



MODIFICATION REQUEST:

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

MP10_0189 MOD 4

***Design changes to two dwellings and temporary
use of one dwelling as a Sales and Marketing
Suite.***

Secretary's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

November 2014

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1. BACKGROUND

1.1 Introduction

The purpose of this report is to assess a request to modify the Project Approval (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 (EP&A Act). The application seeks to modify the approval by making minor changes to the design of two dwellings (lots 2 and 23) and permitting the temporary use and fit-out of one of those dwellings (lot 23) as a sales and marketing suite.

1.2 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 overall Concept Plan site has an area of 17.7 hectares, while Stage 1 Phase 1 site (to which this application relates) has an area of 3.58 hectares.



Figure 1: RRCS Site (outlined in blue); Residential Stage 1 Phase 1 area (shaded red); Lots 2 and 23 (circled yellow) (base image source: Nearmap)

Stage 1 Phase 1 includes some completed and occupied dwellings and some dwellings still under construction. Lots 2 and 23 (to which this application relate) are located at the southern end of the site (**Figures 1 and 2**).

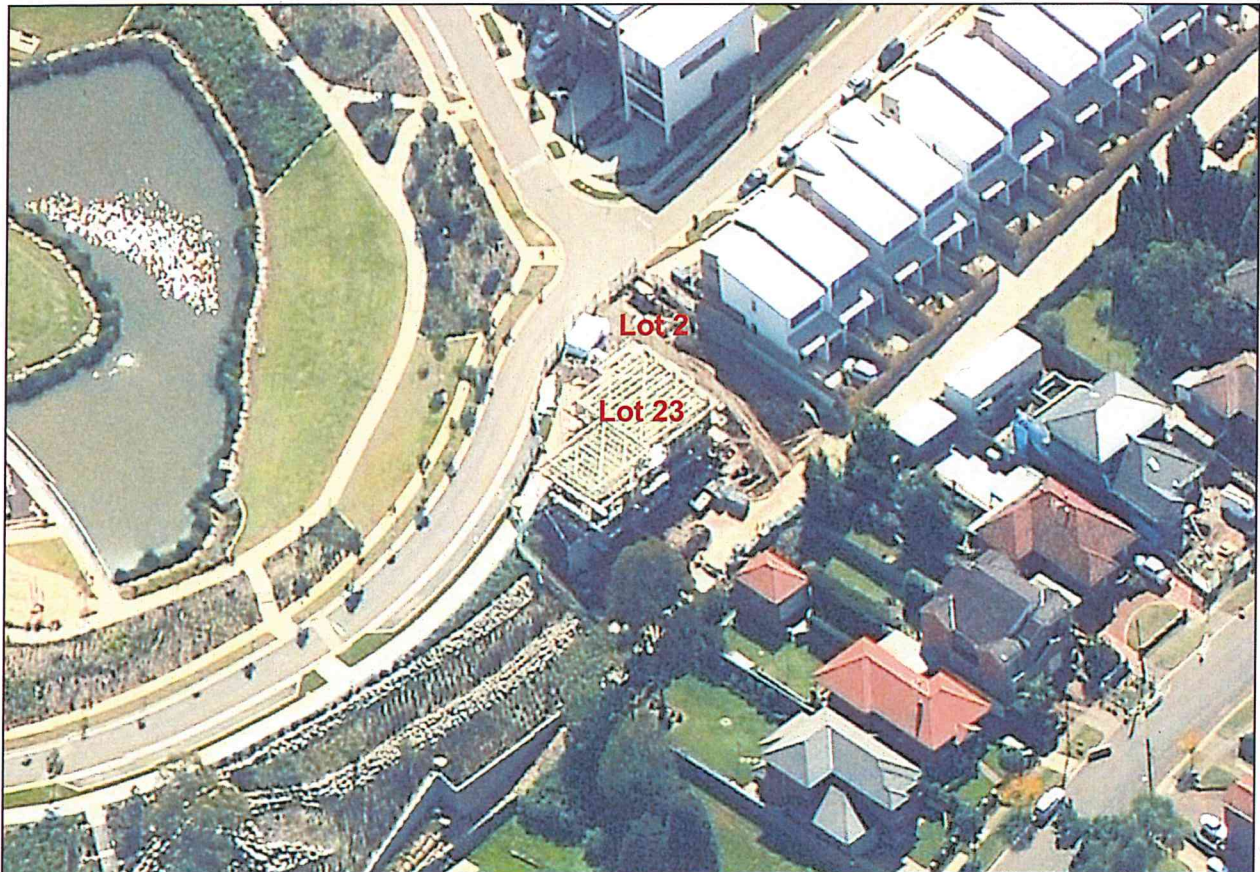


Figure 2: Location of Lots 2 and 23 (base image source: Nearmap)

1.2 Previous Approvals

Concept Plan and Planning Controls

On 23 March 2006, the then Minister for Planning approved the 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, landscaped public and private open space, associated services and infrastructure.

