

Lachlan's Line

North Ryde Station Urban Activation Precinct

State Significant Development SSD 5093

CLAUSE 4.6: EXCEPTIONS TO DEVELOPMENT STANDARDS - FLOOR SPACE RATIO

1. Introduction

The underlying objective of Clause 4.6 is the achievement of “*better outcomes for and from development*”. This objective implies a need to assess not only the positive features of the development but also the positive externalities that arise from the proposed development attributable to the proposed variation to the development standard.

This request to vary the Floor Space Ratio (FSR) development standard contained in Clause 4.4 of the *Ryde Local Environment Plan 2010* (RLEP) accompanies an application for State Significant Development SSD_5093, associated with the Lachlan's Line development on the M2 Site within the North Ryde Station Urban Activation Precinct.

That is, the GFA allocation the subject of this Clause. 4.6 variation request is the result of a reappraisal of the better urban design and planning opportunities on the site, without being inconsistent with the underlying strategic planning objectives for the site.

Accordingly the 'better outcomes' for the site arising from the proposed FSRs are summarised as:

- Significantly improved amenity through a redistribution of permitted GFA from the centre of the site (FSR band “X”, “V1” and “Q”) to the north western (FSR band “W”) and south eastern parts of the site (FSR band “V3”).
- Enhanced definition of Mixed Use and High Density precincts reflective of key entry points into the site and improved configuration of public domain and built form, relative to the urban design outcomes envisaged in the Indicative Layout Plan in the North Ryde Station Precinct Development Control Plan (NRSP DCP).
- Optimisation of the significant urban consolidation opportunity presented by the proximity of the North Ryde Station, major arterial roads and bus routes, access to extensive employment opportunities and a network of public open space and other recreational opportunities, without creating any greater adverse impacts upon surrounding properties in terms of overshadowing, view loss, visual impact or privacy.

2. Proposed Variation

This Clause 4.6 variation seeks to vary the floor space ratio standard stipulated in Clause 4.4 – Floor Space Ratio (FSR) of the Ryde Local Environmental Plan 2010 (RLEP). Clause 4.4 of the RLEP 2010 references an FSR Map. The FSR Map defines the FSR development standards for the site and is illustrated at **Figure 1**.

Clause 4.4 (2) states:

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

FIGURE 1 – RYDE LEP 2010 FSR MAP

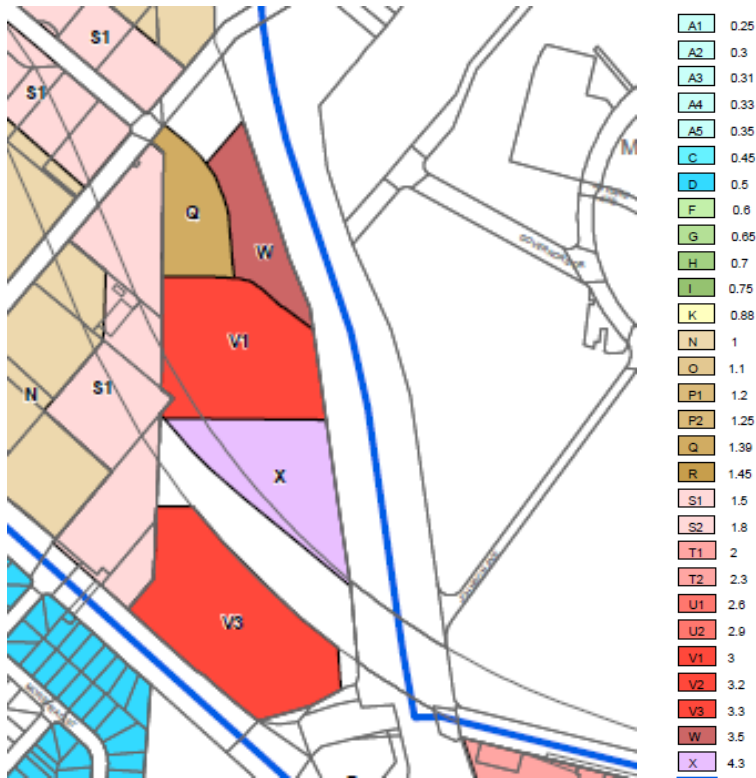


Table 1 provides the FSR bands across the M2 Site.

TABLE 1 – M2 SITE FSR BANDS

FSR BAND	FSR (MAXIMUM)
Q	1.39:1
W	3.5:1
V1	3:1
V3	3.3:1
X	4.3:1

For the purpose of calculating FSR, the RLEP dictionary provides the following definition:

“gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- (a) the area of a mezzanine, and
 - (b) habitable rooms in a basement or an attic, and
 - (c) any shop, auditorium, cinema, and the like, in a basement or attic,
- but excludes:
- (d) any area for common vertical circulation, such as lifts and stairs, and
 - (e) any basement:
 - (i) storage, and
 - (ii) vehicular access, loading areas, garbage and services, and
 - (f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
 - (g) car parking to meet any requirements of the consent authority (including access to that car parking), and
 - (h) any space used for the loading or unloading of goods (including access to it), and
 - (i) terraces and balconies with outer walls less than 1.4 metres high, and
 - (j) voids above a floor at the level of a storey or storey above.

SSDA_5093 proposes a Staged Development Application under Section 83B of the EP&A Act seeking consent for a concept proposal for the following development:

- Subdivision of the site into 11 development lots, 5 public open space lots, and 2 public road lots as shown on the draft Subdivision Plan B1505-B1612-Overall-F prepared by Project Surveyors.
- Allocation of maximum gross floor area on the development lots of 238,919sqm as described in **Table 2** with the buildings for residential accommodation, retail, commercial and business premises, and Drawing No. DA1-03 prepared by Bates Smart Architects.
- Allocation of maximum gross floor area on the public open space Lot 104 of 2,500sqm for a community facility.

TABLE 2 – PROPOSED GFA ALLOCATION

PROPOSED LOT DESCRIPTION	MAXIMUM GFA ALLOCATION (SQM)
Development Lot 104	49,384
Development Lot 105	24,136
Development Lot 107	4,332

PROPOSED LOT DESCRIPTION	MAXIMUM GFA ALLOCATION (SQM)
Development Lot 201	42,949
Development Lot 202	25,626
Development Lot 203	28,468
Development Lot 204	15,764
Development Lot 205	29,210
Development Lot 206	5,413
Development Lot 207	6,883
Development Lot 208	6,754
TOTAL	238,919 (excl. community buildings)

Subsequent development applications for proposed Development Lots will be required to be determined consistently with the proposed GFA allocation.

Figure 2 replicates the GFA Allocation Plan DA1-03, which is provided at **Attachment A**.

