



Planning &
Infrastructure

***MAJOR PROJECT ASSESSMENT:
Royal Rehabilitation Centre Site- Ryde***

Project Application for Residential Development

Proposed by Frasers Putney Pty Ltd

MP 10_0189



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

March 2012

ABBREVIATIONS

CIV	Capital Investment Value
Department	Department of Planning & Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning & Infrastructure
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning & Infrastructure
PAC	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PEA	Preliminary Environmental Assessment
PFM	Planning Focus Meeting
Proponent	Fraser's Putney Pty Ltd
RRCS	Royal Rehabilitation Centre Sydney
RtS	Response to Submissions

Cover Photograph: Proposed dwelling houses along Road 8

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EXECUTIVE SUMMARY

This is an assessment report on a Project Application seeking approval for the construction of a residential development at the Royal Rehabilitation Centre Sydney (RRCS) site, Ryde, pursuant to Part 3A of the *Environmental Planning and Assessment Act, 1979* (the Act). The site is located within the City of Ryde Local Government Area. The Proponent is Frasers Putney Pty Ltd.

The Project Application has been made pursuant to the approved Concept Plan for the site (MP05_0001). The proposal, as described in the Environmental Assessment (EA), seeks Project Approval for the demolition of existing buildings across the residential zoned part of the RRCS site and construction of Stage One, Phase 1, being construction of 2 residential flat buildings providing 60 units, 44 semi detached/terrace houses and 14 detached dwellings, public domain works, vehicular access to Charles Street and Victoria Road and the provision of a marketing facility.

The project has a Capital Investment Value of approximately \$295 million and will create 80 new construction jobs.

The EA was exhibited for a 45 day period from Wednesday 29 June to Friday 12 August 2011. The Department received six submissions from government agencies and twelve public submissions.

On 21 December 2011, the Proponent submitted a Response to Submissions which made the following amendments:

- deletion of the two residential flat buildings and provision of a single building incorporating 47 units;
- provision of an additional internal road and 11 additional dwelling houses adjacent to the new road;
- realignment of the main entrance road from Victoria Road; and
- deletion of some of the demolition works on other parts of the RRCS site (to be included as part of future applications instead) and deletion of the marketing suite from the proposal.

Key assessment issues considered include consistency with the approved Concept Plan, site access and residential amenity.

The Department has assessed the merits of the proposal and is satisfied that the impacts of the proposed development have been satisfactorily addressed in the EA, Response to Submissions and the Department's recommended conditions of approval.

The proposal demonstrates appropriate urban design that provides high quality amenity for residents, without adverse impacts to the surrounding locality. The proposal assists with the orderly redevelopment of the site and will contribute towards the long term dwelling targets within the Draft Inner North Subregional Strategy. The proposal is recommended for **approval**, subject to conditions.

The Project Application is being referred to the Planning Assessment Commission (PAC) for determination as the Proponent has made a reportable political donation.

TABLE OF CONTENTS

1.	BACKGROUND	1
1.1	Site Description	1
1.2	Previous Applications	2
2.	PROPOSED PROJECT	4
2.1.	Project Description (Original EA)	4
2.2.	Amended Proposal with Response to Submissions	4
2.3.	Project Need and Justification	7
3.	STATUTORY CONTEXT	8
3.1.	Continuing Operation of Part 3A	8
3.2.	Major Project	8
3.3.	Permissibility	8
3.4.	Consistency with the Concept Plan Approval	8
3.5.	Environmental Planning Instruments	8
3.6.	Objects of the EP&A Act	8
3.7.	Ecologically Sustainable Development	9
3.8.	Statement of Compliance	9
4.	CONSULTATION AND SUBMISSIONS	10
4.1.	Exhibition	10
4.2.	Public Authority Submissions	10
4.3.	Public Submissions	11
4.4.	Proponent's Response to Submissions	11
5.	ASSESSMENT	12
5.1.	Compliance with Concept Plan	12
5.2.	Traffic Generation	16
5.3.	Site Access	16
5.4.	Residential Amenity	17
5.5.	Other Issues	18
6.	CONCLUSION	21
7.	RECOMMENDATION	22
APPENDIX A	ENVIRONMENTAL ASSESSMENT	23
APPENDIX B	SUBMISSIONS	24
APPENDIX C	PROPONENT'S RESPONSE TO SUBMISSIONS	25
APPENDIX D	PROPONENT'S DRAFT AMENDED CONCEPT PLAN	26
APPENDIX E	CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS	27
APPENDIX F	POLITICAL DONATION DISCLOSURES	32
APPENDIX G	RECOMMENDED CONDITIONS OF APPROVAL	33

1. BACKGROUND

1.1 Site Description

Fraser's Putney Pty Ltd, (the Proponent) seek project approval to construct a residential flat building providing 47 units, 54 semi-detached/terrace houses and 15 detached dwellings. The proposal represents the first phase of residential redevelopment on the Royal Rehabilitation Centre Sydney (RRCS) site. The site's location is shown in **Figure 1** below.

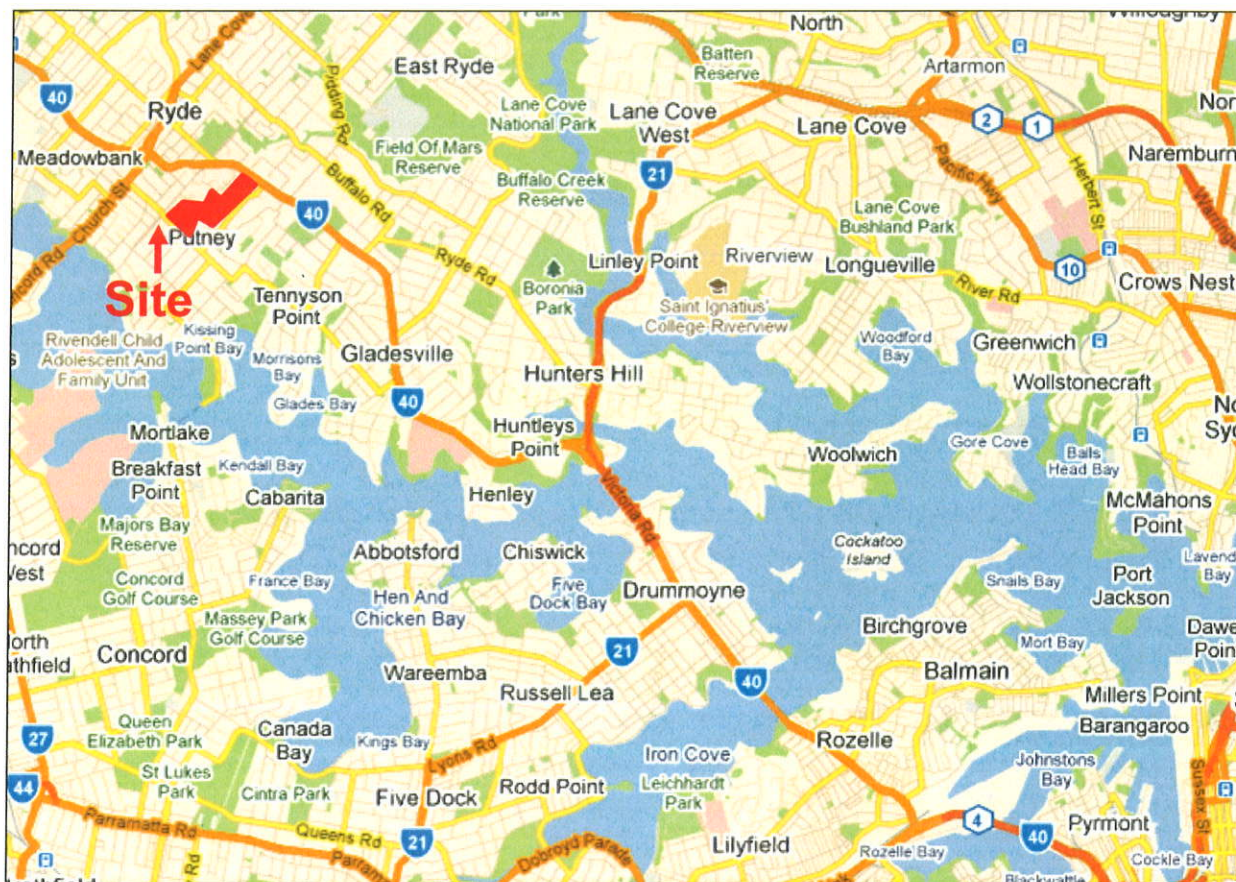


Figure 1: Project Location

The site is located at 600-640 Victoria Road and 55 Charles Street, Ryde, approximately 10km northwest of the Sydney CBD, within the City of Ryde Local Government Area. The RRSC site was previously used for the purposes of medical care with an emphasis on rehabilitation and research functions. A number of buildings relating to the previous medical uses remain onsite, as well as internal roads and at-grade car parking. The site slopes downwards towards the central part of the site which contains a disused oval and sparse vegetation.

