



MODIFICATION REQUEST:

***Residential Development Stage 1 Phase 1
Royal Rehabilitation Centre, Ryde***

MP10_0189 MOD 3

***Redesign of Main Lobbies, Removal of Entry
Portico & Other Minor Changes.***

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

February 2014

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1. BACKGROUND

The purpose of this report is to assess a request to modify the approved Project Application (MP 10_0189) for Stage 1 Phase 1 of the Royal Rehabilitation Centre redevelopment pursuant to Section 75W of the Environmental Planning and Assessment Act 1979 ('the EP&A Act'). The application seeks to modify the approved apartment building by redesigning the main entry lobbies and make minor changes to the disabled access to the basement parking areas.

1.1 The Site

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 (**Figure 1**). The Royal Rehabilitation Centre Sydney (RRCS) site was previously used for the purposes of medical care with an emphasis on rehabilitation and research functions.

The overall Concept Plan site has an area of 15.83ha, while Stage 1 Phase 1 site (to which this application relates) has an area of 3.58ha.



Figure 1: RRCS Site (outlined in blue) and Stage 1 Phase 1 to which MP10_0189 relates (shaded red)

1.2 Previous Approvals

Previous Approvals

On 23 March 2006, Concept Plan MP 05_0001 was approved by the then Minister for Planning for the construction of a purpose built specialised rehabilitation and disability facility, residential development comprising various mixes and types of dwellings, landscaped public and private open space, associated services and infrastructure. The Concept Plan was subsequently modified on 8 March 2013 amending the approved building layout of the Stage 1 residential development.

The site was listed as a State Significant Site on 2 August 2006, and that listing provided planning controls and land use zones in accordance with State Environmental Planning Policy (Major Development) 2005 (MD SEPP). The controls are generally consistent with the Concept Plan Approval and have been subsequently transferred across to the Ryde Local Environmental Plan 2010 (Ryde LEP) which was gazetted on 30 June 2010.

On 1 May 2012, the Planning Assessment Commission (PAC) approved a Project Application (MP 10_0189) for the Residential Development of Stage 1, Phase 1 comprising 69 dwelling houses, a residential flat building incorporating 47 dwellings, public domain works, landscaping and subdivision. The approval was subsequently modified as follows:

- On 19 September 2012 (MP 10_0189 MOD 1), was approved by the Deputy Director General of Development Assessment and Systems Performance making amendments to the approved residential flat building resulting in the provision of 7 additional residential apartments within the building; and
- On 23 April 2013 (MP 10_0189 MOD 2) was approved by the Executive Director of Development Assessment Systems and Approvals to include two new dwellings lots, include swimming pools in two pre existing lots, modify the building types on Lots 106 107 and 108, adjust finished floor levels and heights of dwellings on Road 4 and Road 5, as well as landscaping and design changes to facilitate the retention of a significant tree on site.

It is this Project Application that is to be further modified by the current application.

2. PROPOSED MODIFICATION

The proponent seeks to modify the design of the approved apartment building. The redesign includes:

- a reconfiguration of the main entry lobbies to include the apartment's letter boxes;
- provide raked ceilings;
- deleting the entry portico;
- modifications to the disabled entry to the basement to allow for segregated pedestrian and vehicle access to the basement; and
- minor design changes to the roof above unit 28B, a change in the balustrade for unit 5A and the removal of a bathroom window for unit 5A.

As a result of the proposed modifications, existing condition A2 is proposed to be amended to include the revised plans. The proposed changes are further detailed in Figures 2 to 5 and Appendix A.

