

MODIFICATION REQUEST:
Royal Rehabilitation Centre Sydney
Health Facility
600-640 Victoria Road, Ryde
(MP 08_0054 MOD 5)



Description of Modification Request

- reconfiguration of the Recreation Circle
- revised Child Care / Community Centre Building
- introduction of roundabout, boom gates, removable bollards, pedestrian crossing and a pick-up zone
- revised landscaping of Recreation Circle, health facility and car park areas

Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

November 2012

© Crown copyright 2012
Published November 2012
NSW Department of Planning & Infrastructure
www.planning.nsw.gov.au

Disclaimer:

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

1. BACKGROUND

1.1 The Site

The Royal Rehabilitation Centre Sydney (RRCS) site is located at 600-640 Victoria Road, Ryde, within the Ryde Local Government Area. The RRCS site and the approved project location are shown in Figure 1.

Figure 1: Project Location



1.2 Approval History

On 23 March 2006, the then Minister for Planning approved a concept plan (MP 05_0001) for the redevelopment of the RRCS site including a new purpose built specialised rehabilitation and disability facility, not more than 50 residential dwellings per hectare on land excluding the health facility, landscaped public and private open space and associated services and infrastructure.

On 12 August 2008 (as modified on 5 July 2010), the then Minister for Planning approved a project application (MP 07_0100) for torrens title subdivision to create 7 superlots, associated rights of carriageway and service easements.

On 16 December 2008, the then Minister for Planning approved a project application (MP 08_0054) for:

- demolition of part of the Coorabel facility and associated structures on part of the RRCS site
- a Health Facility Main Building (including finger buildings) containing rehabilitation care, professional suites and at least 60 ward beds
- new Weemala high care residential facility with accommodation for 32 residents
- pharmacy / general store building

- Recreation Circle comprising a child care centre, community centre, and multi use courts
- open space comprising Central Parklands and Wetlands
- landscaping
- internal Roads 1, 2, 3 and 6 and car parking for 304 vehicles.

The location and layout of the approved project on the RRCS site is shown below in Figures 2 and 3.

Figure 2: Health Facility development area as located on the RRCS site (RRCS site identified within orange line)