FIGURE 2 – PROPOSED GFA ALLOCATION PLAN (SOURCE: BATES SMART ARCHITECTS)

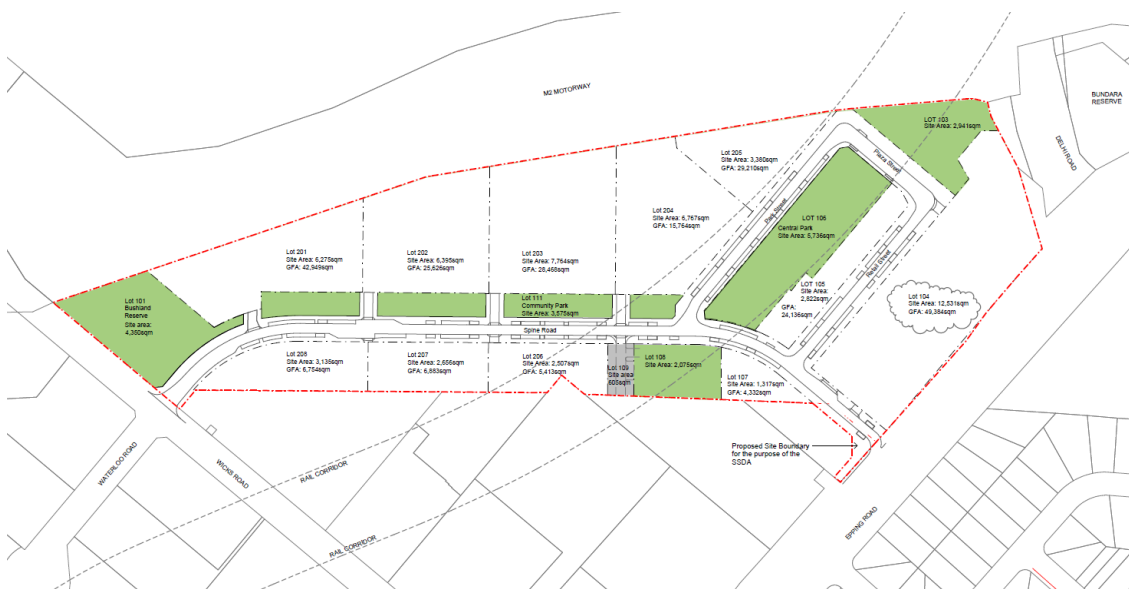


Table 3 provides a summary of the GFA calculations for each of the FSR bands on the subject site.

TABLE 3 – MAXIMUM PERMISSIBLE AND PROPOSED GFA

FSR BAND	SITE AREA ¹ (SQM)	PERMISSIBLE GFA (SQM)	PERMISSIBLE FSR	PROPOSED GFA ² (SQM)	PROPOSED FSR	DIFFERENCE (+/-) (SQM)
W	8,332	29,162	3.5:1	45,701	5.48:1	+16,539
V1	19,853	59,559	3:1	55,607	2.80:1	-4620
Q	8,183	11,374	1.39:1	6,754	0.83:1	-3952
X	14,306	61,515	4.3:1	53,006	3.71:1	-8,509
V3	23,427	77,309	3.3:1	77,851	3.32:1	+542
TOTAL	74,101	238,919		238,919		0

Note to table:

1. Areas of FSR bands are based on GIS coordinates and CAD mapping by the Department of Planning and Infrastructure to prepare the gazetted LEP 2010 Land Zoning, FSR and Height of Building Maps during the North Ryde UAP process.
2. Proposed GFA excludes community facilities to be dedicated to Council.

The overall GFA proposed across all of the proposed development superlots on the M2 site is consistent with the maximum permissible floor space potential for the site calculated by multiplying the applicable FSR standards to each development parcel area identified under the RLEP 2010, and is consistent with the Finalisation Report for the North Ryde Station UAP.

The Cl. 4.6 variation relates to the distribution of GFA across the site, which differs from the gazetted FSR bands.

1. Is the requirement a development standard and if so is it one to which Subclause 8 applies?

The proposed variation relates to the FSR control which is a development standard imposed by Clause 4.4 of the BBLEP 2013. The proposed variation is not a development standard to which clause 4.6(8) applies as it does not contravene a development standard relating to:

- Complying development;
- A commitment set out in *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*; and
- Miscellaneous permissible uses under Clause 5.4.

2. What is the underlying object or purpose of the standard?

The objectives of the FSR development standard are specified in Clause 4.4 of the LEP as:

(1) The objectives of this clause are as follows:

- (a) to provide effective control over the bulk of future development,*
- (b) to allow appropriate levels of development for specific areas,*
- (c) to enable the consent authority to assess and respond appropriately to future infrastructure needs.*

(1A) In addition to the objectives specified in subclause (1), the objectives for the control of floor space ratios on land within the Macquarie Park Corridor are as follows:

- (a) to achieve a consolidation of development around railway stations, with the highest floor space ratios at the station nodes,*
- (b) to allow feasible development of the sites around railway stations and facilitate focal points at the station areas,*
- (c) to ensure that the peripheral locations of the corridor reflect the landscape needs and building setting requirements of the corporate building,*
- (d) to reinforce the importance and function of the central spine (Waterloo Road and Riverside Main Street) with suitable built form,*
- (e) to encourage the provision of a new street network,*
- (f) to provide incentives for redevelopment in return for the provision of the proposed access network as a public benefit.*

Each of the objectives of the FSR standard at Clause 4.4(1) and 4.4(1A) are addressed in the following sections of this report.

3. Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

Non-compliance with the FSR development standard is unreasonable in this circumstance with consideration to:

- Compliance with the objectives of the development standard.
- The underlying objective or purpose is not relevant to the development.
- The underlying objective or purpose would be defeated or thwarted if compliance was required with the standard.

These matters are discussed in detail below.

The proposal meets the objectives of the development standard notwithstanding its non-compliance with the standard.

LGA-Wide objectives to the FSR standard (Cl. 4.4 (1))

Objective:

(a) to provide effective control over the bulk of future development,

Response:

- This objective of the FSR standard is to ensure an appropriate correlation between the size of the site and the extent of any development on that site. The proposed FSRs are consistent with that objective and strict compliance with the FSR standard would not appropriately reflect the development capacity of this particular site.
- The Stage 1 application seeks consent for the maximum development density and intensity of land uses on which future development applications will be based by establishing a GFA for each proposed development lot, notwithstanding that the proposed allocation is higher than some of the FSR bands in the development standard. It is not proposed to exceed the overall GFA permitted across the site.
- Redevelopment of the site in the manner proposed represents an opportunity to enhance the urban design outcomes of the site.
- The objectives of the standard also aim to facilitate development which contributes to the economic growth of the LGA. The proposed GFA distribution will facilitate the supply of housing and resultant expenditure in existing centres. According to Department of Planning and Environment's *NSW Population, Household and Dwelling Projections* for Ryde, the LGA is projected to experience an increase of 14,950 dwellings between 2016 and 2031. The concept proposals will accommodate approximately one fifth of the total anticipated dwelling increase in the LGA.
- The GFA allocation seeks to define the maximum permissible GFA for each proposed development that has been based on an urban design review of the development bulk for each lot and with an overall site-wide perspective with a place based approach will deliver improved urban design outcomes for the site.

