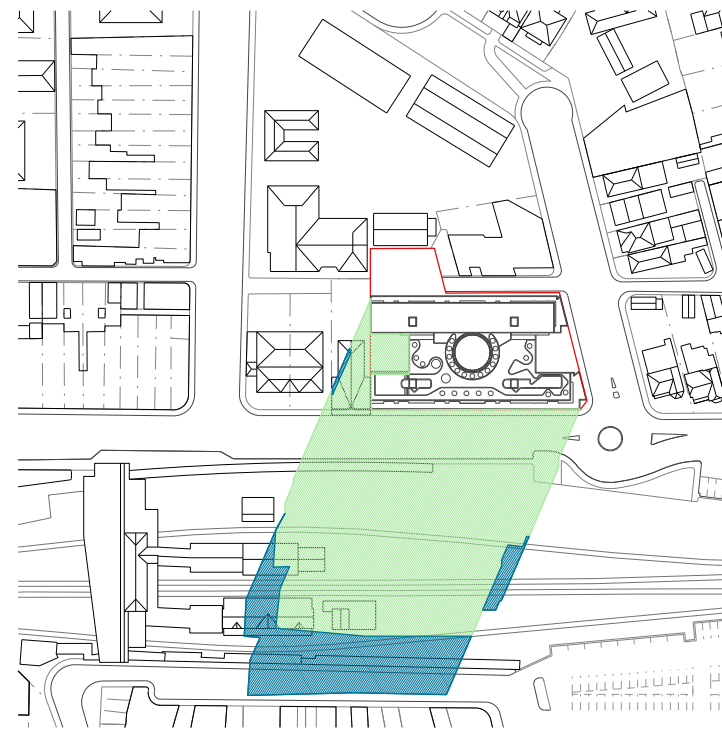
04 SHADOW DIAGRAM – 21 JUNE 12pm  
1:2500



05 SHADOW DIAGRAM – 21 JUNE 1pm  
1:2500



06 SHADOW DIAGRAM – 21 JUNE 2pm  
1:2500



07 SHADOW DIAGRAM – 21 JUNE 3pm  
1:2500

LEGEND

- SHADOWS CAST BY PROPOSED 22m HEIGHT DEVELOPMENT INDICATED IN GREEN
- SHADOWS CAST BY PROPOSED 28m HEIGHT DEVELOPMENT INDICATED IN BLUE
- SHADOWS CAST BY POTENTIAL NEIGHBOUR DEVELOPMENT INDICATED IN ORANGE

NOTE

ONLY BUILDINGS IN THE IMMEDIATE CONTEXT SURROUNDING THE SUBJECT SITE HAVE BEEN MODELLED TO CAST SHADOWS. THESE BUILDINGS ARE SHOWN IN WHITE.

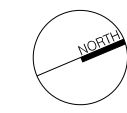
WHERE POSSIBLE BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON SURVEY INFORMATION AS PROVIDED BY STRATA SURV DATED FEBRUARY OF 2014 AND HIGGINS SURVEYORS DATED 17 OF JUNE OF 2014. WHERE SURVEY INFORMATION WAS NOT AVAILABLE BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON ALTERNATIVE SOURCES AND ARE APPROXIMATE ONLY.