The Concept Approval was subsequently modified (MP 05_0001 MOD 1) on 8 March 2013 amending the approved building layout of the Stage 1 residential development. A modification (MP05_0001 MOD 2) to amend the layout of the Stage 2 residential development has been lodged with the Department and is currently under assessment.

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 Approval and have been subsequently transferred across to the Ryde Local Environmental Plan 2010 (Ryde LEP) which was gazetted on 30 June 2010.

Major Project Application

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 the Deputy Director General of Development Assessment and Systems Performance approved MP 10_0189 MOD 1, making amendments to the approved residential flat building resulting in the provision of 7 additional residential apartments within the building;
- On 23 April 2013 the Executive Director of Development Assessment Systems and Approvals approved MP 10_0189 MOD 2 to include two new dwellings lots, two new swimming pools, modify some building types, adjust some floor levels and heights of dwellings, as well as other minor landscaping and design changes; and
- On 15 March 2014 the Executive Director of Development Assessment Systems and Approvals approved MP 10_0189 MOD 3 to make minor changes to the design of the residential flat building.

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

Other Related Applications

Sydney East Joint Regional Planning Panel has approved a number of Development Applications submitted to Ryde Council for the remainder of Stage 1 which together gave approval for 4 apartment buildings containing 309 dwellings and 16 semi-detached dwelling houses.

On 11 October 2011, City of Ryde Council approved development consent 2011/0477 for the fitout of the existing Hydrotherapy pool building for use as a temporary marketing suite. On 11 April 2013, Council approved a modification, extending the temporary operation of the marketing suite for 18 months.

2. PROPOSED MODIFICATION

The proposal seeks approval for the following modifications:

- (a) the temporary fitout and use of the building on Lot 23 as a sales and marketing suite for a period of 18 months (to market properties within the Stage 2 residential development). Proposed hours of operation would be 9.00am to 6.00pm seven days a week;
- (b) minor changes to the design of the building on Lot 23 (known as Housing Type 2E) including amendments to the roofline and increase of maximum building height by 0.8m, internal reconfiguration of room layouts, amendment of window locations and sizes, and amendments to external building materials; and
- (c) minor changes to the design of the building on Lot 2 (known as Housing Type 2J) including amendments to the roofline and reduction of maximum building height by 0.6m, internal reconfiguration of room layouts, additional awning element on the north-east corner, amendment to the siting of front section of the building (relocated 0.4m to the north-east) and amendments to external building materials.

It is proposed to use an existing 30 space carpark located within the Stage 2 for customer parking associated with the sales and marketing suite.

As a result of the proposed modifications, existing condition A2 is proposed to be amended to include the revised plans and a new condition is sought to permit the temporary use of the dwelling on Lot 23 as a sales and marketing suite. The proposed changes are further detailed in **Figures 3 to 5** and Appendix A.

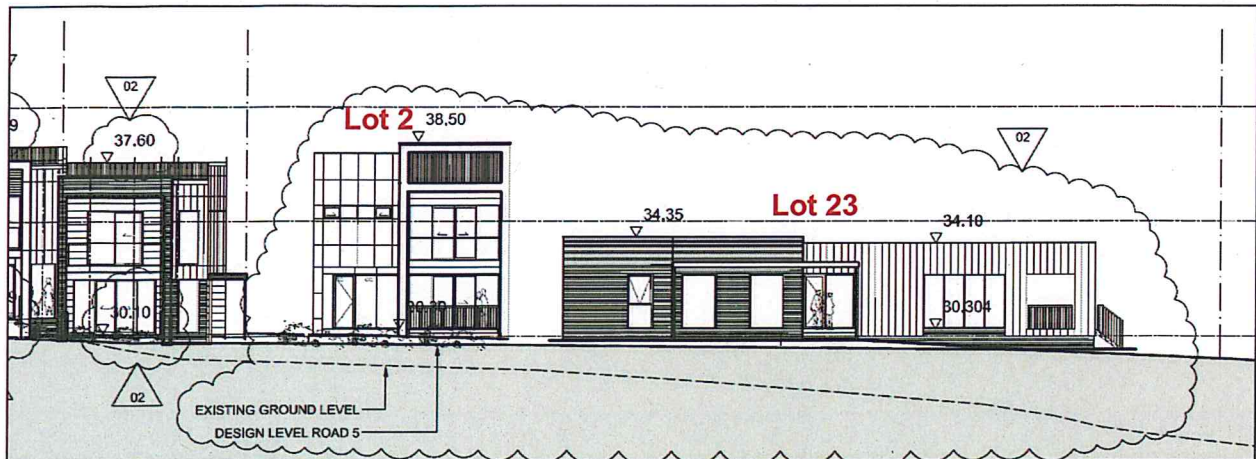


Figure 3: Front elevation as approved (source: MP10_0189 MOD3)