The overall site has an area of 15.83 hectares, while Stage 1 Phase 1 of the site (to which this application relates) has an area of 3.58ha (refer Figure 2).



Figure 2: RRSC Site and Stage 1 Phase 1 Area

1.2 Previous Applications

On 23 March 2006, the then Minister for Planning approved a Concept Plan (MP 05_0001), for the construction of a purpose built specialised rehabilitation and disability facility, residential development comprising various mixes and types of dwellings on land excluding the new, purpose built specialised rehabilitation and disability facility, landscaped public and private open space, associated services and infrastructure.

On 2 August 2006, the site was listed as a State Significant Site. The listing provided a range of planning controls and land use zones written into Schedule 3 of the Major Development SEPP, consistent with the Concept Plan Approval.

On 12 August 2008, the then Minister for Planning approved the subdivision of the RRCS site into 7 Torrens Title super lots (MP07_0100). This proposal relates predominantly to Lot 3, though vehicular access to Victoria Road is proposed across Lots 1 and 2. Refer to Figure 3.

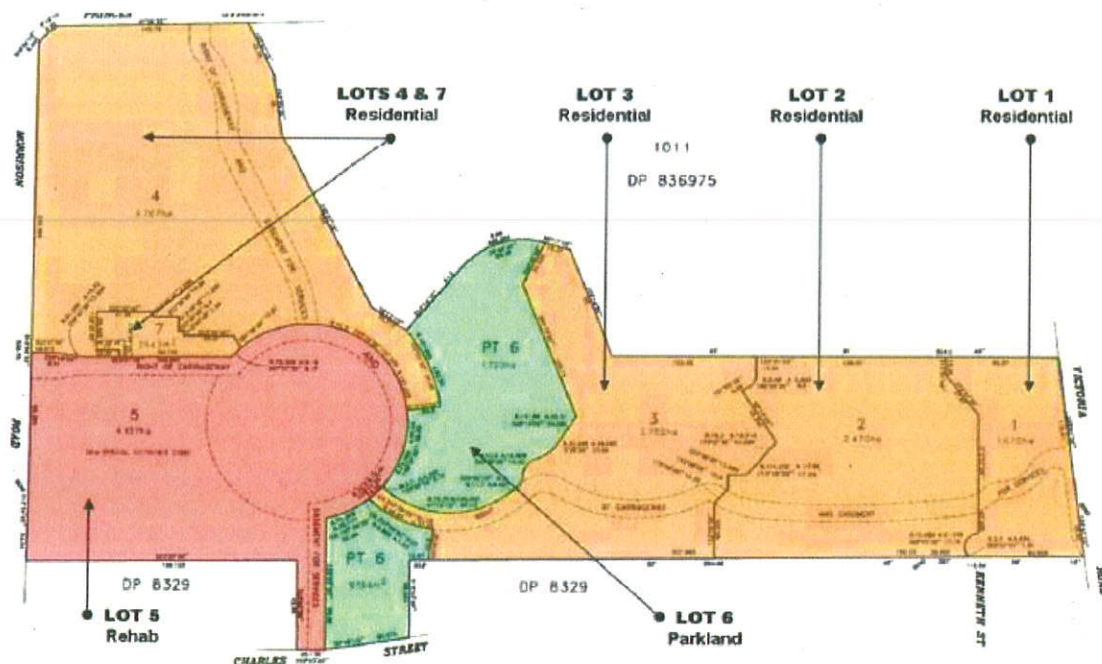


Figure 3: Torrens Super Lots as Approved by MP07_0100

On 16 December 2008, the then Minister approved a Project Application (MP08_0054) for the demolition of the Coorabel facility and the construction of a new health facility and associated community open space and infrastructure works on part of the RRCS site (Lot 5).

On 30 June 2010, the Ryde LEP 2010 was gazetted and the planning controls for the RRCS site were transferred across from Schedule 3 of the Major Development SEPP into the LEP.

On 5 July 2010, the Director of Government Land and Social Projects approved a modification to the subdivision approval (MP07_0100 MOD1) to reflect the zone boundaries under the SEPP and the subsequent LEP controls.

On 17 November 2010, the Director of Government Land and Social Projects approved a modification to the Health Facility Project Application (MP08_0054 MOD1) to include the construction of 'Road 4' within the works.

On 1 August 2011, the Planning Assessment Commission approved a further modification (MP08_0054 MOD2) modifying the design of the health facility by altering internal uses and amending exterior elevations and amending the staging of works.

On 10 October 2011, the Acting Deputy Director General approved a further modification ((MP08_0054 MOD3) reducing the width of Road 4 and width of pathway to Road 5.

2. PROPOSED PROJECT

2.1. Project Description

The proposal as exhibited in the Environmental Assessment (EA) sought Project approval for the following:

- demolition of existing buildings across the residential zoned part of the RRCS site;
- construction of residential development comprising 2 residential flat buildings with 60 units and another 58 detached, semi-detached and terrace dwellings;
- public domain works including internal roads and vehicle access from Charles Street and Victoria Road;
- car parking;
- provision for utilities; and
- marketing facilities.

2.2. Amended Proposal with Response to Submissions

Following the public exhibition of the EA, the Department advised the Proponent of a number of issues which required further consideration, and requested a Response to Submissions.

The main issues raised were in relation to the access from Victoria Road; continuous public vehicular and cycle access through the site; and impacts to trees along Victoria Road.

On 21 December 2011, the Proponent submitted a Response to Submissions. The development was amended as part of this response. The primary changes included:

- Deletion of the two residential flat buildings and provision of a single building incorporating 47 units;
- Provision of an additional internal road and 11 additional dwelling houses adjacent to the new road;
- Realignment of main entrance road from Victoria Road; and
- Deletion of some of the demolition works on other parts of the RRCS site (to be included as part of future applications instead) and deletion of the marketing suite from the proposal.

The final version of the development as proposed is detailed in **Table 1**. The project layout is shown in **Figure 4** below.

Table 1: Key Project Components

Aspect	Description
Project Summary	Demolition of existing buildings and construction of a residential development incorporating 47 units and 69 dwelling houses, public domain works, landscaping, and subdivision.
Demolition	Demolition of the following buildings: ○ The Moorong Spinal Unit building; ○ The Independent Living Centre building; ○ Hydrotherapy Building; ○ Administration Building; and ○ remaining slab of Linen Services buildings.
Residential Development	Construction of: ○ A six storey residential flat building of 47 units; ○ 54 semi detached/ terrace houses; and ○ 15 detached dwellings.
Public Domain	○ Construction of roads within the Stage 1 Phase 1 site; ○ New access road linking the site to Victoria Road and provision of a deceleration lane on Victoria Road;

Aspect	Description
	- Replanting of existing palm trees along Victoria Road frontage; - Shared pedestrian / cycle path through the site adjacent to proposed Road 5; and - Tree removal of around 270 trees and new landscape works including planting of approximately 366 trees
Parking	- Basement parking for 77 vehicles, 4 motorbikes and 22 bicycles for the residential flat building - Off street parking for 1-2 vehicles per dwelling house; and - At grade on-street parking for 26 vehicles.
Utilities	Extension/ augmentation of physical infrastructure/ utilities
Subdivision	First to create public roadways and super allotments; then to create 69 allotments for dwelling houses; private accessways and allotments for on-site detention.
Staging	Within Stage 1, Phase 1, the proposal will be staged in the following manner: - Stage 1 Demolition - demolition of Moorong Spinal Unit and ILC and remaining slab of Linen Services buildings; - Stage 2 - Early works and infrastructure including roads; - Stage 3 - Excavation and construction of basements to ground level; - Stage 4 - Construction of residential flat building; and - Stage 5 - Construction of dwelling houses.

