

## **INQUIRY INTO DEVELOPMENT OF THE TRANSPORT ORIENTED DEVELOPMENT PROGRAM**

**Organisation:** Bayside Council

**Date Received:** 4 June 2024

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8 March 2024

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PARRAMATTA NSW 2124

Attn: Isabel Virgona – Acting Director Housing Delivery

**Draft Bayside Council Submission on NSW Government's Transport Oriented Development Program**

Thank you for the opportunity to comment on the Transport Oriented Development (TOD) Program. Bayside Council provides this endorsed submission, which was considered at its meeting held on 28 February 2024.

Bayside Council acknowledges the National 'housing crisis' and the urgent need to house Australia's growing population. All stakeholders need to play their part in a solution, including local government.

It is also vitally important that the housing and the neighbourhoods we create in the process provide a good standard of living for our community. Not only are the consequences of poor planning and development very difficult and expensive to remedy after the event, they leave an undesirable legacy that lasts for generations. Expedient short term solutions must not create long term quality of life legacy issues.

The imperative of finding fast solutions in NSW has set aside planning work undertaken by State and local government in recent years, including the Metropolitan, District and Local level plans, and local Housing Strategies. The planning processes set out in documents including the LEP Making Guidelines (2023), have also been truncated. The rapid introduction of broad brush statutory planning controls based on superficial analysis increases the risk of poor outcomes.

Bayside Council is a strong supporter of increasing the provision of homes close to public transport, community services and open space, provided that increased development potential is carefully considered against the opportunities and constraints of each location. DPHI's data shows that Bayside has been fulfilling its obligations in regard to facilitating new homes, exceeding its housing target in the 2016-2021 period. Apart from Sydney City and Parramatta, Bayside facilitated more housing in this period than any other Council within 20km of the Sydney CBD.

With a solid track record of facilitating housing, and commitment to working through its State endorsed Local Housing Strategy to maintain a strong housing delivery pipeline, Bayside would prefer to undertake its own planning in partnership with our community, rather than

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having broad-brush controls imposed in particular areas that may not deliver optimal outcomes.

Understanding the express priority of the NSW and Federal Government in relation to accelerated provision of housing, Bayside requests as a minimum that it be able to work with DPHI to refine the TOD centres so that the boundaries can be rationalised and the controls shaped to deliver the same quantity of new homes in a more rational way, and to a higher standard of quality.

Only Part 2 of the TOD Program applies to Bayside Council, and includes the following four station precincts:

- Banksia Station,
- Kogarah Station,
- Rockdale Station, and
- Turrella Station.

This submission is structured into two sections: general concerns that are applicable to *all* areas, and concerns that apply to each station precinct's individual context. Council staff have analysed each station precinct against relevant strategic and site-specific parameters. The mapping analysis is provided in **Attachment 1**.

The following key concerns are raised for your consideration:

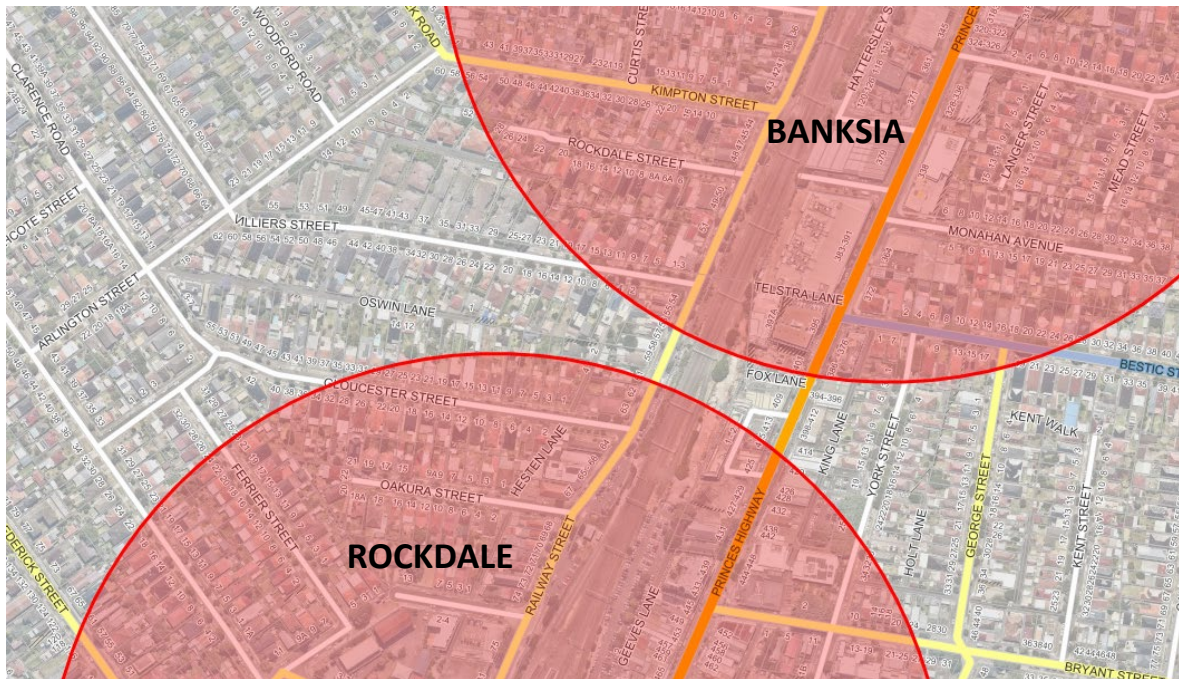
## **1 General Concerns**

- a. **Boundaries** - Continuity between areas within the station precincts and areas beyond their boundaries is a matter of concern. A sharp cut-off line does not ensure an adequate transition between built form, notably when the boundary bisects a street block or lot. It is unclear how lots that are only partially within the defined area will respond to the proposed provisions. Train station platforms can extend up to 150m in length, posing ambiguity in determining the pinpoint for the 400m radius.