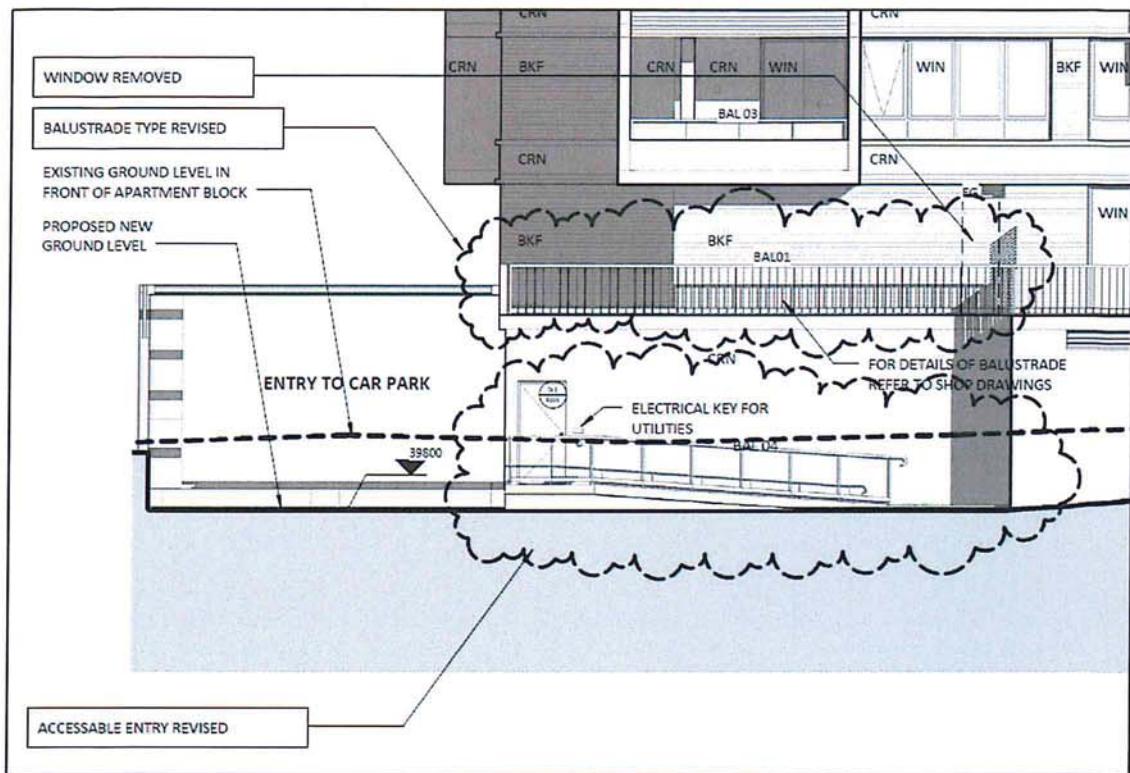


Figure 2: Revised disabled access and changes to ground floor unit 5A. (Source proponent's application)