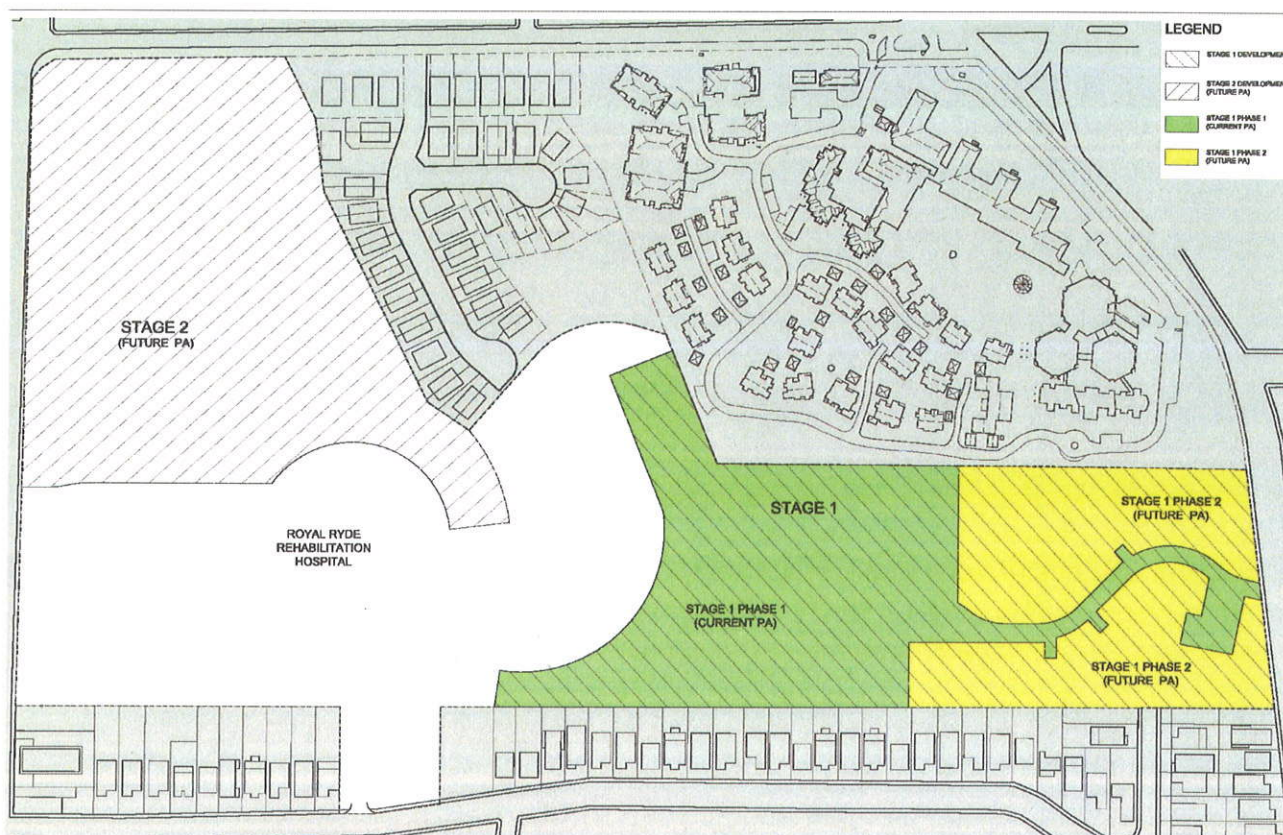


Figure 4: Indicative Plan of each of the various stages on the RCSS site



Figure 5: Stage 1, Phase 1 residential development



Figure 6: Proposed residential flat building



Figure 7: Proposed dwellings along Road 5

2.3. Project Need and Justification

NSW 2021

NSW 2021 is the NSW Government's strategic business plans for setting priorities for action and guiding resource attention. NSW 2021 is a ten year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability and strengthen the local environment and communities.

The proposal's location in close proximity to the Ryde town centre with retail facilities and transport interchange will contribute to the plan's goal of building liveable centres. Further, the provision of high density residential flat buildings within the area will increase the supply and variety of housing stock to help provide more affordable housing within the area. This proposal therefore provides an important opportunity to redevelop a currently underutilised site to supports these aims.

The Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney is a strategic document that guides the development of the Sydney Metropolitan area towards 2036. The Metropolitan Plan sets out housing and employment targets for the Sydney region at 770,000 additional dwellings, and 760,000 new jobs, by 2036. The Plan seeks at least 70% of new dwellings to be located within existing urban areas focused around centres served by public transport. The proposal is consistent with the aims of the Metropolitan Plan and will contribute towards meeting the targets for new dwellings and jobs located in close proximity to public transport facilities, retail services and opportunities for employment during the construction phase.

Draft Inner North Sub-Regional Strategy

The site falls within the area defined by the Draft Inner North Sub-regional Strategy. Housing and employment targets for the sub-region have been updated by the Metropolitan Plan as identified above. The Ryde Local Government Area has a total housing target of 12,000 additional dwellings to 2031, within the Draft Sub-regional Strategy.

The proposal is consistent with the aims and objectives of the Draft Inner North Sub-regional Strategy, as the proposal will provide residential accommodation which will contribute towards identified housing targets for the Ryde LGA.

3. STATUTORY CONTEXT

3.1. Continuing Operation of Part 3A

Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the Act, continues to apply to transitional Part 3A projects. Director-Generals environmental assessment requirements (DGRs) were issued in respect of this project prior to 8 April 2011, and the project is therefore a transitional Part 3A project.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under section 75O of the EP&A Act.

3.2. Major Project

On 23 March 2006, the then Minister for Planning approved a Concept Plan for the project. The Concept Plan approval required the submission of this project application under Part 3A of the EP&A Act. Therefore the Minister is the approval authority.

On 14 September 2011, the Minister for Planning & Infrastructure delegated responsibility for the determination of Concept Plans and Project Applications under Part 3A of the EP&A Act to the Planning Assessment Commission where a statement has been made disclosing a reportable political donation in relation to the project and the proponent is not a public authority.

In this case a statement has been made disclosing a reportable political donation and as the proponent is a private company, the Planning Assessment Commission can therefore determine the project under delegated authority.

3.3. Permissibility

The development site is located wholly within the R1 (General Residential) zone under the Ryde Local Environmental Plan 2010. Residential uses are permissible with consent.

3.4. Consistency with the Concept Plan Approval

The Project Application has been assessed for consistency with the Concept Plan Approval (MP05_0001). The Department's detailed assessment is provided in Section 5.1 below. The Department considers that the Project Application is generally consistent with the RRCS Site Concept Plan.

3.5. Environmental Planning Instruments

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the proposal has been assessed in relation to all relevant State Environmental Planning Policies (SEPPs) and the relevant environmental planning instruments (EPIs) that would (except for the application of Part 3A) substantially govern the carrying out of the project. The Department's detailed consideration of relevant SEPPs and EPIs is provided in Section 5 of this report and **Appendix E**.

3.6. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The relevant objects are:

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Proposal is consistent with the objectives of the EP&A Act as it will facilitate the orderly development of the site which will promote the social and economic welfare of the community through the provision of a range of housing types. The proposal also has an acceptable performance in relation to ESD principles, complying with BASIX requirements. The proposal does not raise any issues with regard to the objects under the Act.

3.7. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) the precautionary principle,
- (b) inter-generational equity,
- (c) conservation of biological diversity and ecological integrity,
- (d) improved valuation, pricing and incentive mechanisms.

The Development is considered to be consistent with the ESD principles. A full assessment of the proposal in relation to ESD is included in **Appendix E**.

3.8. Statement of Compliance

On 28 January 2010, the Director-General issued DGRs for the project pursuant to Section 75F of the EP&A Act. In accordance with section 75F of the EP&A Act, the Department is satisfied that the Director-General's environmental assessment requirements have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

Under section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment (EA) of an application publicly available for at least 30 days. After accepting the EA, the Department publicly exhibited it for an extended period of 45 days from Wednesday 29 June 2011 until Friday 12 August 2011:

- on the Department's website;
- at the Department's Information Centre at Bridge Street, Sydney; and
- at the Ryde City Council Civic Centre, 1 Devlin Street, Ryde.