Rather than using a 400m radius to identify the prescribed area, it is recommended that the precincts are mapped using the existing roads, subdivision boundaries, or physical or geographical features as boundaries.

- b. **Proximity of Boundaries** - Rockdale and Banksia stations are close to each other and their radii almost intersect. This results in a narrow strip of sites that will not benefit from the policy changes (**Figure 1**). This will create a poor transition in built form between the two precincts.

Creating a corridor between/around the two station precincts would address this. As recommended in point 1(a) above, this should be mapped to ensure the boundaries are clearly demarcated.



**Figure 1** Proximity between Banksia Station precinct's southern boundary and Rockdale Station precinct's northern boundary.

- c. **Stakeholder Engagement** - Consultation with all relevant authorities is essential to both confirm that infrastructure can accommodate increased development, and that there is not infrastructure existing that poses a constraint (such as fuel pipelines).

Council also values its community and fosters a culture of transparency and accountability. It is regrettable that the opportunity for participation in the consultation process is not open to the public. Council advocates for the inclusion of public input in these consultations, as it enables a comprehensive examination of the potential implications of the proposed changes from the public's perspective.

- d. **Affordable Housing** - The requirement that a minimum 2% Affordable Housing Contribution will apply to all developments within the prescribed areas aligns with the priorities of Bayside Council's *Local Housing Strategy*. Council is currently in the early stages of developing an Affordable Housing Strategy and is eager to see an option that maximises the yield of Affordable Housing.

As supply alone cannot fully address the housing affordability crisis, it must be complemented with the provision of social and affordable dwellings. By working in tandem, this can mitigate excessively high prices in the LGA. If feasible, the affordable housing contribution rate should be increased to a higher rate as a more effective strategy in tackling the housing affordability crisis.

Affordable housing resulting from these policy changes should be provided in perpetuity and transferred to an affordable housing provider or local government, with mechanisms to ensure that the invested capital remains solely for those purposes.

More comprehensive details on the affordable housing contribution rate are also requested to be provided.

- e. **Topography** - All station precinct areas nominated in Bayside have areas within their boundaries that are subject to considerable differences in elevation, with a notable

variation in ridges and valleys. The following areas have significant changes in elevation in comparison to surrounding streets:

Banksia: Bayview Street, Withers Street, Mount Street, Knight Street, northern side of Godfreys Street, Rockdale Street, Tabrett Street.

Kogarah: Guinea Street between Stuart Street and Kitchener Street, Dalley Street, Verdun Street between Cameron and Washington Street, northern end of Wolsley Street.

Rockdale: Harrow Road, Herbert Street, Ferrier Street, Pitt Street, southern end of George Street.

Turrella: All streets except Rickard Street, Turrella Street, Amy Street, Loftus Street, Goddard Street.

A 21m blanket building height would not take these topographical differences into account. This poses challenges in enabling future development on sites in compliance with the OLS surrounding Sydney Airport, providing appropriate solar access, visual privacy, and desirable streetscape qualities. Council encourages contemporary roofs and building articulation that will appropriately respond to the constraints of each site and considers that updated guidance in the Apartment Design Guide (ADG) may assist in achieving suitable built form outcomes.

- f. **FSR & Building Height Mismatch** – The proposed FSR of 3:1 is unlikely to be achieved with a height limit of 21m, taking into consideration building separation, setbacks, site coverage, and communal open space requirements. A quick review would confirm that Councils do not typically pair such a high floor space ratio with a 21m height limit.

Whilst consideration may be given to varying the ADG provisions, this will be to the detriment of residential amenity and result in a poor urban form. Council seeks evidence on the practicality of redeveloping sites according to these FSR and height standards without unreasonably compromising quality. There is also a risk that unachievable floor space expectations will inflate property values, and when not realised, inflate the price of new dwellings constructed on these sites.

- g. **Pattern Books** – Council is of the opinion that pattern book designs as the basis of an accelerated approval pathway is not a suitable method to boost supply. Such development may result in uniform and monotonous outcomes that erode the unique character of each precinct. This approach was tried in the 1960's and 1970's and abandoned.

A generic approach does not foster diversity in design, identity of place, or consider the specific challenges that each site faces, such as topography and flood affectation. Council recommends that these pattern books serve as advisory tools rather than accelerated approval pathways.

- h. **Lot Size & Width** – The lack of minimum lot size or lot width standards will pose significant challenges in achieving compliance with ADG requirements, such as minimum setbacks, building separation, deep soil, and communal open space controls. This will hinder Council's ability to guide developers towards high quality design that provides optimal amenity for residents and the surrounding area. This approach also carries the risk of creating isolated sites that will be unsuitable for redevelopment and

undesirable when viewed holistically with the remainder of the street. It is recommended that guidance on minimum lot widths (at the very least) is provided.