Objective:

(b) to allow appropriate levels of development for specific areas,

Response:

Density testing and traffic modelling was undertaken by as part of the rezoning process. As provided in the Finalisation Report, in relation to the rezoning, *"It is estimated a gross floor area of 330,000m² of residential and commercial development could be provided across the precinct. This could provide up to 3,000 new homes and 1,500 commercial and retail jobs"*.

The proposed GFA allocation will deliver the density outcomes for the site that were outlined in the Finalisation report for the rezoning.

The proposed bulk and scale is compatible with the desired future vision for the site as established in the North Ryde Station UAP. The North Ryde Station Precinct establishes the desired future character of the site in Section 2.1: Vision of the NRSP DCP, as follows:

"The vision for the Precinct is for a "Transit Oriented Development" which has direct access to North Ryde Station on the Epping to Chatswood Rail Link, and which is connected, accessible, permeable and has a high base population density. The Precinct's development will encourage

greater activity around the railway station through the inclusion of suitable land uses to encourage greater use of the public transport network.

The vision for the Precinct also seeks to:

- *Maximise public transport patronage through the appropriate placement of compatible land uses and improvements in accessibility and connectivity through the Precinct and to North Ryde Station.*
- *Represent ‘place making’ through activation of the space, creation of a destination and creation of identifiable landmarks, including an appropriate mix of uses and community facilities.*
- *Create communities that are well connected to employment areas via public transport, pedestrian and bicycle links.*
- *Create integrated open space and public domain spaces encouraging their use and activation by key buildings.*
- *Create liveability through innovation, leading edge design and sustainability.*
- *Provide a logical extension of urban areas for employment, residential, retail and commercial land uses”.*
- The concept proposal for GFA allocation, and high quality public domain embellishments sought in SSD_5093 include provision of:
 - The proposed GFA allocation to proposed development lots that is consistent with the permissible land uses, in the B4 Mixed Use and R4 High Density Residential Zones, which will maximise public transport patronage, with people living within walking distance of the North Ryde train station. The proposed retail centre within proposed Lot 104 and 105 is to provide local residents retail and business services within easy walking distance, which will further minimise dependence on automobiles.
 - A high quality public domain framework with a variety of public open spaces, parks, and plazas. A place-based approach has informed the preparation of the concept proposal for GFA allocation, through the built form and public domain design principles employed for the site.
 - Provision for a network of pedestrian/cycle paths with links to public transport and a hierarchy of local roads that provide accessibility through the site and connections with its surrounds.
 - A variety and interest in building heights and forms.
 - A mix of housing types and choices.
 - Development that is respectful of existing site attributes and surrounding residential properties.
 - Appropriate design and management of the interface between development in the Mixed Use Zone and High Density Residential Zone.
 - The GFA allocation has been carefully tested by leading Urban Designers and Architects to ensure that a high standard of residential amenity and liveability that can be realised in future development applications for built form.

Section 3.1.2 of the NRSP DCP provides objectives and controls for the Indicative Layout Plan for the North Ryde Station Precinct. The indicative layout for the NRSP is shown in Figure 3 of the RSP DCP and the purpose of the ILP is described, as follows:

“The indicative layout plan been developed to achieve the target yields necessary to support the site’s development as a Transit Oriented Development while maximising resident and user amenity. It proposes the creation of three distinct neighbourhoods:

- *Station precinct*
- *Mixed use precinct*
- *High density residential precinct”.*

The controls for the ILP state that:

“All development applications are to be generally in accordance with the Indicative Layout Plan. However, the Indicative Layout Plan is preliminary only and shows one option for development of the Precinct. An alternative layout can be considered”.

- The DCP therefore contemplates that the ILP is preliminary only and that other options can be considered.
- The Concept Proposal for GFA allocation to the development lots varies from the FSR bands in the RLEP, as those bands reflect an Indicative Layout Plan, which had its genesis in a concept layout prepared by the previous site owners. **Figure 1** illustrates the Master Plan layout and building height map prepared by Transport for NSW, that informed the gazetted FSR bands and the ILP that appears in the NRSP DCP (**Figure 2**).
- As foreshadowed above, the bulk and scale envisaged as a result of the proposed GFA allocation is generally consistent with the RLEP in relation to the height of buildings,
- The proposed GFA allocation refines the GFA distribution across the M2 Site under the gazetted FSR bands relative to the spatial arrangement of proposed development superlots.

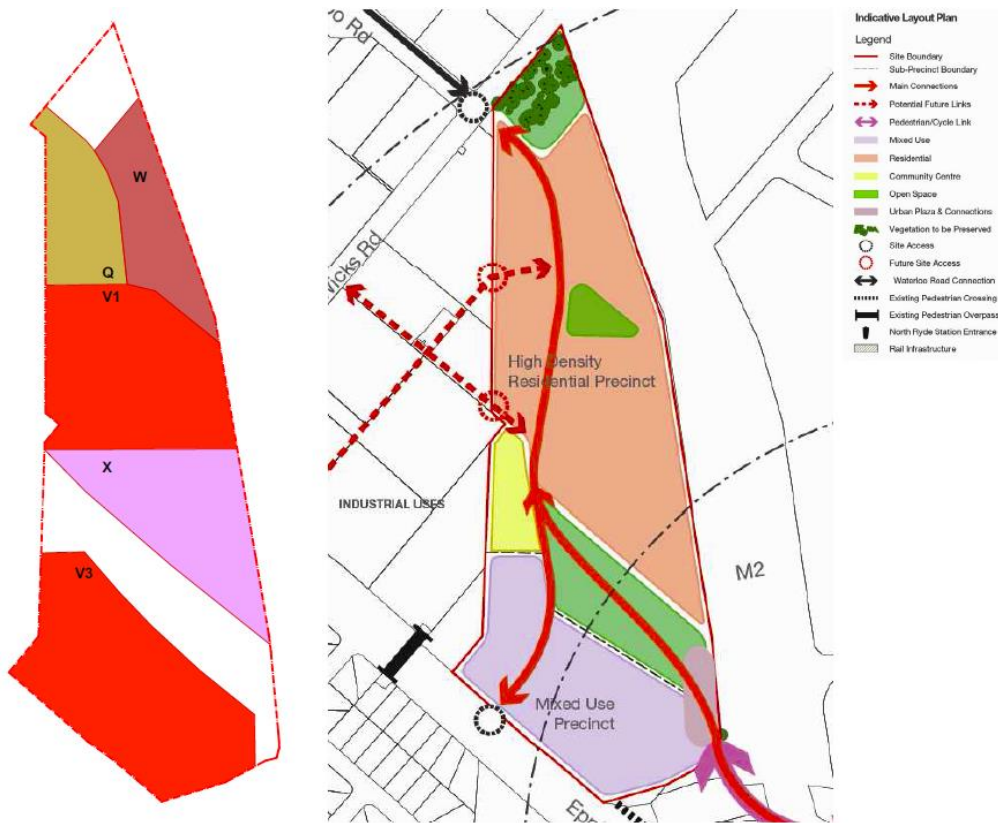
FIGURE 3 - TRANSPORT FOR NSW MASTER PLAN