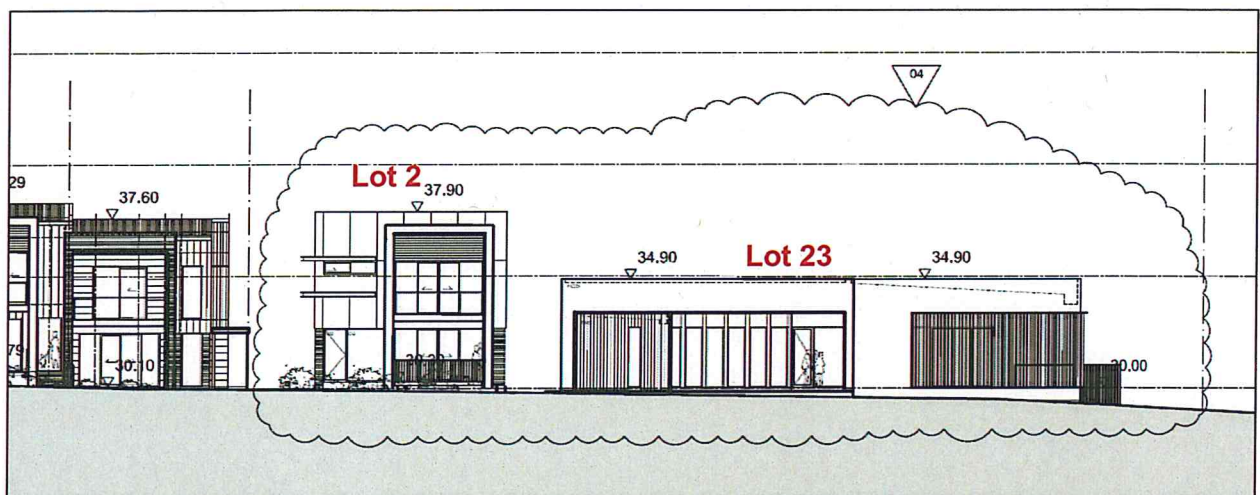


Figure 4: Front elevation as proposed (source: Proponent's Application)