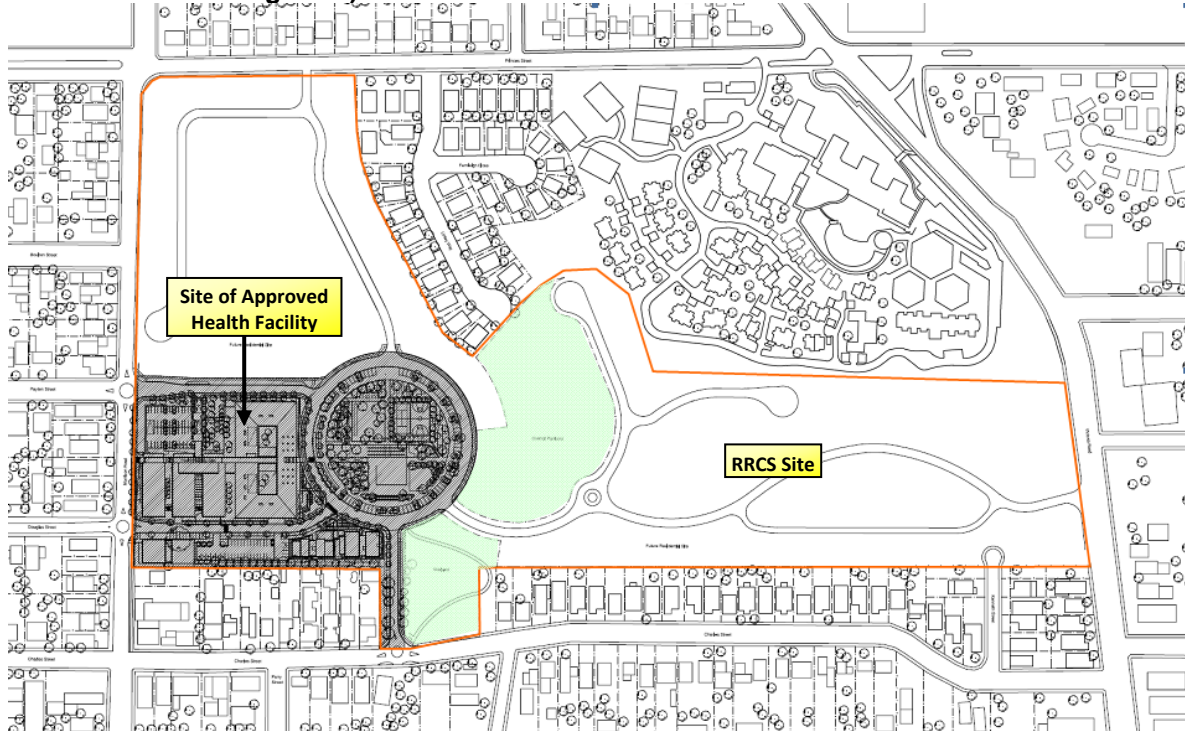
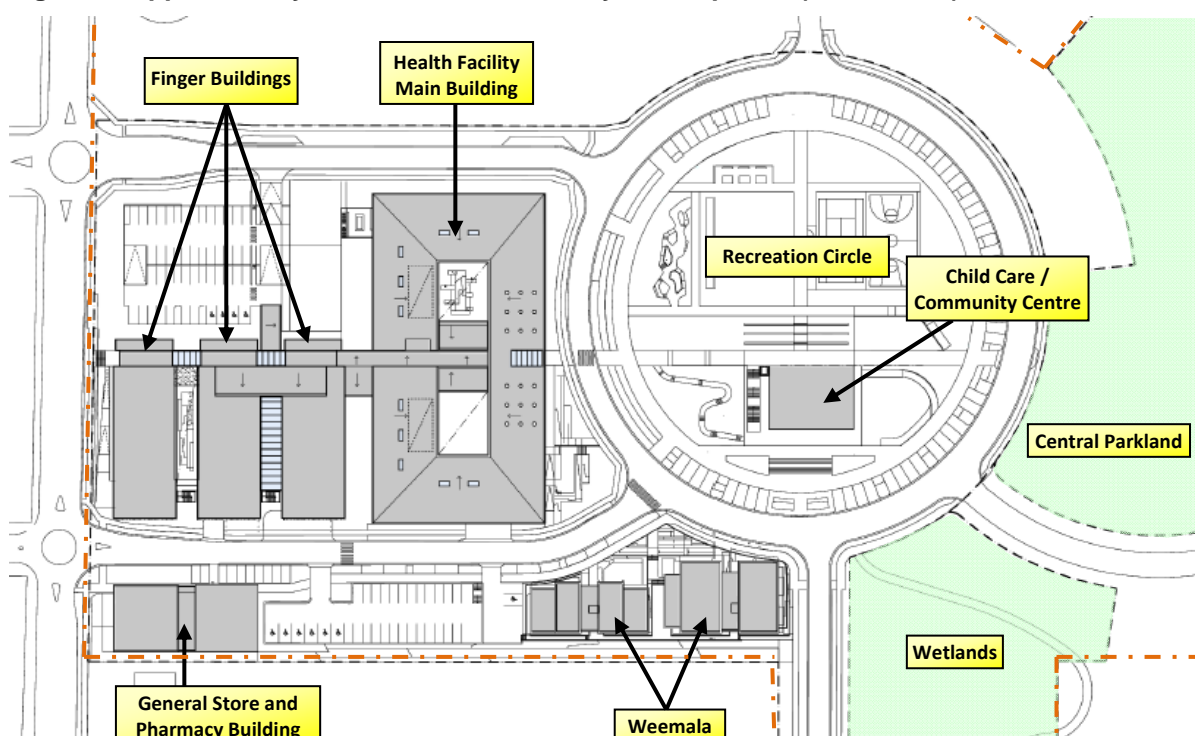


Figure 3: Approved Layout of the Health Facility Development (MP08_0054)



On 17 November 2010, the Acting Director of Government Lands and Social Projects, as delegate of the then Minister for Planning, approved a section 75W modification to the approved project (MP08_0054 MOD 1) for the inclusion of 'Road 4' (renamed 'Road 4' and 'Road 5' under MOD 1) to be constructed at the same time as the detention pond works to enable the co-ordinated delivery of civil infrastructure on the site ('Road 4' was previously approved as a future road under the concept plan (MP 05_0001)).