The Department also advertised the public exhibition in The Sydney Morning Herald, The Daily Telegraph and The Northern District Times newspapers on 29 June 2011, and notified surrounding landholders, and relevant State and local government authorities, in writing.

The Department received 5 submissions from public authorities and 12 submissions from the general public in response to the exhibition of the EA. Council also made a submission following the amendments and the Response to Submissions Report. A summary of the issues raised in submissions is provided below.

4.2. Public Authority Submissions

Six (6) submissions were received from public authorities.

City of Ryde Council did not object to the proposal, however it provided the following comments:

- Raised a number of issues with the proposed roads and associated infrastructure. These include: potential lack of connectivity with later stages; questioned rear lane access for lots adjoining Charles street; alignment of the connection of Road 5 with Victoria Road; concerns regarding the dedication of some roads but not others; need for a traffic management plan; location of pedestrian crossings; intersection design; compliance with Council's public domain specifications; width of road reserve; provision of services and infrastructure; street tree provision; driveway and footpath gradients and locations.
- Conditions should be included to ensure the row of established palm trees affected by the new Road 5 can be successfully transplanted and survive;
- Recommended that prior to demolition of buildings, MP05_0001 be complied with which requires that heritage impacts be mitigated by a number of specified procedures;
- Concerns regarding the irregular rear boundaries between the proposed new allotments on Road 4 and the new allotments on Road 8; and
- That the temporary marketing suite proposed in the application is now subject to a separate development application with Council.

Council also made a submission in response to the amended scheme noting the limited capacity to provide on-street parking in Road 8, supporting the reduced extent of demolition, and noting the requirement for archival photographic recordings prior to demolition. Council also advised that it found the information submitted was not sufficient to make a comprehensive assessment of the new buildings in accordance with SEPP 65.

Sydney Water did not object to the proposal and provided the following comments:

Sydney Water advised that the zone of influence of the Northern Beaches Ocean Outfall System is located within a few metres of the existing surface at the eastern boundary of the site. Sydney Water requested the area be assessed by Sydney Water's Geologist prior to any excavation occurring. A Condition has been recommended requiring this.

Sydney Water has confirmed that the existing water and wastewater systems have capacity to service the development. Sydney Water have requested a condition be imposed requiring the Proponent to obtain a S73 Certificate prior to the issuing of an Occupation Certificate.

Transport for NSW did not object to the proposal however recommended that at-grade bicycle parking facilities should be provided for visitors to the site. Transport NSW also requested that the Construction Management Plan should mitigate potential impacts to accessibility and safety for non-car travel modes.

Roads and Maritime Services (then the RTA) advised that no objections were raised in relation to the proposal, subject to the inclusion of a number of standard conditions. Where relevant, these conditions have been included within the recommendation.

The Office of Environment & Heritage

The Office of Environment & Heritage advised that it has no comment to make.

4.3. Public Submissions

Twelve submissions were received from the public. This included a submission from the 'Residents of Kenneth Street, Ryde', signed by eight households on Kenneth Street. The key issues raised in public submissions are listed in **Table 2** below.

Table 2: Summary of Issues Raised in Public Submissions

Issue	Proportion of submissions (%)
Increased traffic/ Congestion	90%
Parking pressures in local centres	36%
Pedestrian safety	55%
Pressure on local infrastructure	55%
Impacts to properties on Kenneth Street	18%
Non-sustainable location	9%
Proposed densities	27%
Compliance with Concept Plan	18%

With the exception of the impacts to properties on Kenneth Street, the Department has considered the issues raised in submissions in its assessment of the project. The issues raised in relation to Kenneth Street relate to a future application for Stage 1, Phase 2 and therefore do not form part of the project application under assessment.

4.4. Proponent's Response to Submissions

The Proponent provided a response to the issues raised in submissions within the Response to Submissions Report (see **Appendix C**).

5. ASSESSMENT

The Department considers the key environmental issues for the project to be:

- Compliance with the approved Concept Plan
- Traffic Generation
- Site Access
- Residential Amenity

5.1. Compliance with Concept Plan

On 23 March 2006, the then Minister for Planning approved a Concept Plan (MP05_0001) for the redevelopment of the RRCS site including:

- A new, purpose built specialised rehabilitation and disability facility;
- No more than 50 residential dwellings per hectare on land excluding the new, purpose built specialised rehabilitation and disability facility;
- Landscaped public and private open space;
- Associated services and infrastructure; and
- Land use distribution, building heights, densities, dwelling mixes and types.

The Concept Plan requires future Project Applications to be generally consistent with the Concept Plan. This proposal represents the first residential Project Application.

The project application represents a deviation from the Concept Plan in terms of the internal road layouts; building orientations and dwelling mix. An overview of the main deviations can be seen in the following diagrams:

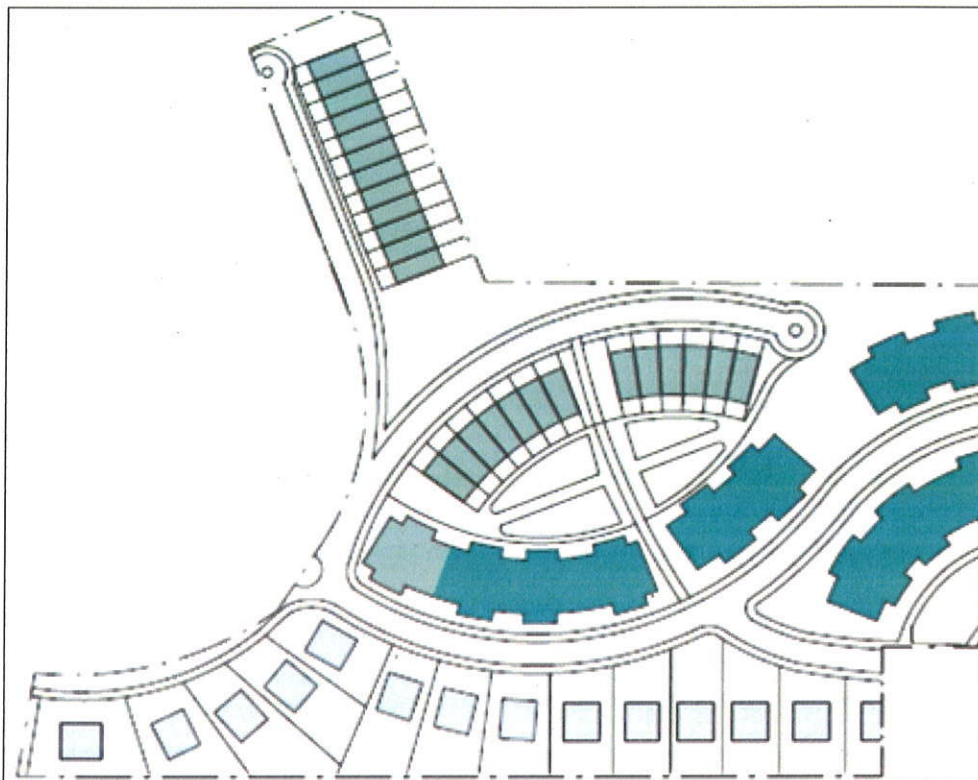


Figure 8: Concept Plan layout for Stage 1 Phase 1 area



Figure 9: Proposed layout for Stage 1 Phase 1 area

The Department requested that a s75W modification application be lodged to amend the Concept Plan. However, at this stage the proponent has only submitted a draft amended concept plan for information purposes only. No detailed or formal s75W application has been made and therefore no detailed planning assessment has been made of the proposed amendments to the Concept Plan. It should be noted however, that the draft submitted for information generally conforms with the layout at Figure 9. A copy of the draft plan is provided at **Appendix D**.

The current project application is therefore assessed against the currently approved Concept Plan. **Table 2** below illustrates the proposal's compliance with the approved Concept Plan.

