

S75W Modification to Concept Plan MP05_0001 Putney Hill



Royal Rehabilitation Centre Ryde, Ryde

600 Victoria Road, Ryde

Submitted to NSW Department of Planning and Infrastructure
On Behalf of Frasers Putney Pty Ltd

May 2012 ■ 09634

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This report has been prepared by: Michael Oliver/Brendan Hoskins

Signature   Date 16/05/12

This report has been reviewed by: Clare Swan

Signature  Date 16/05/12

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Executive Summary

Background

On 23 March 2006, the Minister for Planning approved a Concept Plan for the Royal Rehabilitation Centre Sydney, Ryde site. Concept Plan approval as described in the Instrument of Approval included:

- 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.

On 15 April 2011 a Project Application for Stage 1 Phase 1 of the residential development of the site was lodged by Frasers Putney with the NSW Department of Planning and Infrastructure for assessment and determination under Part 3A of the *Environmental Planning and Assessment Act 1979*. On 1 May 2012 a Project Approval was granted under Section 74J of the EP&A Act by the Planning Assessment Commission (PAC), as a Part 3A 'transitional project'.

Part 3A of the *Environmental Planning and Assessment Act 1979* was repealed on 1 October 2011, with Schedule 6A of the Act containing transitional arrangements which provide for the ongoing effect of Concept Plan approvals and outline the procedures for their application and amendment.

Need for the Modification

The need to modify the approved Concept Plan scheme was envisaged in the Director General's Assessment Report which noted that the scheme had not been tested by market forces and without any involvement of any nominated residential developer. Since Frasers purchase of the site, a review of the 2005 approved BSA Concept Plan drawings revealed that some key issues were present in the approved layout in terms of design, functionality and marketing of this product.

More detailed knowledge of the site conditions including the location of trees and topography has also been gained since the Concept Plan approval. In addition to this, a significant change has occurred in the planning regime surrounding the site.

The conditions of the Concept Plan approval envisaged a situation where amended plans could be submitted to the Department without the need for a formal modification in response to design improvements and market feasibility. However, given the amount of time that has passed since the granting of the original approval, it is considered that a formal modification is a more suitable pathway for the approval of the amended scheme.

The Proposed Modification

This modification seeks to update the Concept Plan drawings from the originally approved 2005 BSA Architects scheme with revised Concept Plan drawings prepared by Cox Richardson Architects on behalf of Frasers Putney Pty Ltd. This modification relates to the portion of the site fronting Victoria Road known as Stage 1. A further modification for Stage 2, located at the corner of Princes Street and Morrison Road, will be submitted when planning and development of the site has further progressed. The revised Concept Plan establishes built form controls including:

- Dwelling mix;
- Building layout, heights and density;

- Internal road layout and hierarchy;
- Indicative car parking locations;
- Site sections and elevations;
- Planning principles;
- Public Domain;
- Staging;
- Development controls, including Maximum Building Heights; Maximum Floor Space Ratio (FSR) and Minimum Setbacks.

The revised Concept Plan continues to be generally consistent with the height, FSR and land use controls for the site under the *Ryde Local Environmental Plan 2010* (Ryde LEP) (as translated from the previous State Significant Site listing for the site), and is consistent with the dwelling yield approved under the original Concept Plan approval. It is noted that the height and FSR boundaries of the LEP would be slightly shifted due to the amended layout of the building envelopes.

Environmental Assessment

Development Controls

The proposed modifications will remain consistent with the development controls approved under the original Concept Plan. There is not proposed to be any increase in the density of development across the site, with no variation proposed to the overall maximum number of 791 dwellings.

Landscaping

Overall there is an improvement to the quantum and quality of open space in the public domain. The modified layout will enable a 30% increase in open space at ground level. This will have added benefits of contributing to a consistent canopy throughout the whole site. The updated landscaping scheme and principles responds to the revised Cox Richardson Concept Plan.

Layout

An amended layout has been proposed to allow for a better use of space across the site. The layout will enhance the opportunity for views and an improved public domain.

Built Form

The proposed modifications will not result in any adverse impacts on the future built form on the site. The modifications propose to amend the layout and envelopes of development in the portion of the site fronting Victoria Road (Stage 1 Phase 2). This amended layout will adopt more efficient use of space and will result in a built form that does not cause undue impacts on surrounding properties.

Traffic and Parking

The proposed number of dwellings approved across the Concept Plan site is not proposed to be increased therefore there will not be any additional traffic impacts above the assessment of the original application.

Conclusion

Due the ongoing development of the Concept Plan there is a need for greater certainty for development on the RRCS Site. The proposed modifications are generally consistent with the existing controls regulating development on the site, and will update the approved Concept Plan to be consistent with the approved Stage 1 Phase 1 development. The modifications will also result in a greater certainty for Council, the community and Frasers on the future development of the site.