On 1 August 2011, the Planning Assessment Commission, as delegate of the Minister for Planning and Infrastructure, approved a section 75W modification (MP08_0054 MOD 2) for the following:

- modifying the design of the main Health Facility by:
 - altering the internal uses of each level
 - amending the exterior elevations (including materials) and roof plans.
- amending staging of works to be carried out on site
- increasing car parking from 304 to 305 spaces
- amending Statement of Commitments to reflect the modified staging.

On 10 October 2011, the A/Deputy Director-General, as delegate of the Minister for Planning and Infrastructure, approved a section 75W modification (MP08_0054 MOD 3) for:

- reduction in carriageway width of internal 'Road 4' and 'Road 5'
- reduction in width of approved shared bicycle pathway to internal 'Road 5'.

On 16 August 2012, the Planning Assessment Commission, as delegate of the Minister for Planning and Infrastructure, approved a section 75W modification (MP08_0054 MOD 4) for:

- modified road widths of roads 1, 3, 6 and 2a, including a new one way system for road 2a
- revised design of facades of health facility building and reconfiguration of the lower ground floor
- insertion of a new condition to ensure that the health facility roads are not subject to conditions applicable to the residential components of the approved concept plan.

2. PROPOSED MODIFICATION

2.1 Modification Description

The modification proposal (MOD 5) seeks approval for:

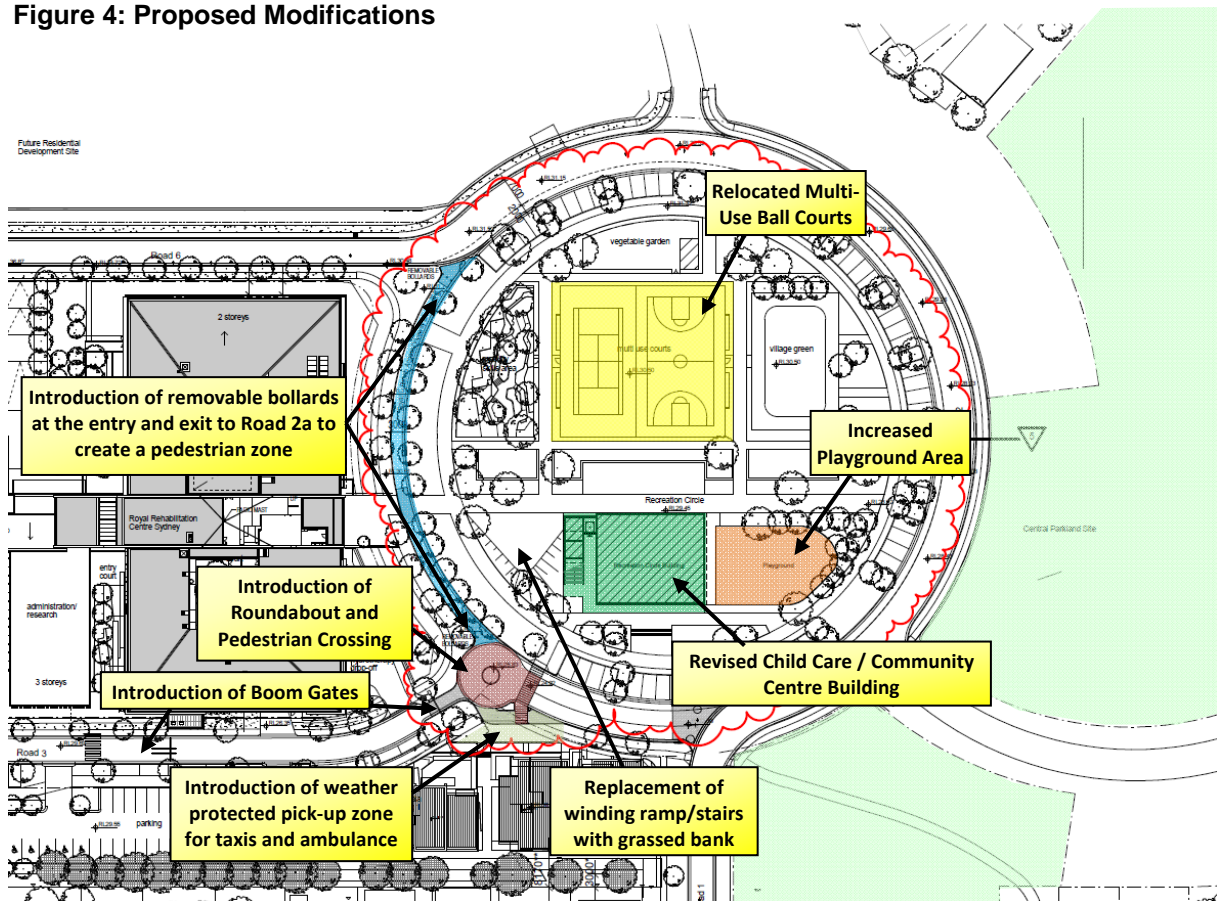
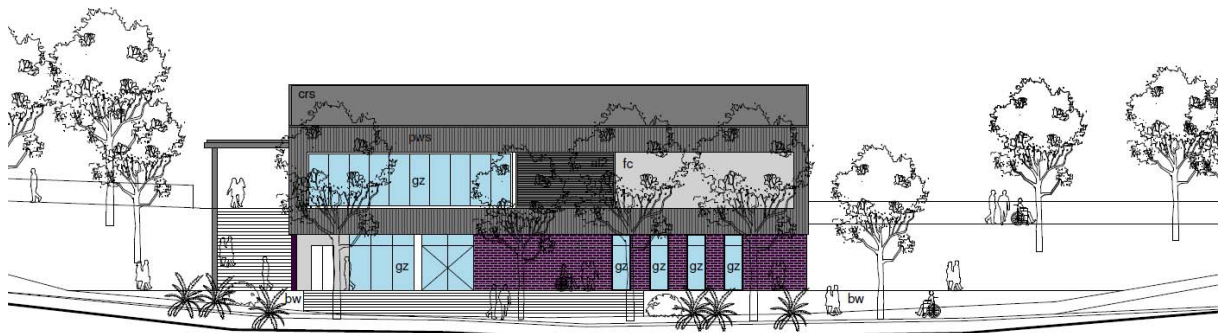
- reconfiguration of the Recreation Circle, including:
 - revised Child Care / Community Centre Building, including:
 - an additional storey and an increase in GFA from 540 sqm to 980 sqm (increase of 440 sqm)
 - enlargement of the childcare centre capacity from 50 children to 60 children
 - relocation of the community centre and RRCS support from the ground floor to level 1, and rearrangement of the internal layout of the community centre and RRCS support
 - repositioning the building footprint to the south west to increase the size of the child care playground
 - revised layout of the multi-use ball courts, gardens and mobility skills area
 - removal of the winding ramp/stairs to the west of the Child Care / Community Centre Building, and its replacement with a grassed bank
- introduction of a roundabout at the intersection of Road 3 and 2a, a boom gate on Road 3, and removable bollards at the entry and exit to Road 2a
- introduction of a pedestrian crossing from Weemala to the Recreation Circle (over Road 2)
- introduction of a weather protected drop-off/pick-up zone for taxis and ambulances, adjoining Weemala Building 2
- revised landscaping of the Recreation Circle, and revised landscaping around the Health Facility Building and car park areas.

A comparison of the approved Child Care and Community Centre Building and the proposed modified Child Care and Community Centre Building is provided in Table 1.

Table 1: Comparison of approved and proposed modified Child Care and Community Centre Building

Aspect	Approved Project	Modified Project	Change
<i>Total GFA</i>	540 sqm	980 sqm	440 sqm
<i>Building Height (storeys)</i>	1 storey	2 storeys	+ 1 storey
<i>Building Height (RL)</i>	RL 29.3	RL 35.5	+ 6.2 m
<i>Community Centre GFA</i>	251 sqm	203 sqm	- 48 Sqm
<i>Child Care GFA</i>	236 sqm	478 sqm	+242 sqm

A plan illustrating the proposed modifications is provided in Figure 4 and the eastern elevation of the proposed modified Child Care / Community Centre Building is provided in Figure 5.