1:2500  
A  
B  
C  
D  
E  
F  
G  
H  
I  
J  
K  
L  
M  
N  
O  
P  
Q  
R  
S  
T  
U  
V  
W  
X  
Y  
Z  
AA  
AB  
AC  
AD  
AE  
AF  
AG  
AH  
AI  
AJ  
AK  
AL  
AM  
AN  
AO  
AP  
AQ  
AR  
AS  
AT  
AU  
AV  
AW  
AX  
AY  
AZ  
BA  
BB  
BC  
BD  
BE  
BF  
BG  
BH  
BI  
BJ  
BK  
BL  
BM  
BN  
BO  
BP  
BQ  
BR  
BS  
BT  
BU  
BV  
BW  
BX  
BY  
BZ  
CA  
CB  
CC  
CD  
CE  
CF  
CG  
CH  
CI  
CJ  
CK  
CL  
CM  
CN  
CO  
CP  
CQ  
CR  
CS  
CT  
CU  
CV  
CW  
CX  
CY  
CZ  
DA  
DB  
DC  
DD  
DE  
DF  
DG  
DH  
DI  
DJ  
DK  
DL  
DM  
DN  
DO  
DP  
DQ  
DR  
DS  
DT  
DU  
DV  
DW  
DX  
DY  
DZ  
EA  
EB  
EC  
ED  
EE  
EF  
EG  
EH  
EI  
EJ  
EK  
EL  
EM  
EN  
EO  
EP  
EQ  
ER  
ES  
ET  
EU  
EV  
EW  
EX  
EY  
EZ  
FA  
FB  
FC  
FD  
FE  
FF  
FG  
FH  
FI  
FJ  
FK  
FL  
FM  
FN  
FO  
FP  
FQ  
FR  
FS  
FT  
FU  
FV  
FW  
FX  
FY  
FZ  
GA  
GB  
GC  
GD  
GE  
GF  
GG  
GH  
GI  
GJ  
GK  
GL  
GM  
GN  
GO  
GP  
GQ  
GR  
GS  
GT  
GU  
GV  
GW  
GX  
GY  
GZ  
HA  
HB  
HC  
HD  
HE  
HF  
HG  
HH  
HI  
HJ  
HK  
HL  
HM  
HN  
HO  
HP  
HQ  
HR  
HS  
HT  
HU  
HV  
HW  
HX  
HY  
HZ  
IA  
IB  
IC  
ID  
IE  
IF  
IG  
IH  
II  
IJ  
IK  
IL  
IM  
IN  
IO  
IP  
IQ  
IR  
IS  
IT  
IU  
IV  
IW  
IX  
IY  
IZ  
JA  
JB  
JC  
JD  
JE  
JF  
JG  
JH  
JI  
JJ  
JK  
JL  
JM  
JN  
JO  
JP  
JQ  
JR  
JS  
JT  
JU  
JV  
JW  
JX  
JY  
JZ  
KA  
KB  
KC  
KD  
KE  
KF  
KG  
KH  
KI  
KJ  
KK  
KL  
KM  
KN  
KO  
KP  
KQ  
KR  
KS  
KT  
KU  
KV  
KW  
KX  
KY  
KZ  
LA  
LB  
LC  
LD  
LE  
LF  
LG  
LH  
LI  
LJ  
LK  
LL  
LM  
LN  
LO  
LP  
LQ  
LR  
LS  
LT  
LU  
LV  
LW  
LX  
LY  
LZ  
MA  
MB  
MC  
MD  
ME  
MF  
MG  
MH  
MI  
MJ  
MK  
ML  
MM  
MN  
MO  
MP  
MQ  
MR  
MS  
MT  
MU  
MV  
MW  
MX  
MY  
MZ  
NA  
NB  
NC  
ND  
NE  
NF  
NG  
NH  
NI  
NJ  
NK  
NL  
NM  
NN  
NO  
NP  
NQ  
NR  
NS  
NT  
NU  
NV  
NW  
NX  
NY  
NZ  
OA  
OB  
OC  
OD  
OE  
OF  
OG  
OH  
OI  
OJ  
OK  
OL  
OM  
ON  
OO  
OP  
OQ  
OR  
OS  
OT  
OU  
OV  
OW  
OX  
OY  
OZ  
PA  
PB  
PC  
PD  
PE  
PF  
PG  
PH  
PI  
PJ  
PK  
PL  
PM  
PN  
PO  
PP  
PQ  
PR  
PS  
PT  
PU  
PV  
PW  
PX  
PY  
PZ  
QA  
QB  
QC  
QD  
QE  
QF  
QG  
QH  
QI  
QJ  
QK  
QL  
QM  
QN  
QO  
QP  
QQ  
QR  
QS  
QT  
QU  
QV  
QW  
QX  
QY  
QZ  
RA  
RB  
RC  
RD  
RE  
RF  
RG  
RH  
RI  
RJ  
RK  
RL  
RM  
RN  
RO  
RP  
RQ  
RR  
RS  
RT  
RU  
RV  
RW  
RX  
RY  
RZ  
SA  
SB  
SC  
SD  
SE  
SF  
SG  
SH  
SI  
SJ  
SK  
SL  
SM  
SN  
SO  
SP  
SQ  
SR  
SS  
ST  
SU  
SV  
SW  
SX  
SY  
SZ  
TA  
TB  
TC  
TD  
TE  
TF  
TG  
TH  
TI  
TJ  
TK  
TL  
TM  
TN  
TO  
TP  
TQ  
TR  
TS  
TT  
TU  
TV  
TW  
TX  
TY  
TZ  
UA  
UB  
UC  
UD  
UE  
UF  
UG  
UH  
UI  
UJ  
UK  
UL  
UM  
UN  
UO  
UP  
UQ  
UR  
US  
UT  
UU  
UV  
UW  
UX  
UY  
UZ  
VA  
VB  
VC  
VD  
VE  
VF  
VG  
VH  
VI  
VJ  
VK  
VL  
VM  
VN  
VO  
VP  
VQ  
VR  
VS  
VT  
VU  
VV  
VW  
VX  
VY  
VZ  
WA  
WB  
WC  
WD  
WE  
WF  
WG  
WH  
WI  
WJ  
WK  
WL  
WM  
WN  
WO  
WP  
WQ  
WR  
WS  
WT  
WU  
WV  
WW  
WX  
WY  
WZ  
XA  
XB  
XC  
XD  
XE  
XF  
XG  
XH  
XI  
XJ  
XK  
XL  
XM  
XN  
XO  
XP  
XQ  
XR  
XS  
XT  
XU  
XV  
XW  
XX  
XY  
XZ  
YA  
YB  
YC  
YD  
YE  
YF  
YG  
YH  
YI  
YJ  
YK  
YL  
YM  
YN  
YO  
YP  
YQ  
YR  
YS  
YT  
YU  
YV  
YW  
YX  
YZ  
ZA  
ZB  
ZC  
ZD  
ZE  
ZF  
ZG  
ZH  
ZI  
ZJ  
ZK  
ZL  
ZM  
ZN  
ZO  
ZP  
ZQ  
ZR  
ZS  
ZT  
ZU  
ZV  
ZW  
ZX  
ZY  
ZZ