Table 2: Compliance with Concept Plan Description

Concept Plan Description	Proposal	Complies?
A new, purpose built specialised rehabilitation and disability facility.	A new purpose built specialised rehabilitation & disability facility was approved as part of MP08_0054.	YES
No more than 50 residential dwellings per hectare on land excluding the new, purpose built specialised rehabilitation and disability facility	The total residential development area is 15.829 ha which equates to a total provision of 791 dwellings. The stage 1 phase 1 site has an area of 3.5767ha which equates to up to 179 dwellings. Only 116 dwellings are proposed.	YES
Landscaped public & private open space.	The proposal will provide a total area of 15,910m ² of public and private open space (4,074m ² & 7,541m ² respectively), across the entire site, 10,794m ² of which would be landscaped. This provision is in addition to the	YES

	approved Central Parkland and Wetlands (MP08_0054) which has a combined area of 23,284m ² and public open space to be provided in Stage 1, Phase 2 and Stage 2 of the residential development.	
Associated services & infrastructure.	The proposal will provide water and stormwater, sewerage, gas, electricity, communications and fire services for the development, also facilitating for future stages of development.	YES
Land use distribution, building heights, densities, and dwelling mixes and types.	• Proposal complies with land use distribution, maximum building heights and densities; • Proposal differs in terms of dwelling mixes and types.	Substantially – See below

Building Layout and Orientation

As depicted in **Figure 9** above, the proposed building layout and orientation differs from that considered as part of the approved Concept Plan. The Proponent has advised that the building layout has been modified to better respond to the site contours and overland flow paths. The proposal:

- Complies with maximum density of the concept plan and results in a density lower than that expected under the concept plan;
- Results in a reduction in the number of residential flat buildings and an increase in the number of dwellings;
- Retains low density 2 storey dwelling houses adjacent to all property boundaries except at the north-east corner of the site, consistent with the approved concept plan;
- Complies with building height and FSR controls within the Ryde City LEP 2010; and
- Continues to provide some areas of communal open space within the Stage 1 Phase 1 site.

Dwelling Mixes and Types

The Proposal would result in a total provision of 116 residential dwellings/ units within Stage 1, Phase 1 which is less than the Concept Plan total of 143. Table 3 below illustrates the proposal's variance from the approved dwelling mix and types:

Table 3: Dwelling Mix and Types- Concept Plan and Proposal

	Concept Plan	Proposal
Detached Dwellings	11	15
Terraces/semi-detached Dwellings	26	54
Units	106	47
TOTAL	143	116

The Proponent has advised that the modified dwelling mix has resulted from a revised assessment of the site's constraints and opportunities, as well as responding to market demand and housing affordability.

No adverse impacts arise from the altered dwelling mix and as the Concept Plan approval set only maximum density standards, the proposal does not affect compliance with the Concept Plan.

Internal Road Network

The proposal has resulted in the realignment of the main internal road ('Road 5') to take account of the modified building layouts. In addition, the intersection with Victoria Road would be further north, following consultation with Roads and Maritime Services. (Refer also to discussion below in 'Section 5.3 Site Access'). The road still provides the main access through the site and includes pedestrian paths and cycleway as per the Concept Plan approval.

Two new private roads ('12' and '13') are proposed to provide access to dwellings on the southern part of the site, parallel with Charles Street. The roads will provide vehicle access to rear of the dwellings located in the southern part of the site orientated towards the south-east.

Proposed Roads '8' and '16' vary from the concept plan layout, but continue to provide vehicle access to the residential flat building and all dwellings in the central part of the site. The amended road layout reflects the proposed new building layouts. Similar to the road layout in the concept plan, one road provides through access within the site, while the other ends in a cul-de-sac.

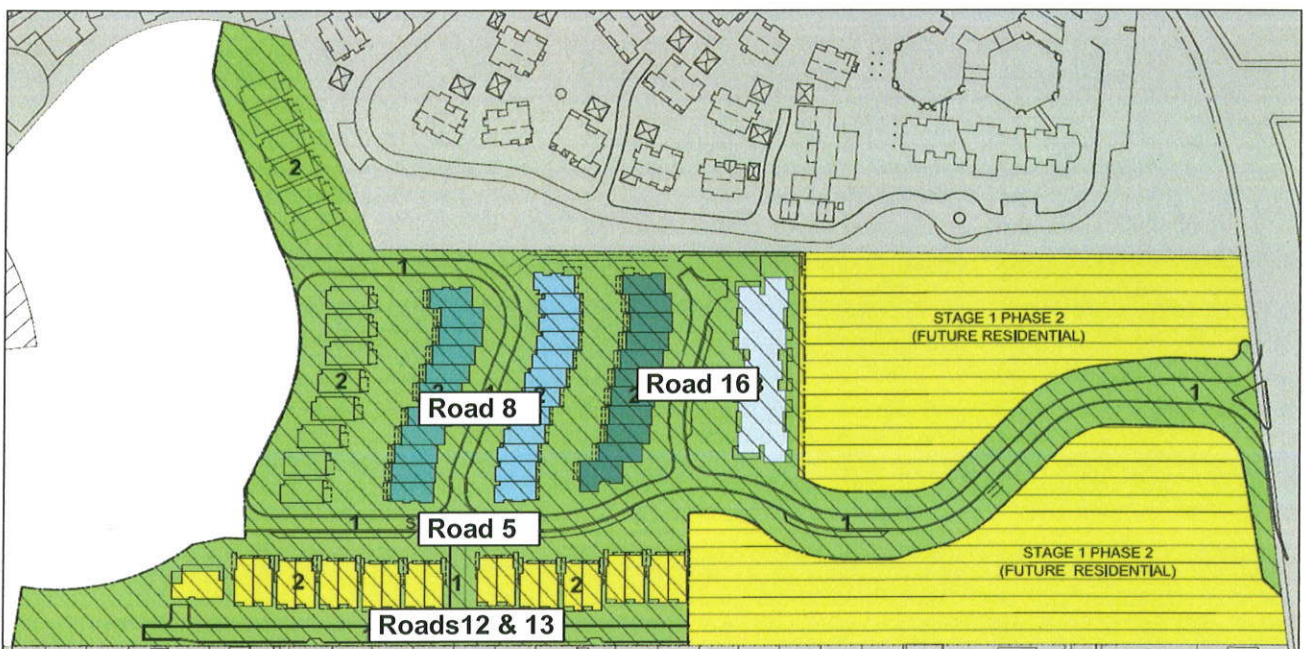


Figure 10: Proposed layout with road numbers indicated

Condition B1 of the Concept Plan approval provides that:

The Director General will determine whether a future application for development constitutes a significant departure from this approval. A significant departure will require submission and approval of a new concept plan proposal.

The condition also provides that a significant departure will also require the submission of revised documentation including an urban design strategy, analysis of existing and proposed buildings, density, vegetation, open space, street pattern, traffic and parking, topography and view corridors.

As the project application in this case retains a residential development that results in residential densities less than the maximum approved by the Concept Plan; as setbacks and heights in proximity to the boundary are generally consistent with the Concept Plan; as the main access road through the site is retained (albeit slightly realigned); and as other roads provide a similar level of access to the road layout under the Concept Plan, the department does not consider that the proposed departures are so significant as to require the approval of a new concept plan and submission of associated documentation.

5.2. Traffic Generation

A number of public submissions raised the issue of increased traffic and parking pressures on the surrounding road network and at local centres and schools as a result of the proposal. As part of the assessment of the approved Concept Plan, the Department commissioned an independent traffic consultant to provide advice based on a residential development across the site comprising of 900 dwellings. The advice concluded that there was likely to be a modest increase in traffic flows on surrounding streets and the residential development of the whole former RRCS site would not significantly affect the amenity of the area.

The Concept Plan allowed for between 120 to 135 vehicles per hour to access the site from Charles Street during weekday morning and afternoon peak periods. Based on the RMS's traffic generation guidelines, the proposed development will generate approximately 65 vehicle movements per hour during peak periods. The resulting traffic generation is less than that allowed for by the approved Concept Plan. The Department therefore considers the proposal to be acceptable in relation to traffic generation.

The Department also originally concluded that the development of up to 900 dwellings and a health facility can be accommodated on the site, subject to conditions to manage access to the site. This proposal will contribute towards the total number of dwellings approved on the site.

Neither the RMS nor Council has raised any objections to the proposed development in relation to traffic impacts. The proposal is considered acceptable in relation to traffic generation.

5.3. Site Access

The proposal includes the construction of new internal 'Road 5' which connects to approved Road 2, providing vehicle access to Charles Street. It is also proposed to construct road 5 eastwards to Victoria Road, across Stage1, Phase 2 of the residential development of the site.