Figure 4: Proposed Modifications**Figure 5: Eastern Elevation of proposed modified Child Care / Community Centre Building**

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the EP&A Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Section 75W(2) of the EP&A Act provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposal involves the reconfiguration of the Recreation Circle, a revised Child Care / Community Centre Building, introduction

of a roundabout, boom gates, removable bollards, pedestrian crossing and a pick-up zone and revised landscaping of Recreation Circle, health facility and car park areas, the modification will require the Minister's approval.

3.2 Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides the Director General with scope to issue Environmental Assessment Requirements (DGRs) that must be complied with before the matter will be considered by the Minister. Environmental Assessment Requirements were not issued for this modification as the proponent had addressed the key issues in the modification request.

3.3 Delegated Authority

On 14 September 2011, the Minister delegated his powers and functions under section 75W of the EP&A Act to the Planning Assessment Commission (PAC), effective from 1 October 2011, for applications made before or after 1 October 2011 (including reportable political donation applications) other than applications made by or on behalf of a public authority.

The modification application is being referred to the PAC for determination as the proponent has lodged a political disclosure statement with the subject modification application, disclosing a number of reportable political donations made during 2010 and 2011.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

In accordance with section 75X(2)(f) of the EP&A Act and clause 8G of the EP&A Regulations, the modification request was made available on the department's website for 14 days. The modification request was also referred to Ryde City Council for comment. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means.

No public submissions were received, however a submission was received from Ryde City Council which did not object to the proposed modification, however, some general comments and recommendations were provided, as summarised below:

- Council raised no objection to proposed repositioning, additional storey, increase in GFA or internal reconfiguration of the Child Care / Community Centre Building, provided the community centre remained accessible to the wider community and provided appropriate alternative access is provided (should the lift break down).
- Council identified that the fit out, operation and number of places accommodated in the child care centre is to be the subject of a separate future development application with council, and the application will need to address the requirements of council's DCP 2010 – Part 3.2 – Childcare (10 sqm of outdoor space per child).
- Council requested further clarification on whether the multi-use ball courts, garden area and mobility skills area will be available for public use.
- Council raised no objection to the weather protected pick-up zone for taxis and ambulances adjoining Weemala Building 2.
- Council raised no specific objection to the proposed introduction of the roundabout at the intersection of Roads 2 and 2a or the proposed removable bollards on Road

2a. Council did however raise concern with the proposed boom gates on road 3, and identified that the traffic report does not identify the impact of the proposed boom gates (closing Road 3 to through traffic) on the surrounding road network.

The department has considered the issues raised in council's submission in its assessment of the proposed modification.

5. ASSESSMENT

The department considers the key issues to be:

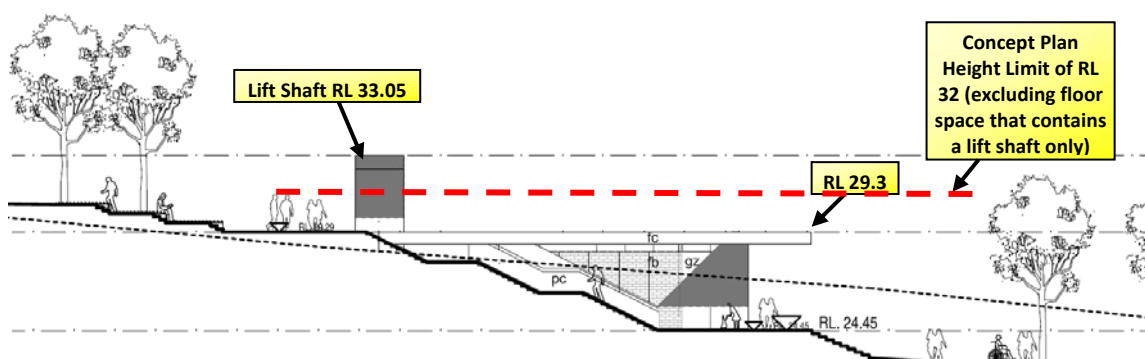
- Child Care and Community Centre Building
- road and pedestrian amenity modifications
- child care capacity and community use of facilities

5.1 Child Care and Community Centre Building

The Child Care and Community Centre Building approved in the original project approval (MP08_0054) comprised a single storey building with a maximum height of RL 29.3 and a lift shaft extending to the first floor level above to a maximum height of RL 33.05.