FOR PLANNING PROPOSAL PURPOSES ONLY  
NOT FOR CONSTRUCTION  
© COPYRIGHT

ARCHITECT:  
CANDALEPAS  
ASSOCIATES  
309 SUSSEX STREET  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7477  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG No. - 5773

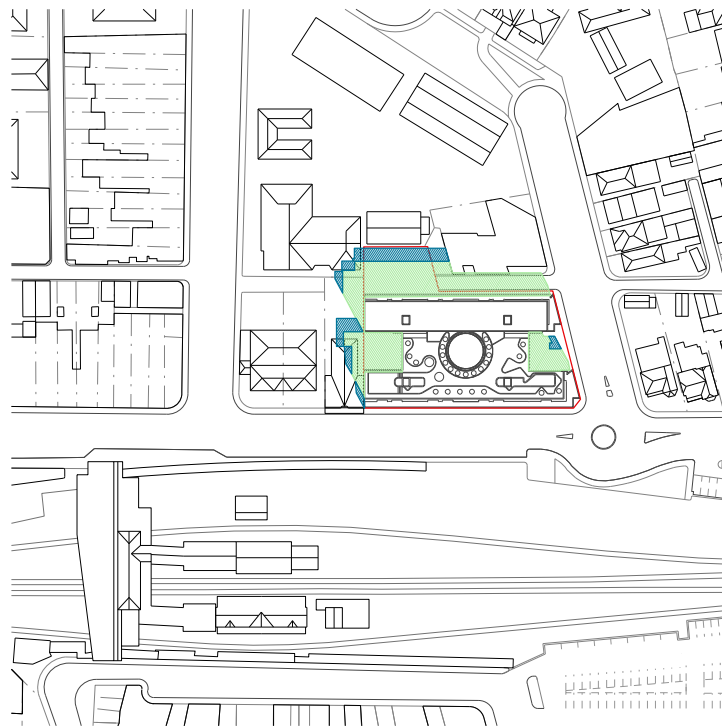
PROJECT:  
75-81 RAILWAY STREET, ROCKDALE  
CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED  
SCALE: 1:2500@A3