A number of public submissions have raised objections to the proposed access to the site via Victoria Road. The proposal includes a new left in, left out intersection to Victoria Road, with a deceleration lane provided for westbound traffic. However, a number of public submissions requested the provision of signalised traffic lights at the intersection to allow for right turn into and out of the site to reduce traffic flows and impacts to other surrounding residential streets.

The proponent has had extensive discussions with Roads and Maritime Services (RMS) about the provision of a signalised intersection. RMS has advised it will not support the provision of traffic signals at this time due to the likely detrimental impact on the operation of traffic flow along Victoria Road and the potential for traffic accidents due to the grade and turn in the roadway at this point.

Nevertheless, in response to the issues raised by the public, the proponent has re-aligned the proposed intersection of Road 5 with Victoria Road so that it is further to the north and opposite Irvine Crescent on Victoria Road, to make it easier to retrofit traffic lights to the intersection should the RMS support this option in the future.

Necessary traffic measures to Charles Street, Princes Street and Morrison Road were incorporated into the Deed of Agreement between the Proponent and Council. The Deed arises from Conditions B4 and B5 of the Concept Plan approval which required the provision of road infrastructure works and a planning agreement and / or development contributions between the proponent and Council. The deed also requires dedication of roads to Council and provision of public access though the site prior to occupation of the residential dwellings. This includes a number of roads and traffic measures approved under MP08_0054. A condition has been incorporated requiring the traffic facilitation works, completion of new roads, and dedication to Council, including those measures approved by MP08_0054 and the Deed of Agreement prior to the issue of an occupation certificate for any residential dwellings. It is noted that proposed new

Roads 12 and 13 are private access roads and are not incorporated into the Deed of Agreement for dedication.

While the plans submitted with the EA did not include a dedicated cycle path through the Stage 1, Phase 1 site, following concerns raised by the Department, the proponent has incorporated a shared pedestrian / cycle path in the amended scheme submitted with the Response to Submissions. The path will run parallel to Road 5 from Victoria Road and will connect to other cycle paths through the site to provide a continuous cycle network.

The subdivision plans submitted with the Response to Submissions included subdivision to create superlots and new private access ways within the Stage 1 Phase 1 site but also within the Stage 1 Phase 2 site. With regard to the Phase 2 site, as the lot layouts and private access ways were not consistent with the road layout in the original Concept Plan approval, and as the allotments are outside of the Stage 1 Phase 1 site, it was not considered appropriate to approve any subdivision which will determine future road layout within the Phase 2 site. As such the proponent has subsequently amended the plans to delete all subdivisions within the Stage 1 Phase 2 site, other than creation of a residual allotment following creation of the Road 5 allotment through the site.

5.4. Residential Amenity

Amenity impacts of the Residential Flat Building have been considered against the requirements of State Environmental Planning Policy No 65 (Design Quality of Residential Flat Buildings) (SEPP 65) and the accompanying Residential Flat Design Code (RFDC). A detailed assessment is included at **Appendix E**. Generally, the proposed residential flat building complies with the requirements of SEPP 65 and the RFDC, with the exception of partial variations to ground floor private open space and natural cross ventilation.

Private Open Space (Ground Floor)

The RFDC recommends that units at the ground floor level should have a minimum area of 25m² with a minimum dimension of 4 metres. Of the 9 units located at or close to ground floor, 3 are not provided with the required private open space specified for ground floor units, but will have areas of 17m², 20m² and 30m², with minimum dimensions of 2.2 metres. This is predominantly due to the constraint of the sloping nature of the site, resulting in these private open space areas being slightly elevated or slightly below the adjoining ground level. However, these dwellings all still exceed the minimum private open space areas that would be required if they were located on the upper floors and on this basis, they are considered to provide an acceptable level of amenity and utility for the future occupants. In addition, the area around the building adjoining the ground floor private open space areas will be landscaped as garden area and communal open space. As such, no adverse impacts arise from the non-compliance with the control.

Natural Cross Ventilation

The RFDC recommends that 60% of units be naturally cross-ventilated, while the proposal provides only 55%. The deviation from the control in this case is considered to be relatively minor. The layout of the single aspect apartments still allows for a high level of access to windows and therefore ensures a good level of ventilation to the units, even if not naturally cross-ventilated. Ventilation can be enhanced by the provision of ceiling fans in these units and an appropriate condition is included in the recommendation.

Concept Plan Requirements

Amenity impacts of the dwelling houses have been considered against the Concept Plan approval which included a condition (condition C3) requiring adoption of certain urban design principles, including principles to maximise residential amenity. Amenity requirements include:

- *Maximise the northern aspect for solar access to dwellings.*
- *Respond to the microclimate of each location and to the varying topography.*
- *Introduce view corridors through the subject site to maximise visual permeability.*
- *Share views by stepping buildings down the slope.*
- *Limit overshadowing to 50% for 2 hours per day for private open space.*
- *Minimise overshadowing of public open space.*
- *Maintain privacy by ensuring adequate distances between dwellings - windows of habitable rooms be a minimum of 12m apart or if these distances are not achievable other design measures, such as appropriate window and balcony locations and screening, being incorporated.*

As demonstrated by the shadow diagrams submitted with the Response to Submissions, the majority of dwelling houses (68%) are oriented to achieve excellent solar access to their living rooms and virtually all dwelling houses will receive good solar access in excess of 2 hours to 50% of their private open space areas mid-winter.

The primary public open space area is the previously approved Central Parkland area which will be unaffected by shadowing from the proposal. Smaller communal open space areas within the Stage 1 Phase 1 site will be partially overshadowed, but will still achieve a reasonable level of solar access at various times throughout the day.

The proposed layout has been designed to reflect the topography of the site, with buildings stepping down the slope, and allowing for view sharing.

All dwellings have windows and balconies primarily oriented to the front and rear and a building separation in excess of 12 metres is achieved from these windows and balconies. Windows in side elevations have been minimised, are appropriately treated for privacy or have been staggered so that no significant adverse overlooking impacts arise.

The proposal is therefore considered to provide a good level of residential amenity in accordance with the requirements of the Residential Flat Design Code and the Concept Plan approval.

5.5. Other Issues

Tree Retention and Landscaping

The proposed deceleration lane on Victoria Road and new access point for Road 5 at its intersection with Victoria Road, would have an impact on a row of palm trees and a Moreton Bay Fig which are considered to make a significant contribution to the streetscape along the Victoria Road frontage. Following concerns raised by Council and the Department, the proponent has provided a transplanting proposal to ensure the trees can be temporarily removed and then replanted along the frontage. The proposed replanting scheme is considered to be an acceptable solution, however there is no indication that the report and recommendations were made by a qualified arborist. Conditions requiring endorsement of the report by a qualified arborist and implementation of the recommendations have therefore been included.

On the remainder of the Stage 1 Phase 1 site, the proposal as amended by the Response to Submissions includes the removal of virtually all the trees. Around 270 trees are proposed to be removed and the landscape plans submitted with the Response to Submissions indicated only 3 trees within the site to be 'potentially' retained as well as a number of trees on the Stage 1 Phase 2 site to be potentially retained. Two of these trees (one within the site and one within the stage 2 site immediately adjacent to the proposed Road 5) are very significant Fig trees and considered to make a substantial contribution to the site and the locality. Following concerns raised by the

Department, the proponent amended the tree retention plan to show these two trees as being retained rather than 'potentially' retained. An appropriate condition requiring an arborist's report with tree protection measures to be implemented before construction has been included in the recommendation to ensure the longevity of these 2 significant trees.

Although around 270 remaining trees are proposed for removal, the landscape plans indicate new tree planting of 173 trees within the public domain and another 193 trees within the private domain, thereby resulting in an overall increase in the number of trees within the site. To respond to the recommendations of the Flora and Fauna assessment, the majority of new plantings are predominantly native and belong to the endangered Sydney Ironbark Turpentine Forest Community. A condition to ensure landscape works are carried out in accordance with the plans is also included in the recommendation.