Narrow lot subdivisions and fractured ownership patterns can pose a barrier. With no minimum lot size or lot width restrictions, it will be impractical and unfeasible to achieve meaningful growth on a single site and consolidation of multiple sites should be required.

- i. **Design Excellence** – Council believes that proposals that will benefit from the uplift of these controls should be subject to a Design Excellence Clause in the SEPP (including where areas subject to Design Excellence already apply in existing LEPs), that will guarantee that high quality and sustainable development will be achieved.

It is also recommended that guidelines be established to foster the visual activation of the streetscape. These guidelines should encourage the use of design elements that contribute to a vibrant and aesthetically pleasing urban environment. This could include the incorporation of landscaping, and architectural features that add character and vitality to the streetscape.

- j. **Land Reserved for Acquisition** - Clarification is sought on whether sites intended to be acquired for public purposes will continue to function as such.
- k. **Supporting Infrastructure** – The increase in density in some locations will be very significant. In most cases, existing infrastructure provided by State and local government will not have the spare capacity to accommodate the needs of new residents.

To cope with the expected population growth, the proposed changes will trigger the need for improved railway capacity, widening of train station platforms, accessible open spaces and active transport links, among other forms of public infrastructure. The integration of new piping systems with older ones may also potentially lead to localised flooding. Consequently, it will be necessary to upgrade the flood management infrastructure downstream.

The implementation of new and/or expanded supporting infrastructure can be a time-consuming process and delays can lead to community frustrations as existing amenities become overwhelmed beyond their capacities. This can subsequently lead to a decline in the quality of life for our community. Before initiating any development projects in these precincts, it is essential that planning for supporting infrastructure, is undertaken prior to the commencement of the development rather than as an afterthought.

No plans or commitments have been announced as to how new residents in TOD centres will be provided with necessary services, raising concerns about the quality of life that will be created in these centres. It is difficult and often prohibitively expensive to retrospectively increase capacity or to provide new social infrastructure in intensified urban centres. The s.7.12 developer contribution flagged by the State Government will almost certainly be too little too late to service these expanded communities.

- l. **Underground Services** - Underground services such as the proposed F6 tunnel substratum and underground Sydney Water infrastructure may limit the positioning and configuration of buildings, and providing basement parking may not be feasible, thereby affecting the viability of certain development sites. Clearly notating these limitations is essential in ensuring developers understand constraints that may increase development costs.

- m. **Feasibility** – High property prices, small lots, newly constructed homes, existing apartment buildings and other constraints specific to each site may result in difficulties around acquiring enough properties to create viable developments. Properties that are unsuitable for this kind of development will be included in the prescribed areas. Their inclusion will be irreversible if the proposed changes are implemented without revision of precinct boundaries. Council strongly encourages further collaboration with DPHI to redefine the boundaries of the station precincts based on local expertise and analysis that will effectively promote high quality and feasible development.
- n. **Sustainable Development** – The proposed changes provide an opportunity to promote environmentally conscious development that aligns with renewable and sustainable practices. Council strongly urges State Government seize this opportunity by requiring all new development within the stations to demonstrate that they meet sustainability targets, striving towards the attainment of a net zero carbon footprint.
- o. **Heritage Items** – Many areas within the station precincts have a coherent and distinctive local character, as well as several heritage items that residents value and appreciate. These items retain their significance when viewed in relation to their surroundings. The TOD SEPP changes may affect the heritage qualities of these Items by introducing different heights, additional bulk and incompatible typologies. It is crucial that developers are informed and conscious of the impacts of their proposed developments, especially when building in close proximity to Heritage Items. Successful building outcomes can be achieved through ADG guidance, and by applying Design Excellence to the station precincts.

## 2 **Site-Specific Concerns**

### a. ***Banksia Station***

The prescribed area for Banksia Station is bisected by two main transport corridors being the rail corridor and Princes Highway, running in a north-south direction. The Mixed Use (MU1) zone and part of the Productivity Support (E3) zone is situated between Princes Highway and the rail corridor, whilst the remainder of employment zones (E1 and E3) adjoin the transport corridors. Employment and Mixed Use zones are not covered by the SEPP, and therefore the proposed changes will not affect the land closest to the Station on the eastern side. The remainder of the precinct area is surrounded by low and medium density housing.

- i. **MU1 Zone** - The MU1 zone adjacent to the station currently has a height limit of 28m and FSR of 2.5:1. There is potential to explore additional FSR for the MU1 zone to facilitate further residential development, however the possible mismatch between the proposed 3:1 FSR and 21m building height is raised as a concern.
- ii. **Strategic Context** - Parts of the Banksia Station precinct have received an uplift in development controls as part of the Bayside West Precincts 2036. Planning for Bayside West focused on the land currently zoned MU1 and E3. The north-eastern R3 Medium Density Residential zone was also a result of the plan. The *Eastern City District Plan* and Council's Local Strategic Planning Statement (Bayside LSPS) do not identify any further strategic planning for Banksia. In the short term, the focus for Banksia is delivery of dwellings in accordance with the amended planning controls in the urban renewal precinct area.
- iii. **Zoning Interface** – The E3 zone to the east of Princes Highway has height standards of 14.5m and 18m with a 1.5:1 FSR. If the TOD SEPP proceeds as



proposed, this will result in a transition to a higher residential built form behind the E3 zone, away from the transport corridor, which is visually inappropriate and does not serve to buffer the residential area from road noise.