FIGURE 4 - TRANSPORT FOR NSW MASTER PLAN, ILLUSTRATIVE 3D BUILDING MASSING VIEW



FIGURE 5 – RYDE LEP FSR BANDS AND NRSP DCP 2013 INDICATIVE LAYOUT PLAN



UrbanGrowth NSW and its consultant team undertook a review of the earlier Master Planning work that informed the gazetted FSR bands and the Indicative Layout Pan in the NRSP DCP, and raised a number of issues, including:

- Apartment towers were predominately orientated to east and west and overlook the cemetery and motorway, which will be a major deterrent to a large portion of the market;
- Inefficient road layout increasing construction costs and long term maintenance and unnecessary for access and servicing development lots;
- Large super lots with shared podiums and basements offer limited opportunities for staging;
- Mixed Use Precinct lot subdivision unable to accommodate a full line supermarket; and
- High percentage of non-residential land that is unlikely to generate commercial interest.

The proposed distribution of GFA was developed Master Planning work prepared by Bates Smart Architects. The GFA Allocation Plan at Attachment A has been prepared, having regard to the following urban design principles:

- a. Alignment of the Spine Road linking Epping Road and Wicks Road.
- b. Providing open space at the northern and central parts of the site consistent with the Ryde LEP and DCP.

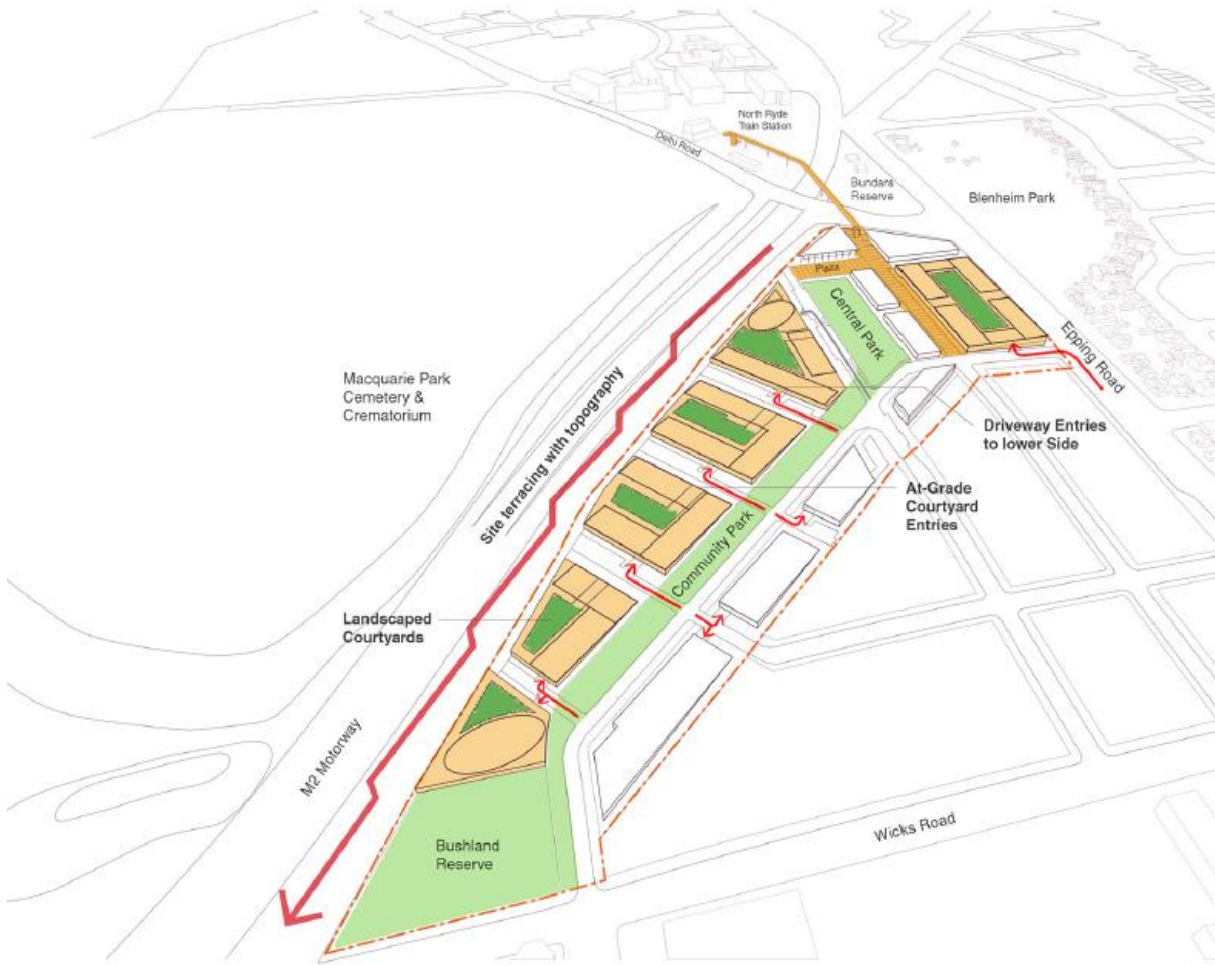
- c. Providing a linear Park that links the Central Park with the Northern Bushland Park with a width of 16 metres that provides a large number of buildings along its length with a park frontage, and defines a pedestrian and cycle route through the site to the station. The linear park forms part of an integrated water sensitive urban design strategy for the site.
- d. A Retail Street is located on axis with the proposed pedestrian bridge. It divides the land between the Central Park and Epping Road into a wide land parcel towards Epping Road and a narrower parcel (Lot 105 and Lot 106) for cafes and neighbourhood retail with dual frontage to the park. The wide parcel (Lot 104) can accommodate large retail tenancies such as a supermarket and showrooms.
- e. A new street is to be extended into the neighbouring site to provide a legible network of neighbourhood streets.
- f. Mews driveways separate the site into development parcels with a width of approximately 65m. These driveways are paved and landscaped spaces that are to provide an address and drop off for the individual buildings as well as visitor parking and access to basement car parking.
- g. Development blocks of varying sizes and configurations are proposed. A number of blocks have potential for further subdivision. A flexible staging strategy is accommodated to address market demands both in overall block sizes and the ability to stage larger blocks.
- h. Built form that will achieve a high standard of amenity for building occupants, demonstrated through consistency with the design quality principles of SEPP 65 and the rules of thumb guidelines of SEPP 65, employed during the testing of the proposed GFA allocation for each proposed development lot.

The Master Planning work that informed the proposed GFA allocation was prepared having regard to the built form considerations described and illustrated, as follows:

Site terraces and courtyards

The future finished ground levels are proposed to minimise excavation and off-site removal of fill. This strategy creates a series of terraces, stepping down the site from south to north. Terraced courtyard levels allow for at-grade access from the southern edge of each block. Carpark entries will typically be located from the northern and lower edge of each block (**Figure 6**).