Development Contributions

In accordance with the requirements of the approved Concept Plan, the Proponent entered into a Deed of Agreement with Ryde City Council in relation to the redevelopment of the whole RRCS site, prior to the lodgement of MP07_0100 subdivision. The agreement requires the construction of and dedication to Council of the following: multi-function courts, a Central Parkland, traffic calming measures to Morrison, Charles and Princes Street and all internal roads. Under the agreement, a new childcare centre and community meeting room would also be made available for public use.

It was agreed that these facilities be provided as material public benefits in lieu of a cash payment under s94 of the Act.

The terms of the agreement require the provision of open space relating to the residential development and traffic and drainage works to be completed prior to occupation of the relevant stage of residential development. Recommended conditions have been included requiring the completion of the required works, in accordance with the Deed of Agreement, prior to the issue of the final Occupation Certificate.

Accessibility

C1 of the Concept Plan approval requires residential development on the RRCS site to provide a range of accommodation choices for people with disabilities, including specially designed independent living and supported accommodation.

As provided by the EA, six of the flat units would be adaptable units, with eight associated adaptable parking spaces in the basement parking area. As the number of units has been reduced under the amended scheme submitted with the Response to Submissions (from 60 to 47 units), it is considered appropriate that a minimum of 5 adaptable units be provided, to satisfy the 10% adaptable unit requirement under Australian Standards.

A recommended condition requires the 5 accessible units to be identified on the Construction Certificate plans and compliance with the minor design modifications of the Proponent's accessibility report.

The proposal has strong pedestrian links providing easy access across the site and to future stages of the residential development. Disabled access has been incorporated into the landscape design where possible.

Heritage

C5 of the Concept Plan approval requires a number of measures to be undertaken to mitigate any negative heritage impacts as a result of the demolition of existing buildings on the site. The proponent has confirmed that the measures required have been completed for the overall site

including photographic archival recording; heritage interpretation strategy; archaeological assessment and Overall Interpretation Strategy Plan. However the proponent also advises that photographic archival recording of the buildings to be demolished under the subject application are still to be undertaken by Frasers prior to demolition. To ensure compliance with the Concept Plan approval, a condition requiring photographic archival recording prior to demolition of the buildings on the Stage 1, Phase 1 site as well as compliance with the Overall Interpretation Strategy Plan has therefore been included in the recommendation.

6. CONCLUSION

The Department has assessed the EA, as modified by the Response to Submissions, and considered the public authority and public submissions in response to the proposal. The key issues raised in the submissions relate to compliance with the Concept Plan Approval, Parking and Traffic Impacts, Site Access, and Residential Amenity.

The Department considers that the proposal is generally consistent with the Concept Plan Approval, despite the variations to dwelling mix, building and street layouts. The residential flat building generally complies with the requirements of SEPP 65 and the accompanying RFDC, and the proposed new dwelling houses comply with accepted amenity standards including those set out in the Concept Plan, ensuring quality amenity for all future residents.

The proposal is considered to be in the public interest as it will provide:

- greater housing supply and choice with the provision of 116 new dwellings in a variety of types and sizes, catering for a variety of household types;
- provision of greater housing supply in close proximity to a major centre and with good access to public transport infrastructure;
- the orderly redevelopment and utilisation of an otherwise undeveloped and underutilised site; and
- provision of new open space and road infrastructure;

The Department has prepared recommended conditions of approval in respect to the project approval which are set out in **Appendix G**. The reasons for the imposition of the conditions are to ensure the timely and orderly development of the site in conjunction with existing approvals and to manage the construction impacts of the development.

Subject to the recommended conditions, the Department is satisfied that all the impacts of the proposal have been satisfactorily addressed within the Proponent's EA, Response to Submissions and Statement of Commitments.

7. RECOMMENDATION

Having considered the key issues in relation to the proposal, the department notes the following key findings:

- the proposal is generally consistent with the Concept Plan approval for the site;
- the proposal generally complies with the requirements of SEPP 65 and the accompanying RFDC;
- the proposal generally complies with the requirements and numerical standards as set out in Ryde Local Environmental Plan 2010;
- the proposal has been designed in such a way to mitigate any environmental impacts to an acceptable level; and
- conditions have been recommended to further mitigate environmental impacts.

It is therefore recommended that the Planning Assessment Commission, as delegate for the Minister for Planning & Infrastructure:

- A) **consider** the recommendations of this report;
- B) **approve** the Project Application, subject to conditions, under Section 75J of the *Environmental Planning and Assessment Act 1979*; and
- C) **sign** the attached Instrument of Approval (**Appendix G**).

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2/4/12

APPENDIX A ENVIRONMENTAL ASSESSMENT

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4371

APPENDIX B SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4371

APPENDIX C PROPONENT'S RESPONSE TO SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4371

APPENDIX D PROPONENT'S DRAFT AMENDED CONCEPT PLAN

For Information Purposes Only

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=4371

APPENDIX E CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

There are four accepted ESD principles:

- a) *If there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);*
- b) *The principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- c) *The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- d) *Improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The Department has considered the proposed development in relation to ESD principles and has made the following conclusions:

Precautionary Principle – The site has been previously approved for redevelopment under the Concept Plan Approval and the proposal results in no additional threat of serious or irreversible environmental damage beyond the impacts of the existing approval. Issues of threatened or vulnerable species, populations, communities or significant habitats were addressed at Concept Plan stage, with the site identified as having low level of environmental sensitivity. Issues of potential flooding on the site were also addressed under the Concept Plan approval, including the creation of the Central Parklands to incorporate drainage works.

Inter-Generational Principle – The site is one of the first developments within an area recently rezoned for residential development and the proposal represents a sustainable use of the site as the redevelopment will make efficient use of the site as envisaged by the approved Concept Plan. The development will utilise existing and future infrastructure and facilities being in close proximity to the Top Ryde Centre and will result in positive social, economic and environmental impacts.

Biodiversity Principle – Following an assessment of the proponent's EA and Response to Submissions it is considered with that there is no threat of serious or irreversible environmental damage as a result of the proposal. The development site has been largely previously cleared and has a low level of environmental sensitivity with no threatened or endangered species, populations, communities or habitats. Therefore the proposal will not impact upon the conservation of biological diversity or ecological integrity.

Valuation Principle – the entire site incorporates a health facility and parkland as well as the proposed residential development. The development will maximise the site's location in close proximity to existing transport infrastructure and the large commercial centre enabling residents to live near work, leisure, and other opportunities.

The development has also been designed in accordance with BASIX targets utilising energy and water efficient fittings. Those measures will be included in the total cost of the project and considering greenhouse gas emissions linked to environmental performance, accessibility and travel, the proposal is considered to be acceptable.

SECTION 75I(2) OF THE ACT & CLAUSE 8B OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

The DG's report to the Minister for the proposed project satisfies the relevant criteria under Section 75I of the Act as follows:

Section 75I(2) criteria	Response
Copy of the proponent's environmental assessment and any preferred project report.	The Proponent's EA and Response to Submissions are located on the Department's website www.planning.nsw.gov.au
Any advice provided by public authorities on the project.	A summary of the advice provided by public authorities on the project for the Minister's consideration is set out in Section 4 of this report.
Copy of any report of the Planning Assessment Commission.	This report in its entirety is for the Consideration of the Planning Assessment Commission.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project.	Each relevant SEPP that substantially governs the carrying out of the project is identified in within this Appendix below.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division.	An assessment of the development relative to the prevailing environmental planning instrument is provided later in this Appendix.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the project application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The environmental assessment of the project application is this report in its entirety.

The DG's report to the Minister for the proposed project satisfied the relevant criteria under Clause 8B of the EP&A Regulation as follows:

Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in Section 5 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	The impact of the development on the public interest is discussed in Section 6 of this report.
The suitability of the site for the project	The development is consistent with the zoning and the approved concept plan and the site is considered suitable for the proposed residential development.
Copies of submissions received by the Director-General in connection with public consultation under Section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in section 4 of this report. See Also Appendix B.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 75I(2)(d) and (e) of the Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the project.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Projects) 2005;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development and the Residential Flat Design Code (Planning NSW, 2002);

Other controls to be considered in the assessment of the proposal are:

- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No. 55- Remediation of Land; and
- Ryde Local Environmental Plan 2010.

The provisions of development standards of local environmental plans are not required to be strictly applied in the assessment and determination of major projects under Section 75R Part 3A of the Act. Notwithstanding, the objectives of the above EPLs, relevant development standards and other plans and policies that govern the carrying out of the project are appropriate for consideration in this assessment in accordance with the DGRs.