The concept plan for the Royal Rehabilitation Centre Sydney site (MP05_0001) established a two storey height limit and a maximum RL height limit of RL 32 for the Recreation Circle. The maximum RL height limit specifically excluded floor space that contains a lift shaft only, and therefore the approved Child Care and Community Centre Building complied with both the building storey and maximum RL height limits under the concept plan (despite the lift shaft extending 1.05 m above the concept plan height limit of RL 32 to RL 33.05). The southern elevation of the approved Child Care and Community Centre Building and the concept plan height limit is shown in Figure 6.

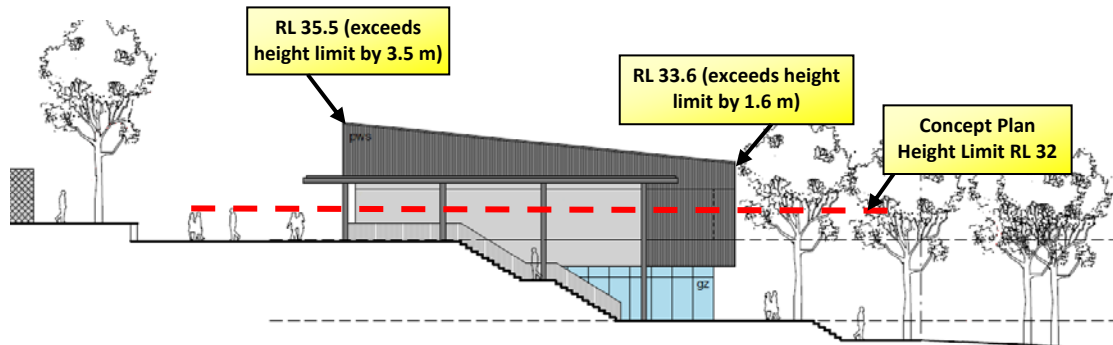
Figure 6: southern elevation of approved Child Care and Community Centre Building and concept plan height limit



The proposed modification includes a revised Child Care and Community Centre Building which includes an additional storey and an increase in GFA from 540 sqm to 980 sqm (increase of 440 sqm). The proponent identified that the revised building has been proposed in response to the preferred child care centre operator requiring an increase in the capacity of child care centre, which has necessitated an increase in GFA. The proposed modified building complies with the two storey height limit under the concept plan, however, it exceeds the maximum RL height limit by up to

3.5 m. The eastern elevation of the revised Child Care and Community Centre Building, illustrating the exceedance of the concept plan height limit, is shown in Figure 7.

Figure 7: proposed modified Child Care and Community Centre Building and concept plan height limit



Condition A6 of the concept plan approval identifies that future applications for development are to be generally consistent with the terms of approval of the concept plan. A breakdown of the proposed modified Child Care and Community Centre Building against the relevant provisions of the concept plan (which apply to the Recreation Circle) is provided in Table 2.

Table 2: breakdown of proposed modified Child Care and Community Centre Building against concept plan provisions applicable to the Recreation Circle

Aspect	Concept Plan Controls	Modified Project	Compliance
<i>Maximum GFA</i>	3,056 sqm	980 sqm	Yes
<i>Maximum FSR</i>	0.98:1	0.045:1	Yes
<i>Height (storeys)</i>	2	2	Yes
<i>Maximum Height (RL)</i>	RL 32	RL 35.5	No (exceed by 3.5 m)
<i>Landscaped Area</i>	11,309 sqm	11,388	Yes

Whilst the proposed revised Child Care and Community Centre Building exceeds the maximum RL height limit of the concept plan, the revised building continues to comply with the relevant GFA, FSR, landscaped area and height limit (storey) provisions of the concept plan. Accordingly, the department considers that the revised Child Care and Community Centre Building remains generally consistent with the terms of approval of the concept plan.