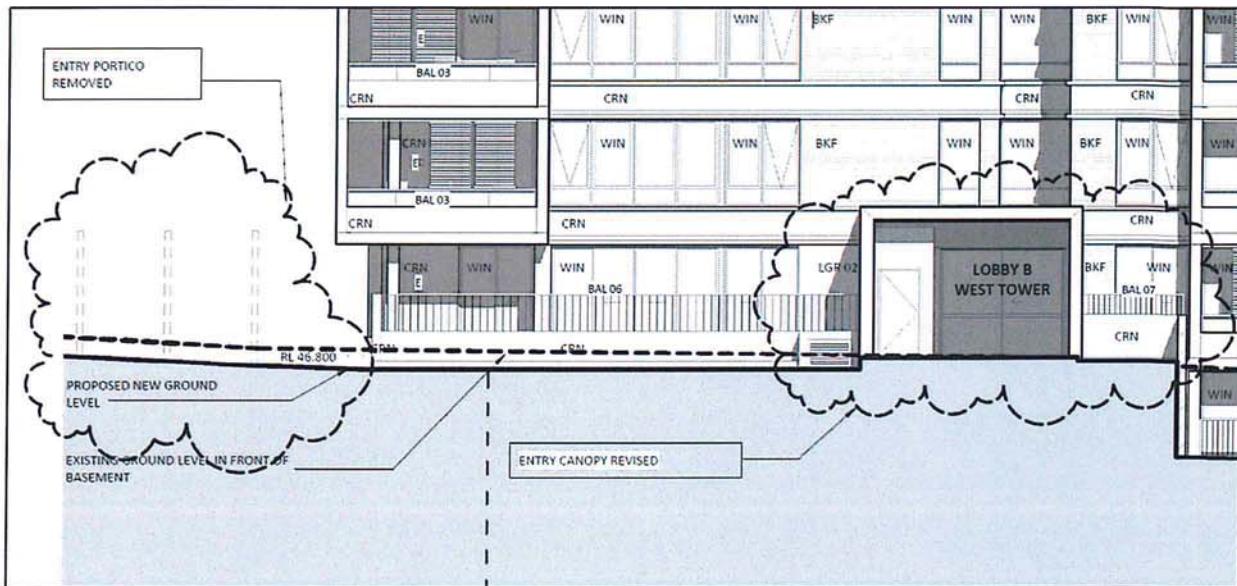


Figure 3: Removal of Entry Portico and revised Lobby B entry. (Source proponent's application)

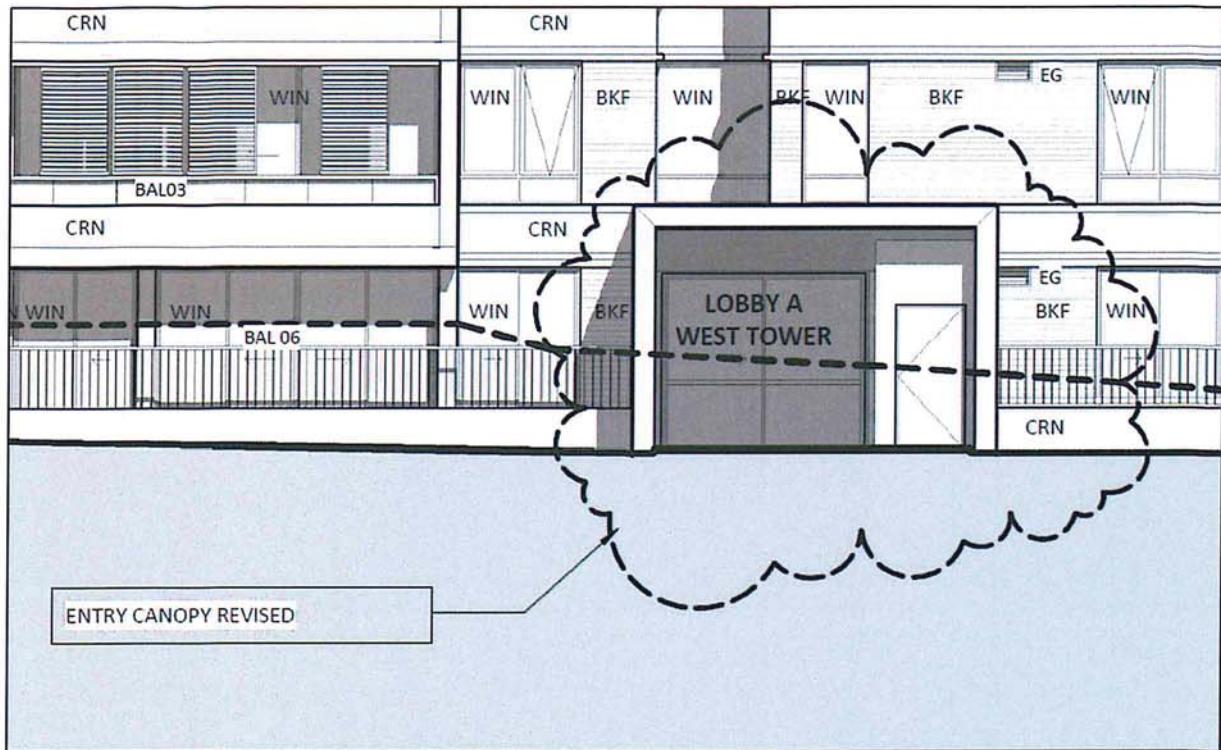


Figure 4: Revised Lobby A entry. (Source proponent's application)