Compatibility with permissible uses within the E3 Productivity Support zone is also questioned as some of these uses may generate adverse environmental / amenity impacts and be incompatible with residential uses.

- iv. **Retail & Services** – Banksia lacks access to major supermarkets and services within walking distance. The closest retail centres are located at Wolli Creek or Rockdale Plaza. The TOD SEPP does not encourage any new retail floor space in Banksia, as it only addresses residential uses. This is not consistent with the goal of transit-oriented development, which is to promote mixed use development that meets the daily needs of residents. The DPHI should consider offering incentives for developments that include some retail development such as shops and services.
- v. **Western Section** - There is opportunity to intensify some areas on the western side of the prescribed area. This includes the area south of Godfrey Street linking with Villiers Street to the south where there are existing 'walk-up' Residential Flat Buildings (**Figure 2**). This area is generally characterised by 1-2 storey older detached dwellings and is relatively flat with legible walkability to the local centre and station. However, the lots are relatively small (less than 500 sqm) and narrow, which means consolidation of lots for development will be challenging. Development in this area will need to be conscious of flood planning considerations, as the land south of Godfreys Street and a number of properties immediately west of the station are flood prone.



**Figure 2** Properties south of Godfreys Street that may be suitable for residential intensification (Source: Intramaps)



Similar observations apply to the R3 zoned sites located on the eastern side of the prescribed area.

- vi. **Eastern Section** - It is not recommended that the residential zones on the eastern side of the prescribed area be intensified, given that this area is subject to a variety of land use limitations. Excavation for basement car parking is likely to be limited as the M6 corridor and substratum traverses several properties towards the eastern edge.

Under Table 2.1 of the Australian Standards 2021-2015, house, home unit, and flat building types are classified as 'unacceptable' within an ANEF contour greater than 25. Development should also be consistent with Local Planning Direction 5.3 Development Near Regulated Airports and Defence Airports and the National Airports Safeguarding Framework (NASF) Guidelines. The area to the south-east of the prescribed area is affected by aircraft noise (ANEF 20-30) and further residential intensification will expose more residents to aircraft noise.

Note that land close to Princes Highway will also be subject to both aircraft and road noise and will likely require complex acoustic mitigation to retain residential amenity.

The area to the east of Mead Street is subject to geotechnical landslip as the land is raised up to 30m AHD and the OLS height limit is 40-44m. Developments under the proposed SEPP will breach the Airport Obstacle Limitation Surface (OLS).

- vii. **Flood Affection** – The north-eastern part of the prescribed area is flood affected. An open concrete channel first order stream runs from the east through to Short Street and runs underground through Albert Street towards Princes Highway and Banksia Avenue. This is a constraint to development as structures are not ordinarily permitted to be built over such channels. Excavation is likely to be difficult and basement car parking may be unsafe or impractical for some of these flood prone sites. Uplift in a flood prone area will increase the number of people and developments exposed to flood prone land and therefore increases risks to life and property.

Flood hazard is significantly higher for the PMF flood event, with Princes Highway affected by high hazard. Some buildings may need to be structurally designed to consider extreme flood conditions up to the PMF and provide flood-free refuge on higher floors. Given the recent flood inquiry and concerns surrounding climate change and sustainability, Council is hesitant to support any increase in the number of occupants exposed to flood risk. DPHI has not supported some Planning Proposals on similar grounds over recent years and it is recommended that the Department carefully consider Local Planning Direction 4.1 Flooding and the Floodplain Development Manual 2023.

Further information on floodplain management in Bayside Council can be found via the following link:

<https://www.bayside.nsw.gov.au/area/environment/floodplain-management>

- viii. **Station Hierarchy** - Banksia Station is not a major stop on the T4 Illawarra line. Consultation with TfNSW must occur to ensure that train services are adequate to cater for the anticipated uplift in development.

- ix. **Topography** – The area north of Godfrey Street has significant constraints to residential intensification due to the steep topography. Walkability and accessibility to the station is reduced due to the lengthy street blocks and steep stair through-site links. Due to the elevation, some sections of the street (i.e. north-western end of Godfreys Street) have elevated pedestrian footpaths which make it difficult and costly to achieve off-street parking. The majority of the street block between Godfrey Street and Knight Street is affected by landslip which may increase development costs and risk.

The area is also subject to an OLS of 51m AHD. A significant portion of land in this area exceeds 30m AHD with the high point at almost 48m AHD on Bayview Street. The proposed SEPP would allow development up to 21m, which would increase the number of developments that breach the OLS and trigger referral to Sydney Airport, CASA and DITRDCA.

- x. **Views & Vistas** – Increased height and FSR, particularly on the eastern side of the prescribed area will likely block views and vistas to significant heritage items (i.e. church steeple of St Francis Xavier Church on Forest Road) and Botany Bay. View sharing controls should be considered to ensure there is equitable distribution of views between properties. This may include encouragement of roof styles, building articulation and/or materiality that allow uninterrupted view corridors to major attractions.
- xi. **Permeability** – Pedestrian permeability from the eastern side of Princes Highway through to Banksia Station is poor. There are limited safe pedestrian crossing opportunities across Princes Highway as this area was planned as an enterprise corridor with specialised retail uses, not a centre with high pedestrian activity. Increasing at-grade pedestrian connections across Princes Highway is encouraged, but unlikely, given the disruption to traffic flow on a main arterial road. Council encourages collaboration with TfNSW in devising solutions that can enhance pedestrian accessibility in this area.