In addition to the concept plan, Ryde Local Environmental Plan 2010 (Ryde LEP) identifies a maximum building height limit of 9.5 m over the site of the Childcare and Community Centre Building. As the revised building has a maximum building height of 8.8 m (being the vertical distance between the existing ground level and the highest point of the building), the revised building complies with the height limit of Ryde LEP.

Council raised no objection to the proposed revised Child Care and Community Centre Building, and identified that the increase in the capacity of the child care

centre should assist in the provision of child care facilities for both Royal Rehabilitation Centre Sydney and the surrounding local community.

The department also notes that there is significant separation distance between the proposed modified Childcare and Community Centre Building and surrounding residential land uses and the proposed additional building height will not result in any significant additional amenity impacts to surrounding development.

Accordingly, the department considers the proposed revised Childcare and Community Centre Building to be acceptable given it is generally consistent with the concept plan, complies with Ryde Local Environmental Plan 2010, and will not result in any significant additional amenity impacts to surrounding development.

5.2 Road and Pedestrian Amenity Modifications

The proposed modification includes the introduction of a roundabout at the intersection of Road 3 and 2a, two boom gates on Road 3, removable bollards at the entry and exit to Road 2a, the introduction of a weather protected pick-up zone for taxis and ambulances adjoining Weemala Building 2 and the introduction of a pedestrian crossing from Weemala to the Recreation Circle over Road 2 (see Figure 4 in section 2 of this report).

The removable bollards at the entry and exit to Road 2a have been proposed to close this section of road to general traffic and provide for a pedestrian zone between the Health Facility Building and the Recreation Circle. Additionally, the proposed pick-up/drop-off zone and crossing have been proposed to improve pedestrian safety. The introduction of the roundabout and boom gates on Road 3 has been proposed to reduce general traffic in this location of the site and to improve pedestrian safety for residents and patients moving between Weemala and the Health Facility Building and the Recreation Circle. The proposed changes will allow general traffic coming from Road 2 to travel around the roundabout and back out Road 2, whilst allowing services vehicles and the RRCS minibus to enter Road 3 via the boom gate. Additionally, general traffic entering Road 3 from Morrison Road will be restricted from accessing the full length of Road 3, and instead will have to turn around via the loop road and porte cochere (stage 3 of the development). The application was accompanied by a Traffic Review by Colston Budd Hunt & Kafes Pty Ltd (traffic review) that supported the request, the same traffic consultant that prepared the original traffic reports for the concept plan (MP05_0001) and the Health Facility project application (MP 08_0054).

Council raised no objection to the proposed pick-up/drop-off zone and crossing adjoining Weemala Building 2 or the proposed removable bollards at the entry and exit to Road 2a. However, council raised concern with the proposed boom gates on Road 3, which would effectively close Road 3 to general traffic. Specifically, council identified that previous traffic assessments have been based on open connections throughout the site, and the traffic review has not provided an adequate assessment of the impact of traffic flow through the site.

In addition, during the assessment, the department raised concern with the proposed turning arrangements for general traffic accessing Road 3 from Morrison Road. In particular, the department raised concern with the utilisation of the loop road and porte cochere to enable general traffic to turn around once they have entered Road 3

from Morrison Road (as they will not be permitted past the boom gate) as the loop road and porte cochere will only be available during stage 3 of the development and will be removed in stage 4 to make way for the construction of the finger buildings.

In response to council's concerns, the proponent provided an addendum traffic review by Colston Budd Hunt & Kafes Pty Ltd (addendum traffic review) which identified that the restricted access to Road 3 would result in the displacement of traffic that would have used Road 3 to use alternate routes such as Roads 1, 2 and 6. The addendum traffic review identified that, with the restricted access of Road 3 and the closure of Road 2a, traffic flows on Roads 1, 2 and 6 would increase by some 40 to 45 vehicles per hour (two way) in the weekday morning and afternoon peak hour periods, which is a minor increase of less than one vehicle per minute. Additionally, the addendum traffic review identified that all roads would remain below the maximum environmental flow limit of 300 vehicles per hour (two-way) for local streets under the RTA's Guide to Traffic Generating Development.