State Environmental Planning Policy (Major Projects) 2005

The Major Development SEPP applies to the project as a transitional project as discussed in Section 3.1 of this report.

State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development and Residential Flat Design Code (Planning NSW, 2002)

SEPP 65 seeks to improve the design quality of residential flat development through the application of a series of 10 design principles. An assessment against these principles against the proposed residential flat building on the site is given in the below table.

A Design Verification Statement has been provided by Cox Architecture Pty Ltd., stating that the proposed building has been designed having respect to the design quality principles.

Key Principles of SEPP 65	Department Response
Principle 1: Context	The proposal is generally consistent with the requirements of the approved Concept Plan and is acceptable within the redevelopment of the site. The proposal would not have any detrimental impacts on the amenity of surrounding development and or future stages of the development on the site.
Principle 2: Scale	The proposal is generally consistent with the heights and scale of building as envisaged under the approved Concept Plan. Where a section of the building is slightly higher than that envisaged under the Concept Plan, it is set further away from the boundary such that no adverse impacts to adjoining premises arise. The building is also fully consistent with the height controls that now apply to the site under the Ryde LEP 2010. The residential flat building is considered to be an appropriate height and scale for the locality.
Principle 3: Built Form	The building has been designed to complement the design of the other proposed dwelling houses within the site. It is also capable of complementing future residential flat buildings on future stages on the site, particularly if the proponent's draft amendments to the Concept Plan are adopted. The orientation of the building minimises visual impacts on the adjoining premises to the north and will provide a positive streetscape appearance to the proposed new roads within the site.
Principle 4: Density	While the proposed residential flat building has a higher density, the density of the entire Stage 1, Phase 1 development is significantly less than that expected under the Concept Plan approval for the site, and as such no unexpected impacts arise to surrounding resources or infrastructure. The proposed units are of an appropriate size and scale to facilitate a range of living arrangements.
Principle 5: Resource, Energy and Water Efficiency	The proposal includes the provision of below ground water tanks to all semi-detached/ terraced and detached dwellings, as well as the installation of a stormwater re-use system in both flat buildings, which will collect and store rainwater from the roof for use as grey water (toilets & irrigation). In addition, a Central on-site stormwater detention basin has been approved on the site under 08_0054.
Principle 6: Landscape	The primary communal open space area for the site has been previously approved under an earlier application (MP08-0054). The proposal includes a range of landscape works to contribute to the amenity of the residential flat building site including adjacent street tree planting and open space planting.

Principle 7: Amenity	The proposal generally complies with the requirements of SEPP 65 and the recommended standards of the RDC in terms of achieving satisfactory residential amenity. Non-compliances with RDC rule of thumb controls has been mitigated to ensure units achieve satisfactory access to ventilation and landscaped areas.
Principle 8: Safety and Security	The development has been designed with the Department's guidelines 'Crime prevention and the assessment of development applications'. The development provides clear boundaries between public and private areas, the development offers opportunities for passive surveillance and uncluttered pedestrian areas illuminated by street lamps.
Principle 9: Social Dimensions and Housing Affordability	The proposal will provide a range of 1, 2 and 3 bedroom apartments of various sizes and configurations to suit different household types and to ensure the creation of a mixed and balanced community. The provision will assist towards achieving the sub-regional targets set within the Draft Inner North Sub-regional Strategy. The overall development of the site will provide a quality environment for residents with associated open space and recreational areas in close proximity to services and infrastructure.
Principle 10: Aesthetics	The building's facades are well articulated and include a variety of element, materials and finishes which provide an interesting visual appeal. The buildings will contribute towards a desirable streetscape character, complementing the character of proposed surrounding development.

An assessment of the proposed residential flat building against the Residential Flat Design Code is set out in the table below:

	RFDC requirement	Proposed	Complies?
Part 1 Local Context			
Building Depth	10-18 metres	11-18 metres	YES
Building Separation (habitable rooms & balconies)	five+ storeys : 18m	25 metres to closest dwellings	YES
Street Setbacks	Compatible with desired streetscape character	New streetscape established, and therefore compatible	YES
Part 2 Site Design			
Deep Soil Landscaping	Min 25% of open space	68% of site (10,790m ² of 15,910m ²)	YES
Communal Open Space	25-30% of site area, larger for large sites	open space across the site as per concept plan	YES
Private Open Space (ground floor)	25m ² with minimum width of 4m	17m ² -60m ² Including widths of 1.7 – 4m	Non-compliance is acceptable (see Section 5.4)
Part 3 Building Design			
Acoustic Privacy	Separate noisier spaces from quieter spaces	Bedrooms are generally located away from common walls with living spaces of other units.	YES
Solar Access	70% achieve 3hrs of sunlight between 9am-3pm on 21 June	70%	YES
Single aspect units	Limit those with southerly aspect to no more than 10%	0%	YES
Naturally cross ventilated	Min 60% of units	55%	Non-compliance is acceptable (see Section 5.4)
Max No. of units off a circulation core	Max 8 units	5	YES

Kitchens with natural ventilation	Min 25%	66%	YES
Apartment Size (min)-	1 bedroom = 50m ² - 63.4m ² 2 bedroom = 70m ² -121m ² 3 bedroom = 95m ² -124m ²	1bed = 56 ² - 80.5 ² 2 bed= 78.5m ² - 102m ² 3 bed = 111m ² - 113m ²	YES YES
Balcony Depth	Min 2m	All units include balconies with depths greater than 2m	YES
Floor to ceiling heights	≥2.7m	2.7m	YES
Storage	2 bedroom unit- 8m ³ 3 bedroom unit- 10m ³	2 bedroom 5m ³ 3 bedroom 10m ³	NO

In light of the assessment detailed above, it is considered that the proposal displays an acceptable level of consistency with the Principles in SEPP 65 and the RFDC.

State Environmental Planning Policy (Infrastructure) 2007

The proposal was referred to Road and Maritime Services (RMS (then the RTA)) in accordance with Clauses 101 'Developments with frontage to classified roads' and Clause 104 'Traffic Generating Development' of the Infrastructure SEPP. Referral comments received from the RMS have been discussed in Section 4 of this report. Relevant recommended conditions have been included within the recommendation.

State Environmental Planning Policy No. 55- Remediation of Land

A contamination study was submitted to the Department prior to the lodgement of the first project application relating to the site, in accordance with the requirements of the approved Concept Plan. The report concluded that the site was suitable for the proposed development subject to compliance with the recommendations of the report. This has been included within the recommended conditions.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

SEPP - BASIX aims to establish a scheme to encourage sustainable residential development across New South Wales. The current targets of BASIX for Residential Flat Buildings commenced on 1 July 2006 and require 6 storey buildings in Sydney to meet targets of a 20% reduction in energy use and 40% reduction in potable water. A BASIX certificate has been submitted for the proposal which indicate that the flat building will satisfactorily meet the BASIX targets with a 29% reduction in energy use and a 40% reduction in potable water. New dwellings have targets of 40% reduction in energy use and 40% reduction in potable water. The proposed new dwellings will achieve these targets with a 45% - 50% reduction in energy use and a 45% - 47% reduction in potable water.

City of Ryde LEP 2010

The proposal site is zoned 'R1 - General Residential' under the City of Ryde LEP 2010. The proposal is permissible under the LEP and is consistent with the objectives of the zone, being: "to provide for the housing needs of the community and to provide for a variety of housing types and densities". The proposal also complies with the relevant development standards under the LEP as demonstrated in the following table:

	Control	Proposed	Complies?
Building Heights	18.5m- Central area 11.5m- western arm of site 9.5m- southern strip	≤18.5m ≤11.5m ≤9.5m	YES
FSR	2.9:1- Central area 0.88:1- western arm of site 0.33:1- southern strip	Not supplied for amended plans but original scheme indicated 0.45:1; 0.55:1 and 0.33:1 respectively.	YES
Maximum Density	50 dwellings per hectare	32 dwellings per hectare	YES

APPENDIX F POLITICAL DONATION DISCLOSURES

See the Department's website at www.majorprojects.planning.nsw.gov.au

APPENDIX G RECOMMENDED CONDITIONS OF APPROVAL