#### **b. Kogarah Station**

Half of the Kogarah Station precinct is within the Bayside LGA with the other half in the Georges River LGA, which poses challenges in ensuring an integrated approach between the two Councils is achieved.

- i. **‘Strategic Centre’ Context** - The State’s strategic transport plans have identified Kogarah as an interchange with new high-capacity metro railway lines by 2041. This began with *Future Transport 2056* and continued with the *Greater Sydney Services and Infrastructure Plan* and the *South East Sydney Transport Strategy*. This infrastructure is designed to support the development of Kogarah as a ‘Strategic Centre’ and Health and Education precinct – as envisioned in the *Eastern City District Plan* - which leverages the economic activity surrounding St George Hospital and clearly demands that Kogarah be developed with an intensity appropriate to the planned infrastructure capacity.

The proposed provisions will include feasible development sites and most likely result in them being developed to a level below their optimal potential in terms of generating employment and delivering housing.

Bayside Council has already committed to undertaking a thorough investigation and detailed planning exercise in West Kogarah and it may be more appropriate that DPHI work collaboratively with Bayside and Georges River Councils to plan

the strategic centre of Kogarah holistically, taking into account site-specific limitations and opportunities.

- ii. **Flood Affection** - The land west of Kogarah drains into a network of concrete channels, which in places are open, enclosed or piped. These channels follow the natural flow paths dictated by the terrain.

The channels present high flood risks due to their narrow cross sections and the way in which development has been constructed adjacent to, or over, them. All of the channels have been classed as presenting risk of structural damage or failure to building during a 1% AEP flood within the Kogarah Station precinct. Where these channels pass beneath streets, they would create a flood hazard that is unsafe to pedestrians and vehicles during a 1% AEP flood.

If flood prone properties are developed using the proposed provisions, this will increase the number of people living on flood prone land, creating risks to life and property. DPHI has not supported some Planning Proposals on similar grounds over recent years and it is recommended that DPHI carefully consider Local Planning Direction 4.1 Flooding and the Floodplain Development Manual 2023.

- iii. **Feasibility** – Much of the land within the prescribed area is already developed for 2-4 storey 'walk-up' Residential Flat Buildings. Feasibility in the West Kogarah Station precinct is likely to be challenging, particularly while construction costs remain high. Higher development potential on suitable sites may be necessary to affect any real change.

Following on from comments above, there is a risk that the application of the blanket TOD controls will result in prime sites close to the station being under-developed, and sites further away that are dominated by older flat buildings not redeveloping due to lack of financial feasibility.

- iv. **Sydney Airport Airspace Protection** – Kogarah is within the Inner Horizontal Surface on the Obstacle Limitation Surface (OLS), which sets a height plane of 51m AHD. There are parts of the land surface that exceed 32m in altitude, meaning that the OLS would be breached under the proposed provisions.

Development Applications for development that exceeds the OLS will require referral to the relevant airport and regulator, which can add costs and delays.

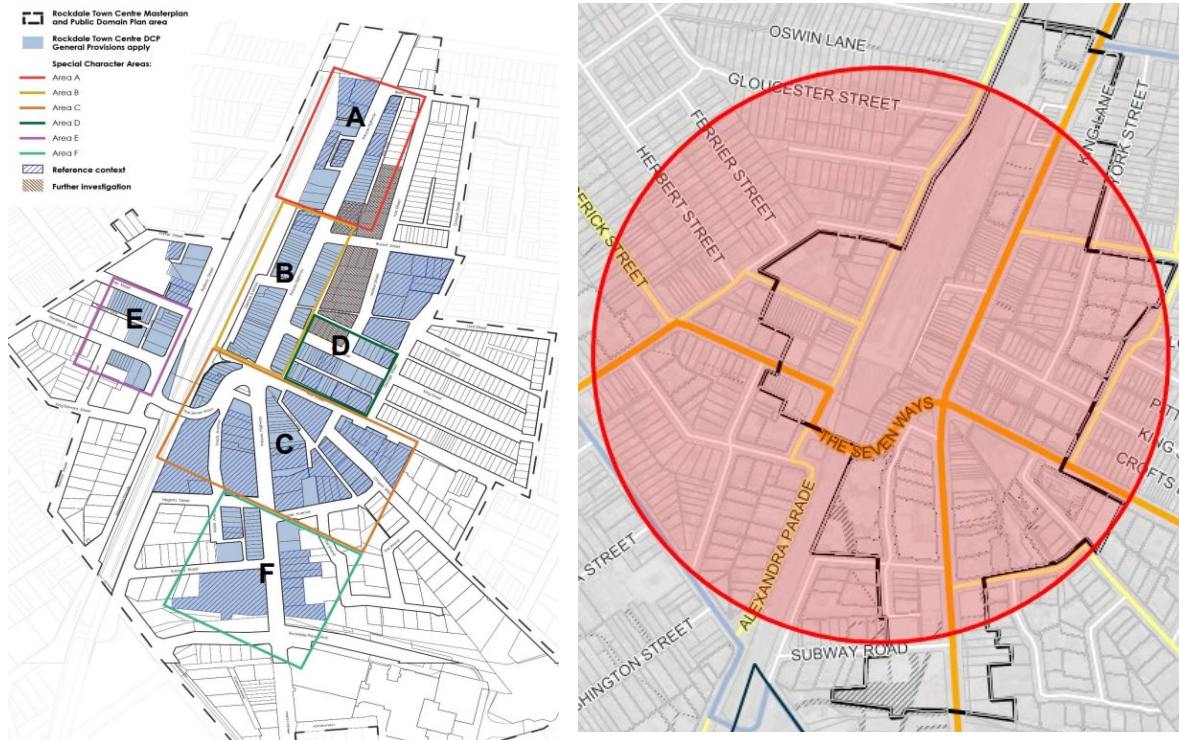
- v. **Mixed Use Zone** – The proposed provisions do not extend to the Mixed Use (MU1) zone. The property at 1-26 Station Street, Kogarah is within the MU1 zone, whilst the property at 20-26 Station Street has already been developed and benefits from an FSR and building height that is higher than what is allowable under the proposed SEPP. 1-19 Station Street is currently afforded less FSR (2:1 – Clause 4.4(2C)(d)) which may result in a mismatch of built form with the surrounding sites.