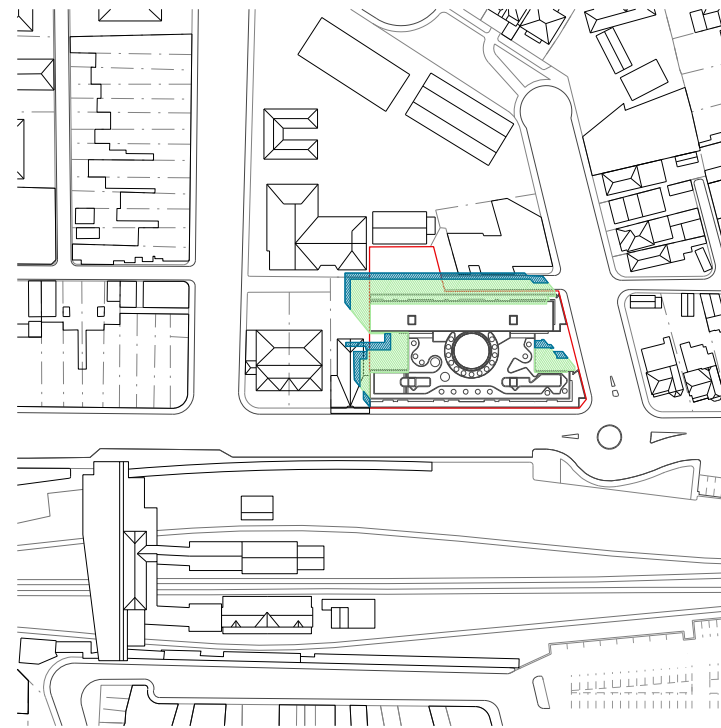
DATE:  
FEB 2018  
CHECKED 1:  
ACU  
CHECKED 2:  
-  
DRAWN BY:  
DA, FT, LC, MT

DRAWING:  
PROPOSAL /  
INDICATIVE SHADOW  
DIAGRAMS /  
21 JUNE  
DRAWING No.  
PP - 9.31

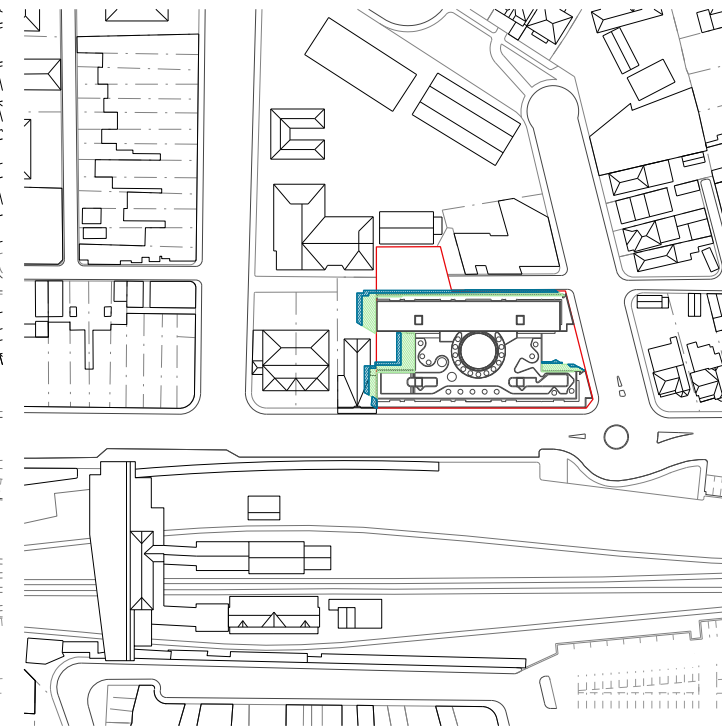
JOB No.  
5724  
ISSUE  
B



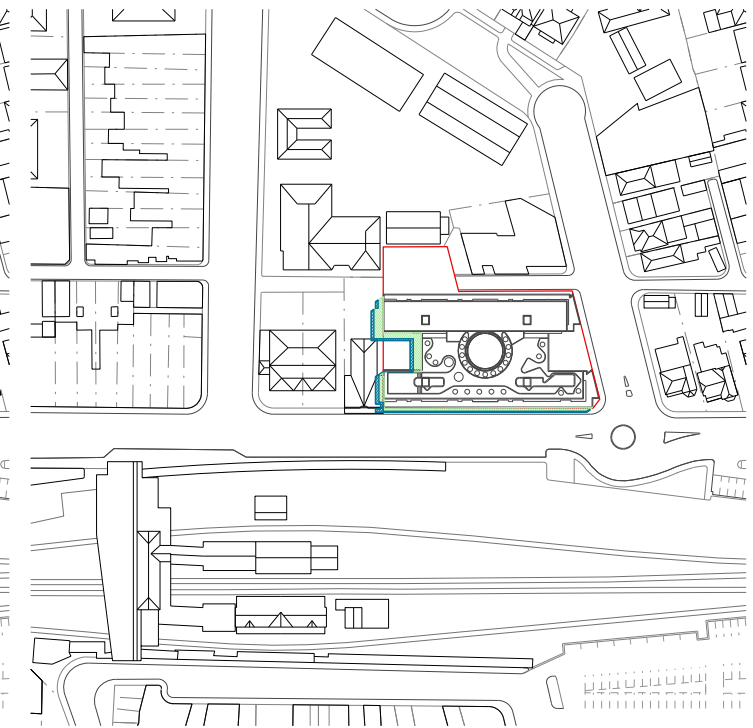
01 SHADOW DIAGRAM – 21 DECEMBER 9am  
1:2500