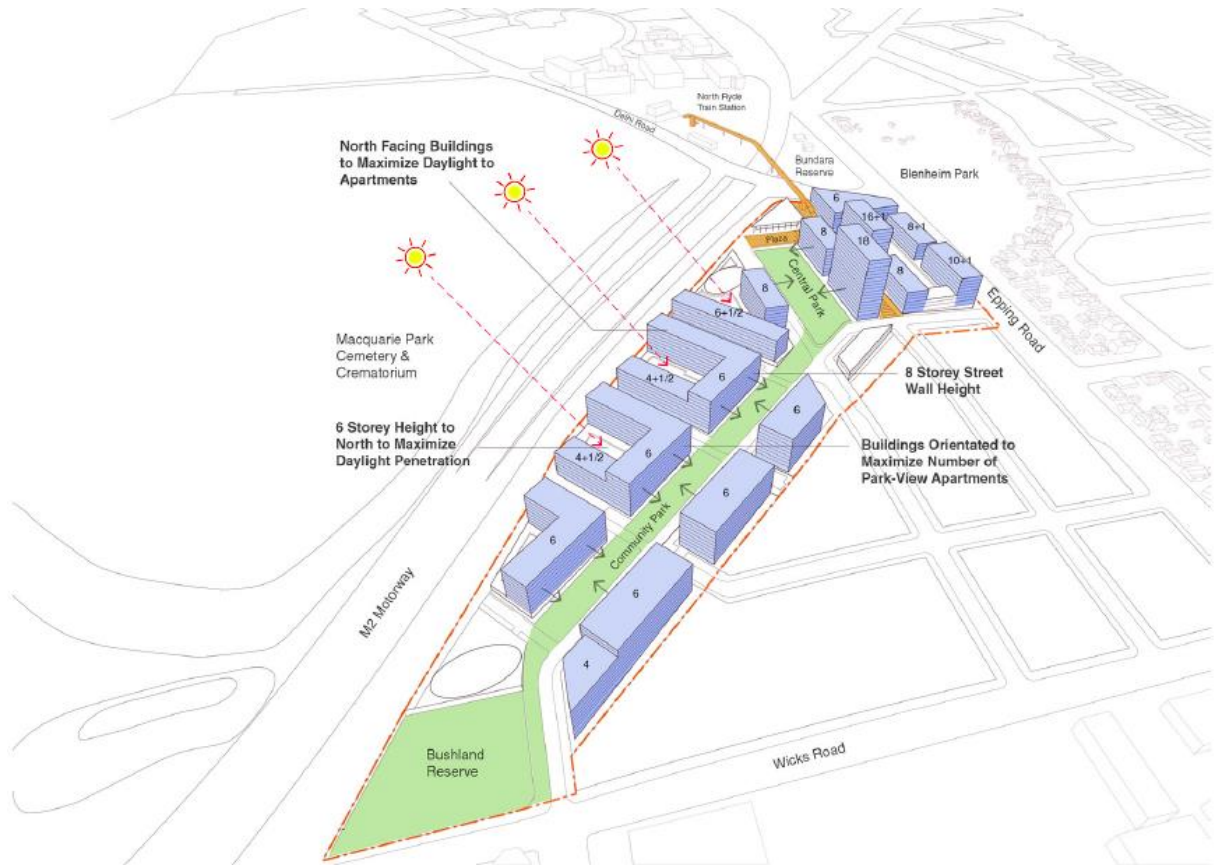
FIGURE 6 – SITE TERRACES AND COURTYARDS



Consistent block edge built form

Perimeter block buildings of 6-8 storeys in height define a consistent human scale to streets and public open spaces (**Figure 7**).

FIGURE 7 – CONSISTENT BLOCK EDGE BUILT FORM

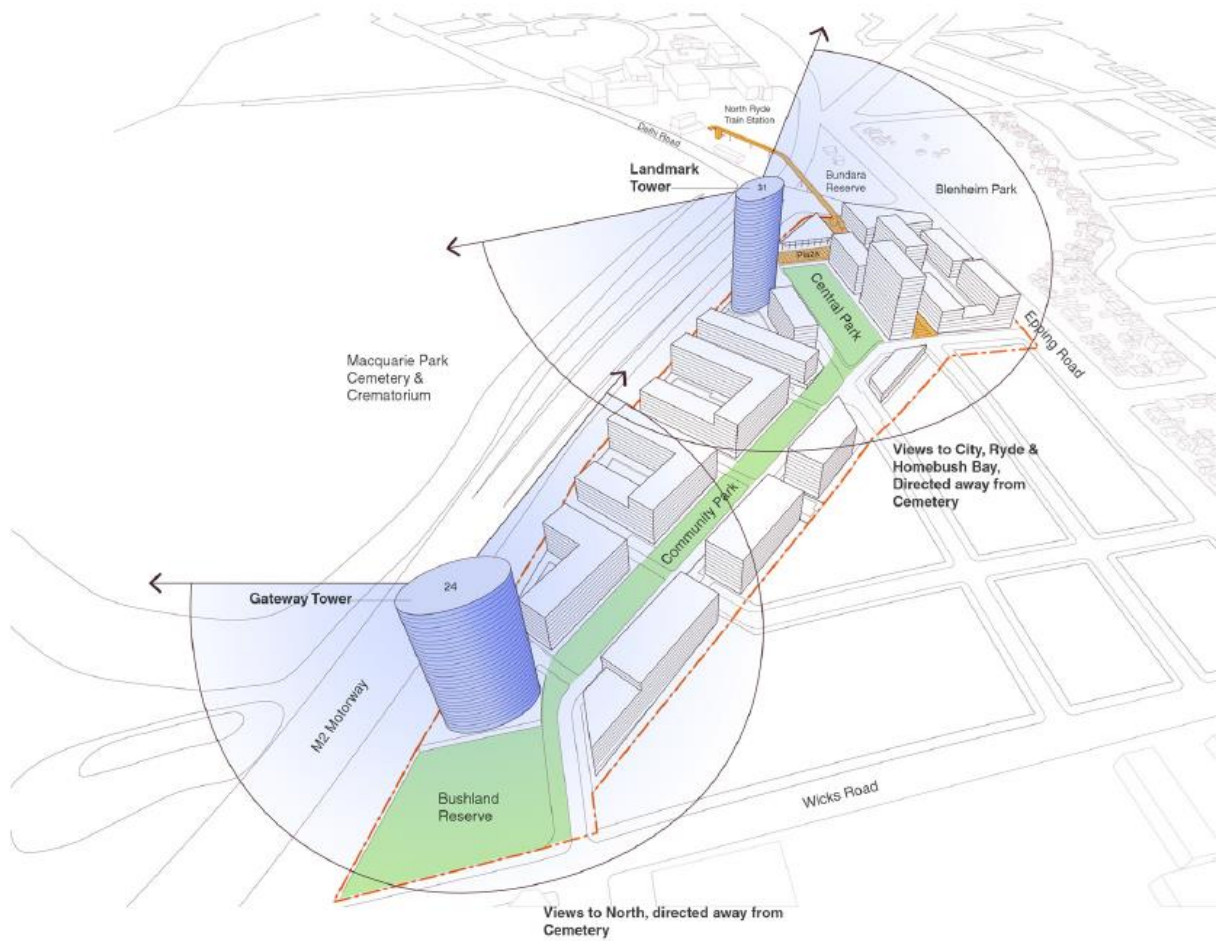


Landmark towers

A 31 storey tower to the north and a 24 storey tower to the south form urban markers that terminate either end of residential precinct. These landmark towers are located to minimise shadow impact on public open space with apartments orientated to capture bushland views to the north, the Blue Mountains to the west and the city to the south east while limiting views of the cemetery (Figure 7).