### **c. Rockdale Station**

A significant portion of the Rockdale Station precinct area is subject to the Rockdale Town Centre (RTC) Masterplan, the majority of which is subject to Design Excellence under the Bayside LEP 2021 (**Figure 3**). All sites within the RTC Design Excellence area (excepting 307 Walz Street) are not subject to FSR controls. Furthermore, as part of the recent review and update of Council's planning framework, the planning controls relating

to the RTC (excepting the civic section: Town Hall and Library) have been updated to unlock capacity for additional dwellings (Amendment 2 of Bayside LEP 2021).

The remaining sites surrounding the RTC are predominately low to medium scale residential.



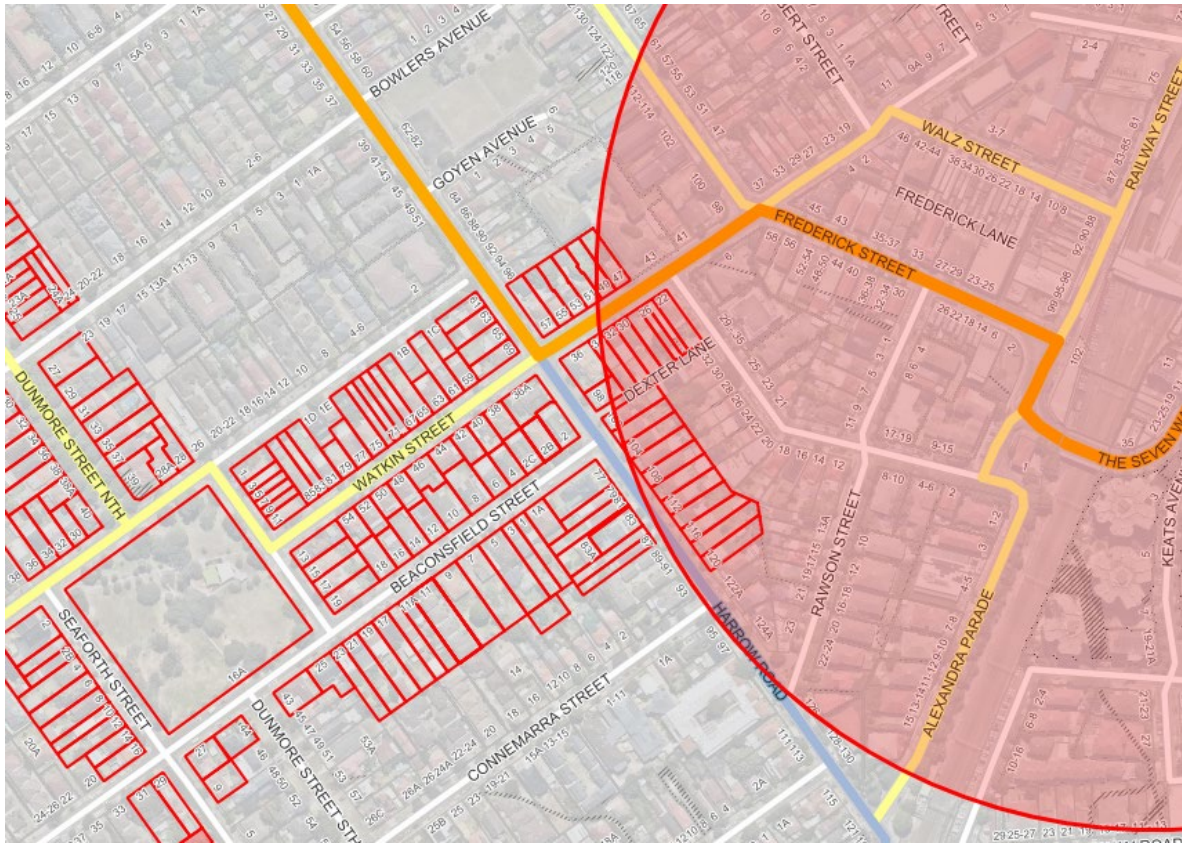
**Figure 3** RTC Masterplan boundaries (left) (Source: Bayside DCP 2022) & RTC Design Excellence boundaries (right) (Source: Intramaps)

- i. **Rockdale Civic Section** – The Bayside Local Strategic Planning Statement (LSPS) lists finalisation and adoption of the Rockdale Masterplan and Urban Design Studies for the remaining civic section of the RTC as a planning priority. Council is concerned that the TOD SEPP will compromise the planning investigations currently underway for this area.