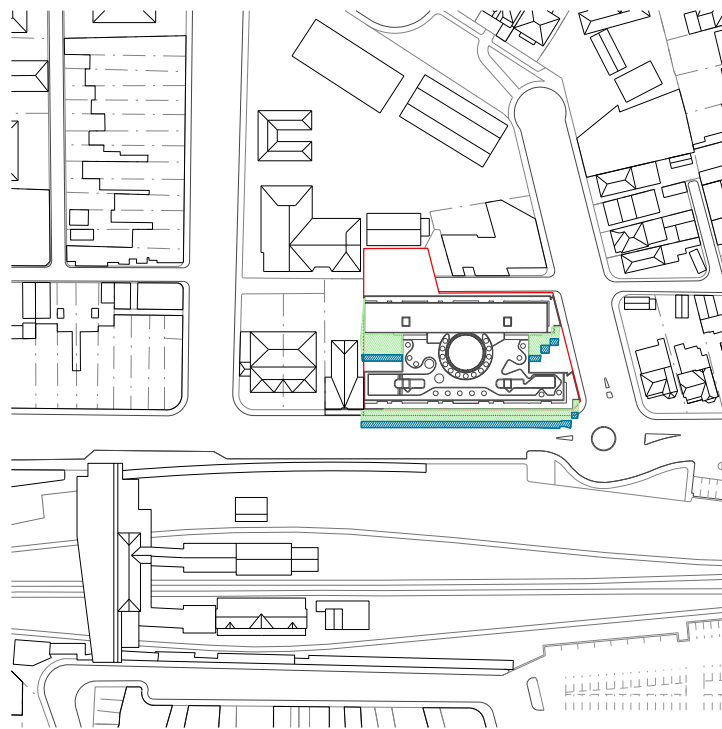
02 SHADOW DIAGRAM – 21 DECEMBER 10am  
1:2500



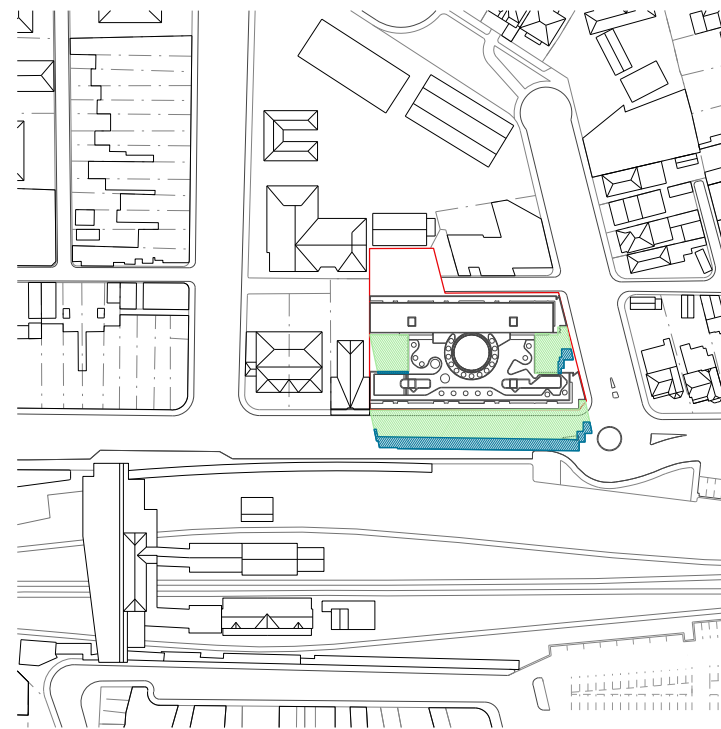
03 SHADOW DIAGRAM – 21 DECEMBER 11am  
1:2500