The Master Planning prepared for Transport for NSW, identified a 20 storey tower in the northern ends of the site (**Figure 8**). A similar scaled tower building of 24 storeys is provided in the Bates Smart Master Plan.

FIGURE 8 – LANDMARK TOWERS



Mid-block towers

Three 24 storey towers are located to the north of the Central Open Space and to the east of the spine road. The three towers are orientated north in a staggered pattern to maximise view sharing (Figure 9).

FIGURE 9 – MID-BLOCK TOWERS

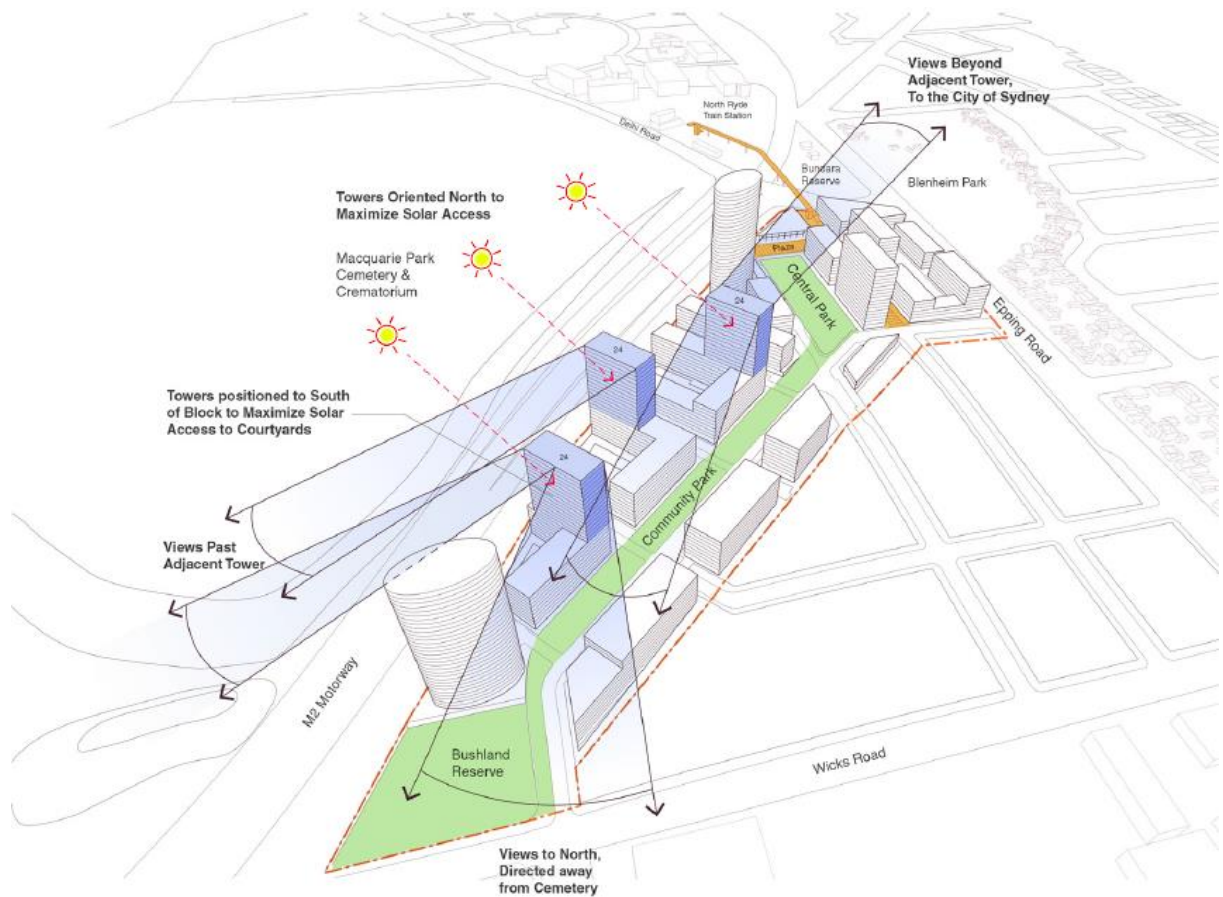
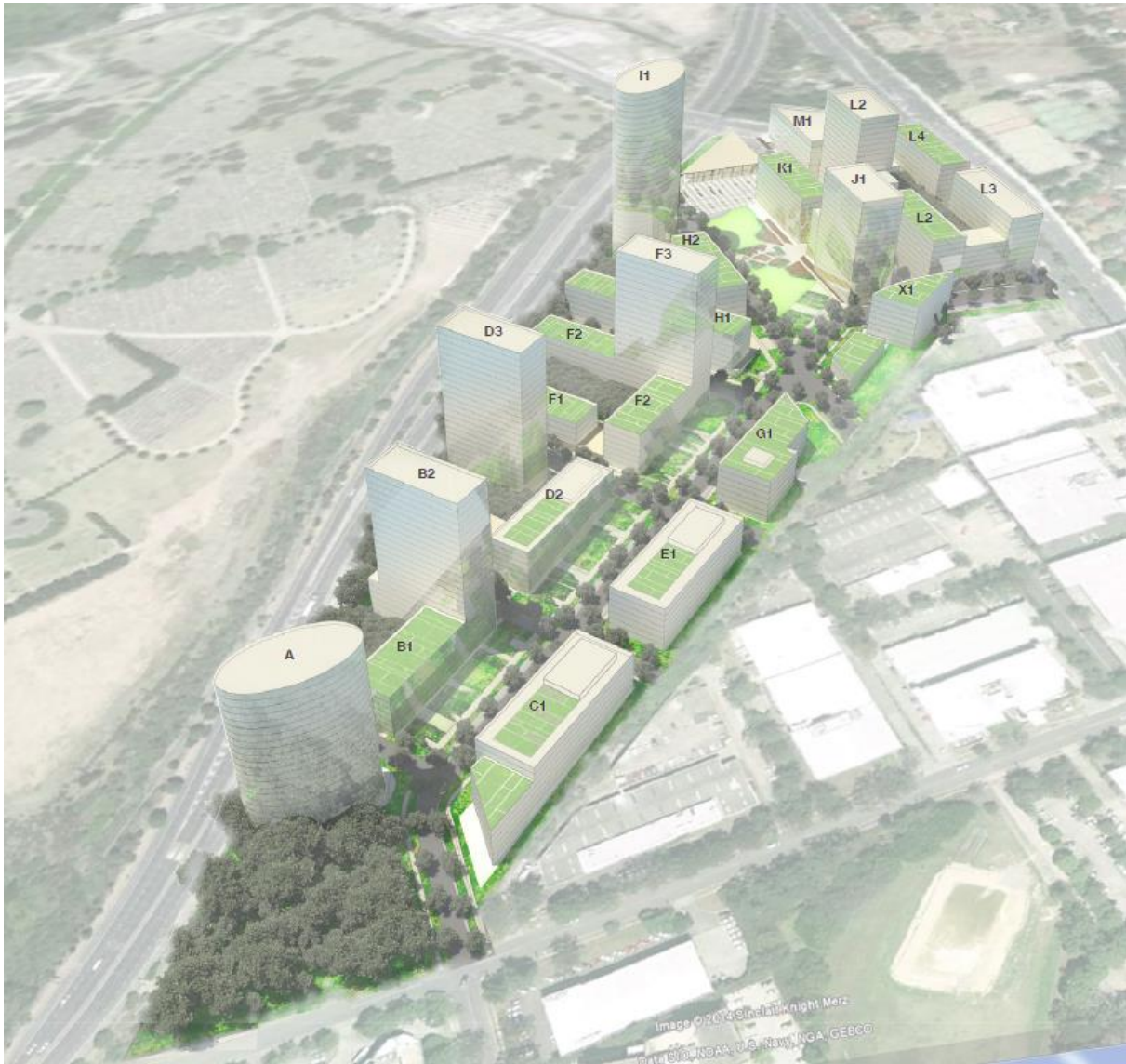