As raised in relation to the strategic context of Kogarah, Council is concerned that the proposed TOD provisions will consume potential development sites that could ultimately accommodate higher densities, and that any development may limit the medium and longer term plans for the RTC civic section.

- ii. **Draft Heritage Conservation Area** – In 2020, Council initiated a Planning Proposal (PP) to create four Heritage Conservation Areas (HCA's) including Ocean View Estate, Bexley. Several properties along Harrow Road and Watkin Street are within the Rockdale Station precinct (**Figure 4**). The new TOD SEPP planning controls will apply in HCA's, which may undermine the objectives of the PP. Council acknowledges the need for more housing but believes that stringent controls are necessary to ensure the conservation of properties within HCA's.





**Figure 4 Bexley Draft Heritage Conservation Area.**  
*Note some sites are within the prescribed area (Source: Intramaps)*

- iii. **Aeronautical Affections** – Rockdale is within the Inner Horizontal Surface on OLS, which has a height plane that ranges from 48m to 51m AHD.

Development Applications for development that exceeds the OLS will require referral to the relevant airport and regulator, which can add costs and delays.

The northern part of the prescribed area is within the 25-30 ANEF contour indicating that there will be an increase in residents exposed to aircraft noise. Under Table 2.1 of the Australian Standards 2021-2015, house, home unit, and flat building types are classified as 'unacceptable' within an ANEF contour greater than 25. Development should also be consistent with Local Planning Direction 5.3 Development Near Regulated Airports and Defence Airports and the National Airports Safeguarding Framework (NASF) Guidelines.

**Flood Affection** – Some of the lots within the precinct area are affected by shallow inundation in the 1% AEP event including north of Gloucester Street, south of Fredrick Street, York Street, and the corner of Walz Street, Railway Street, and Frederick Street. This means that built form footprints may need to be reduced to retain temporary flood storage, which will reduce the feasibility of developing these sites.

In the 1% AEP design event, the hazard classification of overland flow throughout the Rockdale Town Centre precinct is generally low (H1/H2 – Generally safe / unsafe for small vehicles) except for properties on the southern side of Frederick Street (H5 – Unsafe for vehicles and people, building vulnerable to structural damage) and the northern side of Gloucester Street (H3 – unsafe for vehicles, children and the elderly). Flood hazard is significantly higher for the PMF event,



with several major roads affected by high hazard, including the Princes Highway, Bryant Street and York Street. Some buildings may need to be structurally designed to consider extreme flood conditions up to the PMF, and provide flood-free refuge on higher floors.

Given the recent flood inquiry and concerns surrounding climate change and sustainability, Council is hesitant to increase the number of residents who may be exposed to flood risk so careful consideration of flood impacts against Local Planning Direction 4.1 Flooding and the Floodplain Development Manual 2023 is recommended.

- iv. **Feasibility** – As discussed in (b)(iii), existing ‘walk-up’ Residential Flat Buildings, particularly located in the south-western part of the precinct, are unlikely to be redeveloped.