In response to the department's concerns, the proponent advised that it would be willing to accept a condition requiring the proponent to prepare and submit a plan outlining the turning arrangements in stage 4 of the development to allow general traffic to turn around after entering Road 3 from Morrison Road.

The department recognises that the proposed modifications would provide for improved pedestrian safety, particularly for patients who are restricted in their mobility travelling between Weemala, the Health Facility and the Recreation Circle. Additionally, the proposed closure of Road 3 and Road 2a to general traffic would result in some redistribution of traffic on to other roads within the site, however, the department is satisfied that the proposed changes will not result in any substantial impacts to the operation of the surrounding road network. The department has recommended a condition requiring the proponent to prepare and submit for approval a further plan outlining the vehicle turning arrangements in stage 4 of the development to allow general traffic to turn around after entering Road 3 from Morrison Road. The department is satisfied that, subject to the recommended conditions, appropriate turning arrangements will be incorporated into the development to facilitate the closing of Road 3 to general traffic. Accordingly, the department considers the proposed road and pedestrian amenity modifications to be acceptable.

5.3 Child Care Capacity and Community Use of Facilities

The child care centre approved in the original project application was approved as a building only, and the fit-out and operation of the child care centre was to be the subject of a separate future development application with council. Notwithstanding, the EA for the original project identified that the child care facility would have capacity for 50 places.

The proposed modification seeks to increase the GFA of the child care facility from 236 sqm to 478 sqm (increase of 242 sqm) and the modification application identified an intention to increase the capacity of the child care centre from 50 places to 60 spaces. The proposed increase in capacity of the child care centre is intended to provide additional commercial viability.

Council's submission identified that the final capacity of the facility is to be determined under a separate future development application with council, however the proposed increase in capacity of the facility would assist in meeting the demand for such facilities in the locality. Council also requested further clarification on whether the multi-use ball courts, garden area and mobility skills area will be available for public use.

In response to this issue, the proponent acknowledged that the future child care centre operator would need to submit a development application with council and the final number of places accommodated by the facility will be determined via that future application, including meeting the requirements of the Deed of Agreement. Pursuant to the Deed of Agreement between the proponent and council, 40 of the places within the child care facility are to be made available to the public, with preference given to high need groups as defined by the Department of Children's Services. Additionally, the proponent advised that the mobility skills area and vegetable garden are primarily to be used by rehabilitation clients, however they will not be restricted from public access, and the playing courts will be available for use by both clients and the community on a hire basis.

The department notes that approval was only given to the building and floor space of the child care centre, and no specific approval has been given to the capacity of the child care centre, which is to form part of a separate future development application with council. Accordingly, any proposed increase in the intended capacity of the facility will need to be addressed under the separate future development application with council. To avoid doubt, the department has included a condition identifying that this approval does not approve the capacity of the child care centre, which is to be the subject of a separate development application for the fit-out and operation of the child care centre.

6. CONCLUSION

The proposed modifications to the Recreation Circle, including the revised Child Care and Community Centre Building, will not result in any significant additional amenity impacts to the surrounding locality. The proposed introduction of the roundabout, boom gate and bollards will not result in any adverse impacts on the operation of the road network in the locality, and the proposed changes will provide for improved pedestrian safety, connectivity and amenity for pedestrians travelling between the Royal Rehabilitation Centre Sydney facilities and the Recreation Circle.

Accordingly, the department recommends that the modification request be approved, and the project approval be amended accordingly.

6. RECOMMENDATIONS

It is recommended that the Planning Assessment Commission:

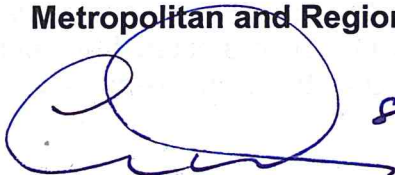
- a) **Consider** the findings and recommendations of this report
- b) **Approve** the modification, subject to conditions, under section 75W of the *Environmental Planning and Assessment Act 1979*, and
- c) **Sign** the attached instrument of modification approval (**TAG A**).


8/11/12

David Gibson
A/Director
Metropolitan and Regional Projects North


8/11/12

Heather Warton
A/Executive Director
Major Project Assessment


8.11.12

Chris Wilson
A/Deputy Director-General
Development Assessment and
Systems Performance