Figure 10 provides an illustrative 3D view of building massing and the public domain, prepared to inform the proposed GFA allocation.

FIGURE 10 - OVERVIEW – ILLUSTRATIVE 3D BUILDING MASSING



Objective:

- (c) *to enable the consent authority to assess and respond appropriately to future infrastructure needs.*

Response:

The work undertaken as part of the rezoning has been supplemented through the Transport Report prepared as part of the SSD_5093 application demonstrates that the proposed density and intensity of land use can be accommodated. Sufficient traffic capacity is proposed that ensures that the density proposed is sustainable having regard to the sites immediate adjacency to public transport services and the regional road system.

The full achievement of the GFA allocation sought in the SSD_5093 application will facilitate the achievement of community facilities and a network of public open space on the site, which provides demonstrable additional public benefits, relative to the Indicative Layout Plan, in the NRSP DCP.

The commitments from Urban Growth NSW to upgrade the regional road network and local infrastructure are documented in the Finalisation Report for the rezoning and carried through into the SSD_5093.

Macquarie Park specific objectives to the FSR standard (Cl. 4.4(1A))

The site is located within the Macquarie Park Corridor. In relation to the relevant objectives for the FSR standard, under Clause 4.4(1A) of the RLEP 2010, that are relevant to the Macquarie Park Corridor:

Objective:

- (a) *to achieve a consolidation of development around railway stations, with the highest floor space ratios at the station nodes,*

Response:

The proposed distribution of GFA has appropriately responded to the broad objective of providing high densities closest to the North Ryde Station as well as the surrounding environment, particularly, solar amenity for residential properties outside of the North Ryde Station UAP.

Density is an important element in creating a walkable and cyclable city. Compact development which concentrates development brings activities closer together, making them more accessible by foot or by bicycle, without the need to use a car for day to day trips. Density also ensures the viability of public transport, which is a one of the key planning and urban design principles for the North Ryde Station Precinct UAP.

The creation of an accessible walking and cycling environment around the North Ryde Station has been assisted in the Bates Smart Master Plan by mapping the walking catchments from the North Ryde and Macquarie Park train station. The walking catchment map at Figure 1 of the Response to Submissions Report shows the potential walkable distance of 800m or approximately a 10 minutes' walk from both train stations.

The road networks are well-connected and there are direct routes for pedestrians and cyclists. Shared pedestrian paths and cycleway existing along Waterloo Road to Macquarie park train station. It is proposed to connect through the site along the proposed Linear Park and the shared pedestrian and cycle bridge to North Ryde Station.

The distribution of floor space from the centre of the site (FSR bands “X” and “V1”) to the northern end of the site (FSR bands “W”), is not inconsistent with the objectives of locating density at the North Ryde Station Node. These areas of the site are within a walkable catchment of the train station.

Objective:

(b) to allow feasible development of the sites around railway stations and facilitate focal points at the station areas,

Response:

The urban design principles adopted for the site in the SSD_5093, have modified the community pocket park identified in the DCP, and provided a larger linear park along the alignment of the Spine Road, that links the Northern Bushland Park to the Central Park. The proposed Linear Park arrangement provides a large number of buildings along its length with a park frontage providing good proximity to open space, and defines a pedestrian and cycle route through the site to the North Ryde Station.

Objective:

(c) to ensure that the peripheral locations of the corridor reflect the landscape needs and building setting requirements of the corporate building,

Response:

This objective is assumed to apply to large commercial office buildings. Notwithstanding this, site specific open space principles have been incorporated in the design of the proposed public domain works, will enhance the setting for future development proposals.

Objective:

(d) to reinforce the importance and function of the central spine (Waterloo Road and Riverside Main Street) with suitable built form,

Response:

SSDA_0593 proposes a different alignment of the Spine Road, through the subject site, as an extension of the central spine through the Macquarie Park corridor between Wicks Road/Waterloo Road intersection and Epping Road. The redistribution of GFA from the central part of the site (FSR Band “Q”, “V1” and “X”) to north western and south eastern ends of the site is not inconsistent with this objective.

Objective:

(e) to encourage the provision of a new street network,

Response:

A new street network is provided for the site, through the State Significant Development provisions of the EP & A Act and the State Environmental Planning Policy (State and Regional Development) 2011 (State and Regional Development SEPP), in SSD_5093.

Objective:

(f) to provide incentives for redevelopment in return for the provision of the proposed access network as a public benefit.

Response:

Although Clause 4.4B of the RLEP 2010 is not strictly a relevant consideration for the North Ryde Station Urban Activation Precinct lands, additional floor space is permitted on land within the Macquarie Park Corridor, with the provision of the proposed access network. The proposed GFA allocation that sees the redistribution of GFA from land that is to be used for a public purpose (future open space and roads) onto the development lots is consistent with this principle.

In conclusion, the proposed distribution of GFA is consistent with the relevant objectives for the FSR standard, in relation to Macquarie Park Corridor.