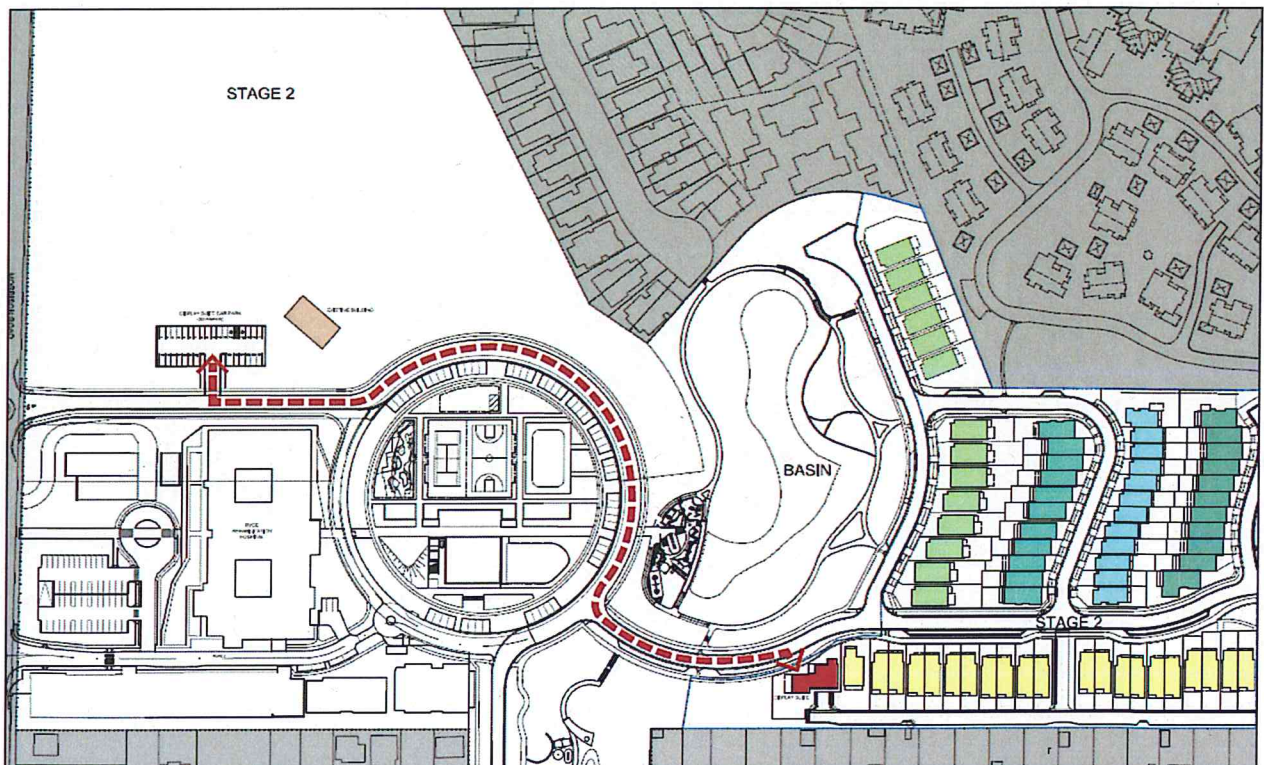


Figure 5: Site layout and parking associated with the sales suite (source: Proponents Application)

3. STATUTORY CONTEXT

3.1 Continuation of Part 3A

In accordance with clause 3 of Schedule 6A of the *Environmental Planning & Assessment Act 1979* (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.

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

3.2 Modification of the Minister's Approval

The modification of the Minister's approval by way of section 75W of the EP&A Act is appropriate because the proposal is consistent with the original Concept and Project Approvals and will have limited environmental consequences.

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 assess the modification application.

3.4 Delegated Authority

In accordance with the Minister's delegation of 10 November 2014, the Executive Director, Infrastructure and Industry Assessments can determine the application as:

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

4. CONSULTATION AND SUBMISSIONS

In accordance with section 75X (2) (f) of the EP&A Act, the Secretary is required to make the modification request publicly available. The modification request was made available on the Department's website and was referred to City of Ryde Council. Adjoining residents and landowners were also notified of the application in writing by mail.

The City of Ryde did not make a submission. One public submission was received, raising the issue of parking and traffic impacts of the proposed sales office.

5. ASSESSMENT

The Department considers the key issues for the proposed modification to be the traffic and parking impacts of the sales suite and the design changes to the two buildings.

Traffic and Parking Impacts of Sales and Marketing Suite

The public submission raised the issue of parking and traffic associated with the sales office, impacting on the Stage 1 residential area.

The proposed sales and marketing suite will replace an existing temporary sales suite that has been in use for the last 3 years to market the Stage 1 properties which will be demolished when the new marketing suite is available (to enable Stage 1 to be completed). As such, the overall traffic and parking impacts of the sales and marketing use across the site will not be substantially altered from the existing situation.

The proponent advises that the location of the suite within the existing Stage 1 residential area has been chosen as a location that would not impede the future construction of Stage 2. However, the suite is located at the far southern corner of the Stage 1 site, away from the remainder of the residential area, and in this regard is well located to minimise impacts on the residential area.

Ryde Development Control Plan 2014 requires parking for offices at the rate of one space per 40m² of GFA. Application of these rates results in a requirement for five spaces for the sales and marketing use. In addition to the two parking spaces within the building that could be used by staff, an existing carpark with 30 parking spaces located within the Stage 2 site (shown in **Figure 5**) will be made available and signposted to encourage customer parking in this location, away from the Stage 1 residential area. In addition, there are 11 on street parking spaces located immediately adjacent to the proposed sales suite on Road 5, also located away from the residential properties in Stage 1. The Department therefore concludes that there is sufficient customer parking available to support the proposed temporary use, without unacceptable impacts to the adjoining residential area.

Design

The proposed design changes to the two buildings are minor in nature and are not considered to adversely affect the design quality of the buildings, the internal amenity of the buildings, or the amenity of neighbouring premises.

The minor increase in building height to Lot 23 results in a building which remains below the height limit of 9.5m for this section of the site and is acceptable in the context of adjoining developments. Proposed internal changes are considered to improve the functionality and amenity of the two dwellings.

6. CONCLUSION

The Department is satisfied that this modification falls within the scope of Section 75W of the Act. The development, as proposed to be modified, would remain consistent with the Project Approval, and will not result any unacceptable environmental impacts.

The Department has assessed the proposed modification to make minor design changes to two buildings and use one building as a temporary sales suite, and concludes that the proposal can be carried out without unacceptable impacts to the surrounding area.

The Department therefore considers the modification should be approved with the amendment of Condition A2 to update the plans and a new condition to reflect the proposed temporary sales use.

7. RECOMMENDATION

It is recommended that the Executive Director, Infrastructure and Industry Assessments, as delegate for the Minister for Planning:

- **consider** the findings and recommendations of this report;
- **approve** the modification, subject to conditions, and;
- **sign** the attached instrument of modification.

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APPENDIX A MODIFICATION REQUEST

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6613

APPENDIX B SUBMISSIONS

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6613

APPENDIX C RECOMMENDED MODIFYING INSTRUMENT