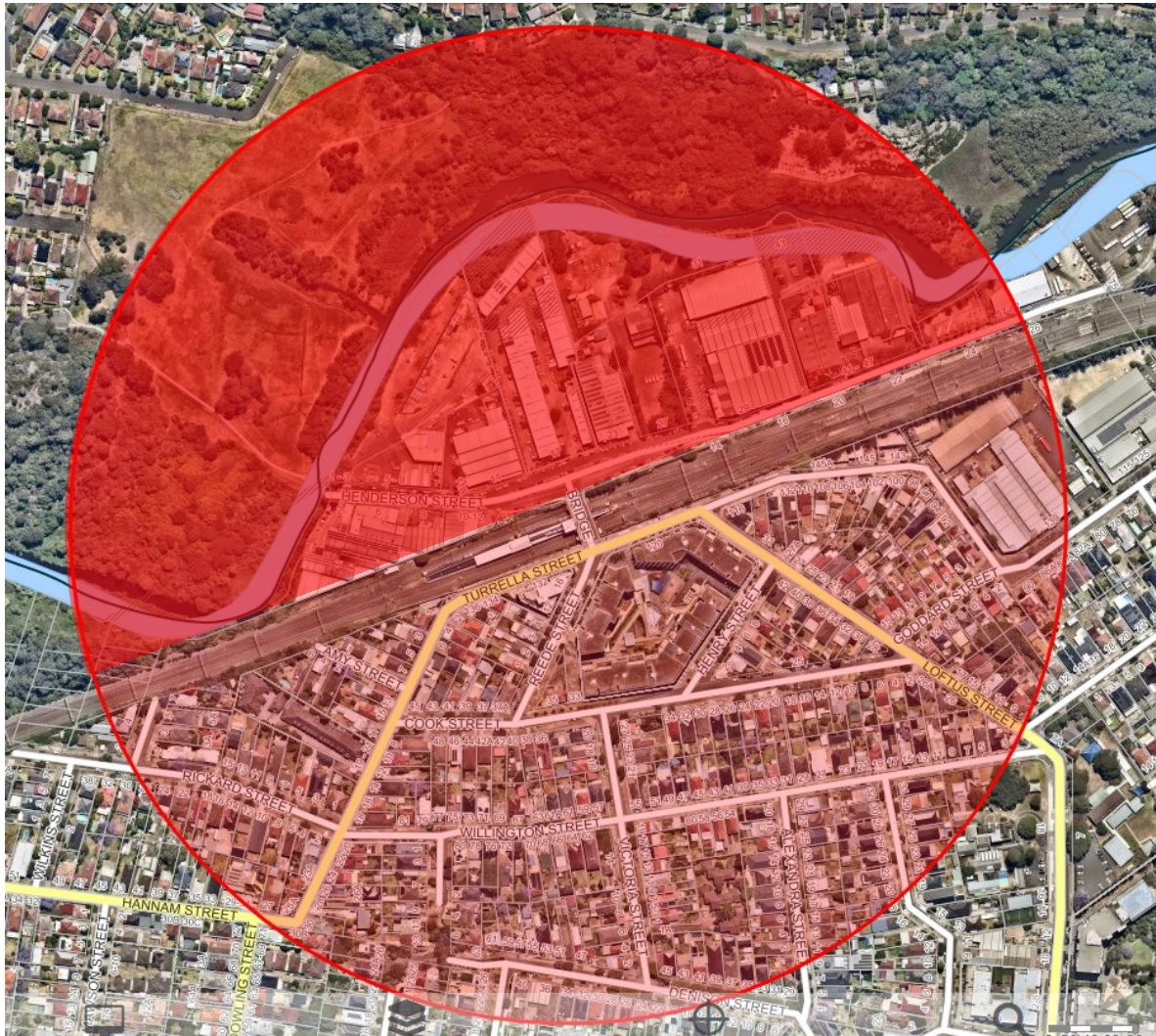
#### **d. Turrella Station**

Turrella Station is located west of the centres of Wolli Creek and Banksia. The northern section of the prescribed area is partially zoned E4 General Industrial (between the Wolli Creek and East Hills train line) and is therefore unaffected by the proposed changes. North of Wolli Creek is undeveloped park and bushland located in the Canterbury-Bankstown LGA. The southern portion of the prescribed area is where the proposed controls will largely apply (**Figure 5**).

- i. **Open Space** – Open space to the north is not easily accessible due to the industrial precinct and river limiting permeability, and there are limited open space opportunities to the south due to the topography of the land. The opportunity to acquire additional open space to serve an increased density of development, especially in the absence of a s.7.11 Contributions Plan, is very limited.
- ii. **Permeability** - The Turrella Station precinct mostly consists of low density detached housing. A small pocket of R4 High Density Residential zoned land is located immediately south of the station and contains two Residential Flat Building developments, roughly of similar scale to the proposed SEPP controls.

The developable area (low density housing) consists of small sites with average lot sizes of less than 500 sqm. However, the street blocks are large and do not provide efficient walking routes to the station. The proposed SEPP controls do not enable the delivery of through site links, which can enable enhanced walkability. The existing small lot sizes may be challenging to consolidate, which could result in isolated sites. The absence of a minimum lot area carries the risk of unrealistic development proposed of small sites.

- iii. **Retail & Services** - Turrella does not contain a wide range of services or retail to cater for a larger residential population. The nearest full-line supermarket is in Wolli Creek, which is not within a reasonable walking distance. The TOD SEPP will not produce any new retail space in Turrella. This undermines the purpose of transit-oriented development, which should encourage mixed use development that caters to the everyday needs of residents. The DPHI should consider incentivising developments that provide a portion of retail development including shops and services.



**Figure 5** Half of Turrella Station precinct (shaded dark red) is excluded from residential intensification due to industrial precinct (IN1 zone) and parkland (C1 zone) (Source: Intramaps)

- iv. **Topography** – Among all the precinct locations, Turrella exhibits the most pronounced variation in topography. The southern section of the prescribed area (which is the only land that can be redeveloped) consists of sloping land, with risk of landslip in some areas. There are parts of the catchment that are 30m AHD or more, meaning that any development using the maximum 21m building height will likely intersect the OLS, which is set at 51m AHD. Development of 6 storey buildings on top of ridgelines will give result in a poor development outcome and would ordinarily be avoided.
- v. **Station Hierarchy** - Turrella Station is not a major stop on the T8 East Hills line. Consultation with TfNSW must occur to ensure that train services are adequate for the expected development increase.

## **Conclusion**

Bayside Council is committed to increasing the provision of homes in proximity to public transport, community services, and open space so that new residents can enjoy a standard of living that our community expects. The proposed provisions must be carefully evaluated against the opportunities and constraints of each precinct to ensure that the outcomes delivered are acceptable and do not create a legacy of poor quality of life. Council welcomes the opportunity to participate in the review of the draft Instrument to provide input on how these provisions will operate.

We trust that the DPHI will carefully consider the issues raised by Council prior to finalising the TOD SEPP.

If you require further clarification, please do not hesitate to contact Ana Trifunovska, Senior Urban Planner on \_\_\_\_\_, or via email: \_\_\_\_\_.

Yours sincerely

Peter Barber  
**Director City Futures**

Enclosed:

***Attachment 1 – Mapping Analysis***