4. Are there sufficient environmental planning grounds to justify contravening the development standard?

The proposed distribution of GFA is considered reasonable and appropriate on environmental planning grounds for the following reasons:

- The bulk and scale of the proposed development is not inconsistent with the scale of development that is permitted within the North Ryde Station UAP, outlined in the Finalisation Report for the rezoning.
- The external presentation of the development along Ryde Road, the M2 Motorway and Delhi Road and Wicks Road is generally consistent with the relevant built form controls under the RLEP (particularly height of buildings standard) and the NRSP DCP. There will be no significant effect on the residential properties on the southern side of Epping Road in terms of overshadowing, view loss or loss of privacy. There is some change to the placement of building height, however these changes are within what is permitted under the maximum heights in the RLEP.
- The proposed GFA distribution follows a detailed urban design review of the gazetted FSR bands and the Indicative Layout Plan in the NRSP DCP, and will facilitate improved predominantly complies with the provision of the DCP in terms of site layout, interface treatment, height distribution objectives etc, which closely follows the detailed master planning study carried out by Council.

5. Will the proposed development be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out

The proposed distribution of the GFA, which varies from the FSR standard is consistent with the relevant city-wide and Macquarie Park-specific objectives of the FSR standard, as established above. Furthermore, the proposal is consistent with the objectives of the R4 Residential Zones and the B4 Mixed Use Zones in the Land Use Table of the RLEP, which are addressed below:

R4 High Density Residential Zone

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provides facilities or services to meet the day to day needs of residents.*
- *To allow higher density development around transport nodes and commercial and retail centres.*

- *To allow for revitalisation, rehabilitation and redevelopment of residential areas while ensuring that building design does not adversely affect the amenity of the locality.*

The proposed variation of the FSR standard does not prevent the satisfaction of the objectives of the R4 High Density Residential zones and allows for:

- Facilitation of the delivery of a variety of housing types and affordability to meet the needs of the community and wider Ryde LGA. The distribution of floor space facilitates the provision of housing to accommodate the growing population in both the Ryde LGA and the suburb of North Ryde.
- Provision of housing to meet the day to day needs of existing and future residents. The proposal provides an opportunity for high density residential development for approximately 2,400 dwellings across the M2 Site benefitting from existing and proposed recreational land uses alongside proposed convenience retailing to meet the needs of future residents.
- Provision of a range of compatible land uses including open space, retail, community facilities adjacent to residential development in an accessible location adjacent to North Ryde Station with easy access to key centres, including nearby Macquarie Park and Chatswood.
- Provision of development which encourages walking and cycling through shareways and open space linkages.

B4 Mixed Use Zone

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To create vibrant, active and safe communities and economically sound employment centres.*
- *To create safe and attractive environments for pedestrians.*
- *To recognise topography, landscape setting and unique location in design and land-use.*

The proposed variation of the FSR standard does not prevent the satisfaction of the objectives of the B4 Mixed Use Zone and allows for:

- A land use mix including retail, residential, community and open space uses that will contribute to a vibrant mixed use precinct within easy walking distance of the North Ryde Station.
- A range of employment opportunities are facilitated through the development, with an estimated 250 full time equivalent jobs to be created on the site, which will complement the major employment centre of Macquarie Park.
- High quality public domain enhancements are proposed to be established with the development that will create safe and attractive environment for pedestrians;
- A careful and considered approach has been taken to the distribution of GFA across the site, based on a placed bases analysis of the site. Range of enhancements have been made to the previous work that informed the gazetted FSR bands and the Indicative Layout plan in the DCP. The GFA distribution has been the result of considerable analysis of the site topography, landscape setting, the unique location, an optimal land use distribution and site opportunities and constraints.

6. Whether or not non-compliance with the development standard raises any matter of significance for State or Regional environmental planning;

- The objectives of the standard also aim to facilitate development which contributes to the economic growth of the LGA.
- As stated earlier in this report, no change is proposed to the overall maximum permitted GFA, that is achievable on the site in strict compliance with the gazetted GFA bands, or that was envisaged in the Finalisation Report for the rezoning.
- The proposed distribution of GFA will facilitate the supply of housing and resultant expenditure in existing centres. According to Department of Planning and Environment's NSW Population, Household and Dwelling Projections for Ryde, the LGA is projected to experience a population increase of 14,950 between 2016 and 2031. The Lachlan's Line development is capable of accommodating approximately 16% of the dwellings needed in the Ryde LGA.

7. The public benefit of maintaining the development standard.

Strict compliance with the gazetted FSR bands would limit the ability to deliver the following public benefits, provided in SSD_5093:

- Alignment of the Spine Road linking Epping Road and Wicks Road that will effectively manage access through the site, and creates rational arrangements and sizes for development lots.
- Providing a linear park that links the Central Park with the Northern Bushland Park with a width of 16 metres that provides a large number of buildings along its length with a park frontage, and defines a pedestrian and cycle route through the site to the station.
- A Retail Street located on axis with the proposed pedestrian bridge that rationally divides the land between the Central Park and Epping Road into a wide land parcel towards Epping Road and a narrower parcel (Lot 105 and Lot 106) for cafes and neighbourhood retail with dual frontage to the park. The wide parcel (Lot 104) can accommodate large retail tenancies such as a supermarket and showrooms that will provide will provide a local convenience for residents.
- The introduction of mews driveways separate the site into rational development parcels with a width of approximately 65m. These driveways provide an address and drop off for the individual buildings as well as visitor parking and access to basement car parking, which avoids accessing individual developments off the Spine Road.

8. Any other matters required to be taken into consideration by the Director General before granting concurrence.

Not applicable.

9. Conclusion

In conclusion, the assessment above provides a sound basis that justifies the flexible application of the development standard for FSR in this instance. In this case FSR variances are predominately attributable to the proposed alternative subdivision and public domain layout for the site, and the FSR bands having been prepared reflecting specific urban design outcome.

As a consequence it is our strong view that the proposed variation to the FSR development standard will as a consequence lead to a better outcome as required by the objectives of cl.4.6. These are summarised again as follows:

- Facilitates the development density envisaged in the Finalisation Report for the rezoning of the North Ryde Station UAP lands.
- Consistency with the Vision for the North Ryde Station Precinct, without adverse external impacts.
- Significantly improved amenity for all development.
- Enhanced definition of the Mixed Use and High Density Residential precincts reflective of proposed subdivision and road layout.
- GFA distributed within appropriate locations on the site in recognition of the improved urban design outcomes that can be achieved on the site, without creating any greater adverse impacts upon surrounding properties, in terms of:
 - Overshadowing,
 - View loss,
 - Visual impact, or
 - Privacy.
- Consistency with the maximum overall GFA permitted across the site within the gazetted GFA bands and consistent with the objectives of the FSR standard.
- Consistency with the maximum height of building standards.
- Consistency with the B4 Mixed Use and R4 High Density Residential Zone objectives.
- Consistency with residential amenity principles under SEPP 65: Design Quality of Residential Flat Development and the accompanying NSW Residential Flat Design Code 2002.

Attachment A: GFA Allocation Plan