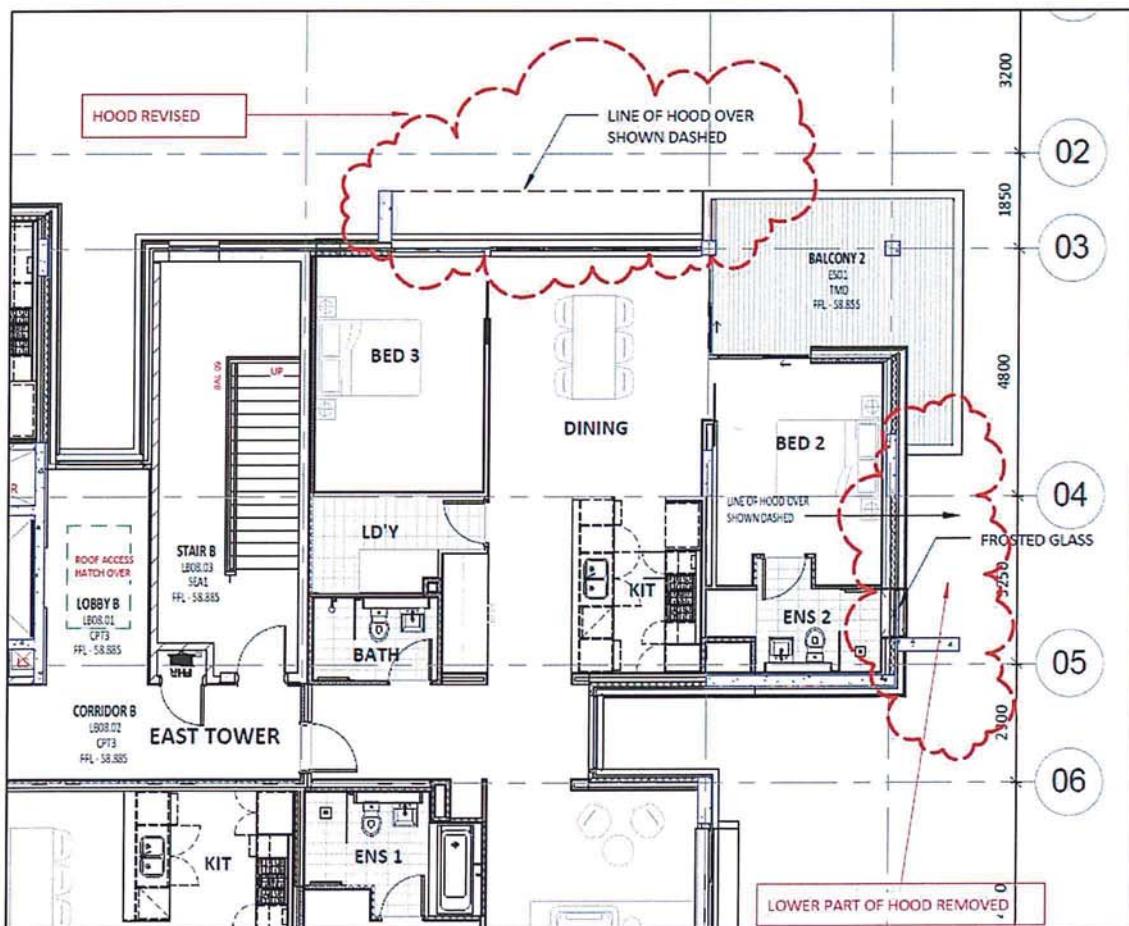


Figure 5: Removal of architectural features on Level 5. (Source proponent's application)

3. STATUTORY CONTEXT

3.1 Continuation of Part 3A

Under Clause 3C of Schedule 6A to the Environmental Planning & Assessment Act 1979 (the Act), Section 75W of the Act (as in force immediately before its repeal on 1 October 2011) continues to apply for the purpose of the modification of a Project Application approved before or after the repeal of Part 3A.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Department may approve or disapprove of the modification to the project under Section 75W of the Act.