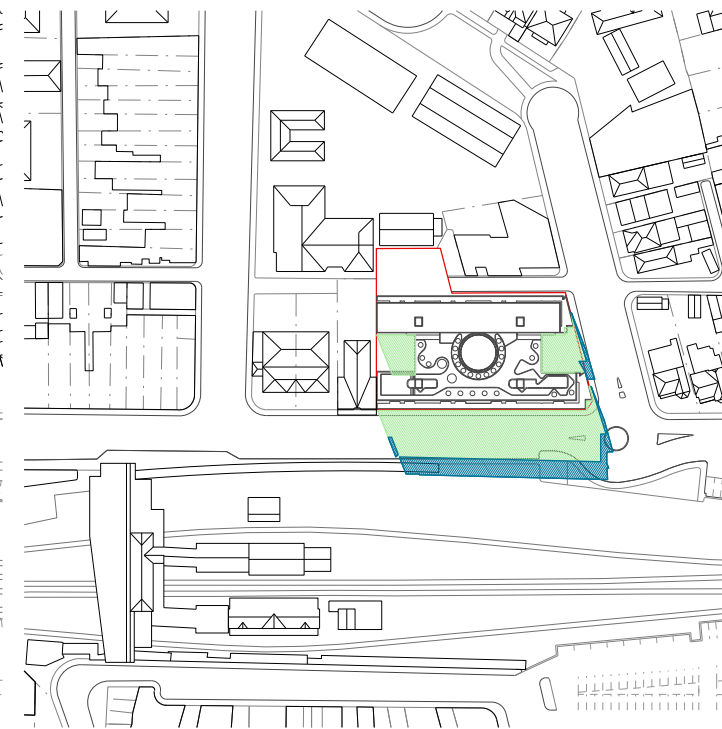
04 SHADOW DIAGRAM – 21 DECEMBER 12pm  
1:2500



05 SHADOW DIAGRAM – 21 DECEMBER 1pm  
1:2500



06 SHADOW DIAGRAM – 21 DECEMBER 2pm  
1:2500



07 SHADOW DIAGRAM – 21 DECEMBER 3pm  
1:2500

LEGEND

- SHADOWS CAST BY PROPOSED 22m HEIGHT DEVELOPMENT INDICATED IN GREEN
- SHADOWS CAST BY PROPOSED 28m HEIGHT DEVELOPMENT INDICATED IN BLUE
- SHADOWS CAST BY POTENTIAL NEIGHBOUR DEVELOPMENT INDICATED IN ORANGE

NOTE

ONLY BUILDINGS IN THE IMMEDIATE CONTEXT SURROUNDING THE SUBJECT SITE HAVE BEEN MODELLED TO CAST SHADOWS. THESE BUILDINGS ARE SHOWN IN WHITE.

WHERE POSSIBLE BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON SURVEY INFORMATION AS PROVIDED BY STRATA SURV DATED FEBRUARY OF 2014 AND HIGGINS SURVEYORS DATED 17 OF JUNE OF 2014. WHERE SURVEY INFORMATION WAS NOT AVAILABLE BUILDING HEIGHTS HAVE BEEN MODELLED BASED ON ALTERNATIVE SOURCES AND ARE APPROXIMATE ONLY.

1:02:18 ISSUE TO COUNCIL  
0:00:15 ISSUE TO COUNCIL  
A  
B  
Issue Date Description  
Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**

THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.

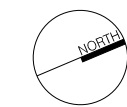
DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
309 SUSSEX STREET  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7477  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG No. - 5773

PROJECT:  
75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:2500@A3



DATE:  
FEB 2018

CHECKED 1:  
ACU

CHECKED 2:  
-

DRAWN BY:  
DA, FT, LC, MT

DRAWING:  
PROPOSAL /  
INDICATIVE SHADOW  
DIAGRAMS /  
21 DECEMBER

DRAWING No.  
PP - 9.32

JOB No.  
5724

ISSUE  
B






**CANDALEPAS ASSOCIATES**  
 LEVEL 9, 219 CASTLEREACH ST  
 SYDNEY NSW 2000  
 9283 7755 F 9283 7477

| Issue | Date     | Description      |
|-------|----------|------------------|
| B     | 15/05/18 | ISSUE TO COUNCIL |
| A     | 01/04/18 | ISSUE TO COUNCIL |

Drawing Original Size **A3**

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

**ARCHITECT:**  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

**PROJECT:**  
 75-81 RAILWAY STREET, ROCKDALE  
**CLIENT:**  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
**SCALE:**

**DATE:**  
 FEB 2018  
**CHECKED 1:**  
 ACu  
**CHECKED 2:**  
 -  
**DRAWN BY:**  
 DA, FT, LC, MT

**DRAWING:**  
 PROPOSAL /  
 INDICATIVE  
 PHOTOMONTAGE 1  
**DRAWING No.**  
 PP - 9.40

**JOB No.**  
 5724  
**ISSUE**  
 B






**CANDALEPAS ASSOCIATES**  
 LEVEL 9, 219 CASTLEREAGH ST  
 SYDNEY NSW 2000  
 T 9283 7755 F 9283 7477

| Issue | Date     | Description      |
|-------|----------|------------------|
| B     | 15/02/18 | ISSUE TO COUNCIL |
| A     | 01/04/15 | ISSUE TO COUNCIL |

Drawing Original Size **A3**

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**  
THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

**ARCHITECT:**  
**CANDALEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

**PROJECT:**  
 75-81 RAILWAY STREET, ROCKDALE  
  
**CLIENT:**  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
  
**SCALE:**

**DATE:**  
 FEB 2018  
**CHECKED 1:**  
 ACu  
**CHECKED 2:**  
 -  
**DRAWN BY:**  
 DA, FT, LC, MT

**DRAWING:**  
 PROPOSAL /  
 INDICATIVE  
 PHOTOMONTAGE 2  
  
**DRAWING No.**  
**PP - 9.41**

**JOB No.**  
**5724**  
  
**ISSUE**  
**B**





CANDELEPAS ASSOCIATES

B 15/02/18 ISSUE TO COUNCIL  
 A 04/04/18 ISSUE TO COUNCIL  
 Issue Date Description  
 Drawing Original Size A3

FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
**© COPYRIGHT**  
 THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDELEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
 DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDELEPAS ASSOCIATES**  
 309 SUSSEX STREET  
 SYDNEY NSW 2000  
 T: 02 9283 7755  
 F: 02 9283 7477  
 E: architects@candalepas.com.au  
 NSW ARCHITECTS REG No. - 5773

PROJECT:  
 75-81 RAILWAY STREET, ROCKDALE  
 CLIENT:  
 ZOE HOLDINGS ROCKDALE PTY LIMITED  
 SCALE:

DATE:  
 FEB 2018  
 CHECKED 1:  
 ACu  
 CHECKED 2:  
 -  
 DRAWN BY:  
 DA, FT, LC, MT

DRAWING:  
 PROPOSAL /  
 INDICATIVE  
 PHOTOMONTAGE 3  
 DRAWING No.  
**PP - 9.42**

JOB No.  
**5724**  
 ISSUE  
**B**

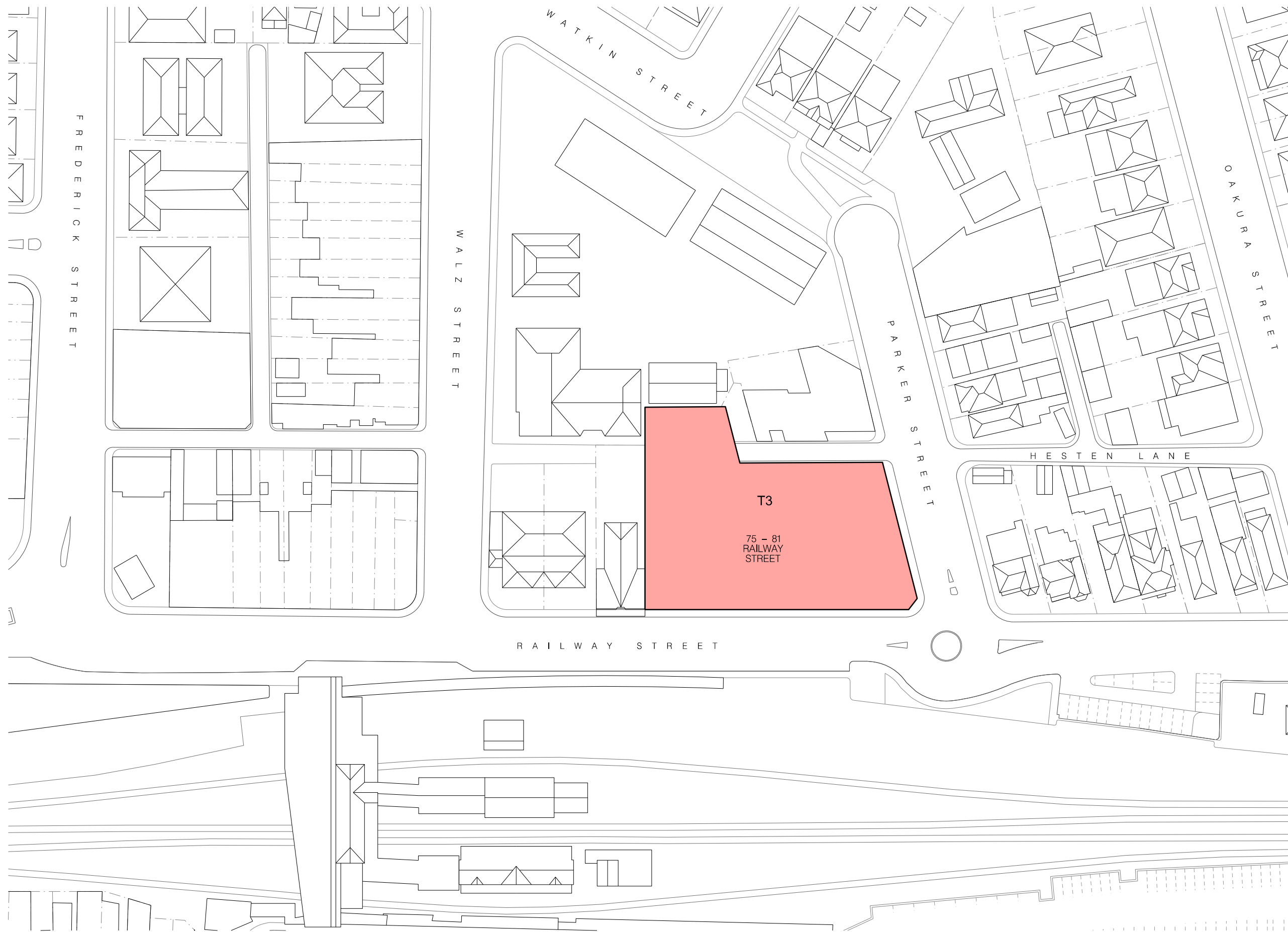


**Rockdale Local Environmental Plan 2011**

Height of Buildings Map  
- Sheet HOB\_004

**Maximum Building Height (m)**

|    |                     |
|----|---------------------|
| I  | 8.5                 |
| M  | 12                  |
| N1 | 13                  |
| N2 | 14.5                |
| O1 | 15                  |
| O2 | 16                  |
| P1 | 17.5                |
| P2 | 18                  |
| Q1 | 19                  |
| Q2 | 20.5                |
| R1 | 21                  |
| R2 | 22                  |
| S  | 24                  |
| T1 | 26.5                |
| T2 | 27                  |
| T3 | 28                  |
| T4 | 29.5                |
| U  | 31                  |
| X  | 46                  |
| Y  | 51                  |
|    | Refer to Clause 4.3 |



B 15/02/18 ISSUE TO COUNCIL  
A 01/04/15 ISSUE TO COUNCIL  
Issue Date Description  
Drawing Original Size A3

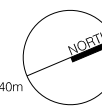
FOR PLANNING PROPOSAL PURPOSES ONLY  
**NOT FOR CONSTRUCTION**  
© COPYRIGHT  
THIS DOCUMENT IS THE PROPERTY OF ANGELO CANDALEPAS & ASSOCIATES PTY LTD. THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE FOR WHICH IT WAS COMMISSIONED. UNAUTHORISED USE OF THIS DRAWING IS PROHIBITED.  
DO NOT SCALE THIS DRAWING. USE ONLY FIGURED DIMENSIONS. REPORT ANY DISCREPANCY TO THE ARCHITECT FOR CLARIFICATION PRIOR TO THE COMMENCEMENT OF ANY WORK.

ARCHITECT:  
**CANDALEPAS ASSOCIATES**  
309 SUSSEX STREET  
SYDNEY NSW 2000  
T: 02 9283 7755  
F: 02 9283 7477  
E: architects@candalepas.com.au  
NSW ARCHITECTS REG No. - 5773

PROJECT:  
75-81 RAILWAY STREET, ROCKDALE

CLIENT:  
ZOE HOLDINGS ROCKDALE PTY LIMITED

SCALE: 1:1000@A3  
0 5m 10m 20m 40m



DATE:  
FEB 2018  
CHECKED 1:  
ACu  
CHECKED 2:  
-  
DRAWN BY:  
DA, FT, LC, MT

DRAWING:  
**HEIGHT OF BUILDINGS MAP**  
DRAWING No.  
**PP - 10.02**

JOB No.  
**5724**  
ISSUE  
**B**