3.2 Modification of the Minister's Approval

The modification application has been lodged with the Director-General pursuant to Section 75W of the Act. Section 75W provides for the modification of a Minister's approval including "revoking or varying a condition of approval or imposing an additional condition of the approval".

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval. However, in this instance, the proposal seeks to modify approved plans and plan references listed in the conditions imposed on the Project Application approval and therefore the Minister's approval is required.

3.3 Environmental Assessment Requirements

No additional environmental assessment requirements were issued with respect to the proposed modification, as sufficient information has been provided to the Department in order to consider the application and the issues raised remain consistent with the key assessment requirements addressed in the original DGRs.

3.4 Delegated Authority

On the 4th April 2013, the Minister delegated his functions to determine Section 75W modification requests to the Department where:

- the relevant local council has not made an objection; and
- a political donation disclosure statement has been made, but only in respect of a previous related application; and
- there are less than 10 public submissions objecting to the modification request.

No public submissions were received and Ryde City Council did not object to the proposal. While a donation has not been disclosed in relation to this modification request, a statement disclosing a reportable political donation was made with respect to the Concept Plan (MP05_0001).

Accordingly, Executive Director of Development Assessment Systems and Approvals may determine this application.

4. CONSULTATION AND SUBMISSIONS

Under Section 75W of the Act, a request to modify an approval does not require public exhibition. However, under Section 75X(2)(f), the Director-General is required to make publicly available requests for modifications of approvals given by the Minister.

In accordance with clause 8G of the Environmental Planning and Assessment Regulation 2000, the application to modify the approval was made publically available on the Department's website and was referred to Ryde Council.

Ryde Council did not object to the proposed modification and no public submissions were received.

5. ASSESSMENT

The department considers the key issues for the proposed modification to be amenity and design.

Amenity

The proposed modifications will allow for improved amenity for users of the building. The proposed disabled access increases the accessibility of the basement and allows for persons in a wheelchair to have safe and secure access to the car parking and bin storage area. The access ramp also allows for bicycle users to access the bicycle storage area safely without the need to use the vehicular access ramp or internal vehicle circulation area.

The proposed redesign of the lobbies to include the building's postal boxes allows for a secure and weather proof area allowing residents to access their mail without the need to leave the building. The lobbies are large enough to accommodate the post boxes without impeding access to the building. The raking of the ceiling to increase the flow of smoke presents a improved fire engineering solution to that of the original design.

Design

The proposed design changes to the building, including the change of balustrade type on unit 5A, removal of the adjacent planting bed and modification of the roofing sections above unit 28B are minor in nature and are not considered to effect the design quality of the building.

6. CONCLUSION

The department is satisfied that this modification falls within the scope of Section 75W of the Act. The proposed modification does not change the original assessment as to the site's suitability for this development.

The proposed changes increase the amenity and safety of the building in the event of the emergency with negligible impacts on the surrounding development or future occupants of the building.

The development, as proposed to be modified, would remain consistent with the Project Approval, and will not result any unacceptable environmental impacts.

Consequently, no issue is raised with the proposal and the subsequent amendment of Condition A2 to update the plans to reflect the proposed changes.

7. RECOMMENDATION

It is recommended that the Director, Industry, Key Sites and Social Projects:

- (A) Consider the 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 (**Appendix C**).

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Endorsed:



20.2.14.

Ben Lusher
Manager, Key Sites and Social Projects



20/2/14

Daniel Keary
Director
Industry, Key Sites and Social Projects

Approved:

Chris Wilson
Executive Director
Development Assessment Systems and Approvals

APPENDIX A MODIFICATION REQUEST

See the Department's website at

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id= 6208](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6208)

APPENDIX B SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6208