1.0 Introduction

This Report proposes to modify the approved Concept Plan for the former Royal Rehabilitation Centre, Sydney site. This report is submitted to the Minister for Planning in accordance with Section 75W and Clauses 2(1)(a) and 3(1) of Schedule 6A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Concept Plan was approved by the Minister for Planning under section 75J of the EP&A Act on 26 March 2006 subject to a series of conditions (MP 05_0001).

The approved Concept Plan allows for up to 791 dwellings as a mix of apartments and houses, a new consolidated health facility, community facilities and open space, services and site infrastructure (including drainage, internal roads and site access points). The Concept Plan approved development controls for the site prepared by BSA Architects, including land uses, landscaped space, floor space, density, heights and setbacks, road hierarchy and design and public domain. The Concept Plan also provides indicative principles for development parcels, yields, potential site sections, car parking and pedestrian and bicycle linkages.

This report has been prepared by JBA Planning on behalf of Frasers Putney Pty Ltd based on plans provided by Cox Richardson Architects and other supporting technical information. The report describes the need for the modification, the proposed modification and includes an assessment of the potential environmental impacts. It should be read in conjunction with the appended supporting plans and reports.

1.1 Project Team

The project team is listed in **Table 1** below.

Table 1 – Project Team

Specialty	Consultant
Landowners	Frasers Putney Pty Ltd
Proponent	Frasers Putney Pty Ltd
Urban Planning	JBA Planning
Architecture and Urban Design	Cox Richardson Architects
Civil Engineer	Meinhardt Infrastructure and Environmental
Landscape	Environmental Partnership
Traffic and Transport	Colston Budd Hunt and Kafes

2.0 Background

2.1 Site History

Concept Plan Approval and SSS Listing

On 23 March 2006, the Minister for Planning approved a Concept Plan for the RRCS site, Sydney. Concept Plan approval as described in the Instrument of Approval included:

- 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;
- land use distribution, building heights, densities, dwelling mixes and types.

The site was also gazetted as a State Significant Site (SSS) under Schedule 3 of *State Environmental Planning Policy (Major Development) 2005* on 2 August 2006. This Schedule 3 listing included various development standards including zoning and permissible uses, building height, FSR and residential density. The provisions of this SSS listing have now been repealed and incorporated into *Ryde Local Environmental Plan 2010* (LEP 2010). The *Draft Ryde Local Environmental Plan 2011* yet to be formally exhibited has maintained these controls. Despite this, the Concept Plan approval has physically commenced and remains a relevant matter for consideration.

Summary of Events after approval of Concept Plan

Since the granting of the Minister's Concept Plan Consent (on 23 March 2006), the following key milestones have occurred:

Table 2 – Chronology of Events after Concept Plan Approval

Date	Event
2 August 2005	SEPP Major Projects amended to rezone the RRCS site as a State Significant Site (SSS).
29 June 2007	Frasers Putney Pty Ltd (Frasers) commence negotiations to purchase the residential portions of the site from Royal Rehabilitation Centre, Sydney Pty Ltd.
5 March 2010	A Section 94 Deed of Agreement signed between the RRCS and Ryde City Council signed.
12 August 2008	Torrens Title Subdivision to create seven superlots, associated rights of carriageway and service easements (MP_07_0100).
16 December 2008	Demolition of existing buildings on part of the RRCS site and construction of a new Health Facility, new Weemala facility, community building, open space and internal roads (MP_08_0054).
30 June 2010	Ryde LEP 2010 gazetted with RRCS zoning, height, FSR and density controls transferred to this instrument. The SSS listing for the RRCS site repealed from Schedule 3 of the Major Development SEPP.
5 July 2010	Modification to subdivision plan to be consistent with SEPP (Major Development) 2005 Amendment No. 5 Zoning Map.
15 July 2010	Frasers Putney Pty Ltd become a party to the Section 94 Deed

Date	Event
	of Agreement between RRCS and Ryde City Council.
17 November 2010	Modification to the health facility approval to include construction of Roads 4 and 5 as part of civil infrastructure works for the detention basin and open space.
15 April 2011	Lodgement of Project Application for Stage 1 Phase 1 Residential Development accompanied by Cox Richardson Concept Plan drawings.
10 October 2011	Modification to the health facility approval to reduce the width of the carriageway on Roads 4 and 5 and the shared path on Road 5.
1 May 2012	Project Approval granted for Stage 1 Phase 1 Project Application for 116 dwellings by the Planning Assessment Commission (PAC).

Rehabilitation Centre and Open Space

A Project Application (MP08_0054) for a new Health Facility, residential care facility community facilities, open space and recreational facilities and parking for 304 vehicles within the southern and central portions of the former RRCS site was approved by the Minister for Planning on 16 December 2008. Construction of the Central Parklands and Detention Basin are complete and the handover to Council is underway.

Stage 1 Phase 1 Residential Development

On 15 April 2011, a Project Application (MP10_0189) was lodged with the NSW Department of Planning and Infrastructure (the Department) for the Stage 1 Phase 1 residential development relating to the central portion of the site. The application was placed on public exhibition between 29 June 2011 and 12 August 2011 and approval was granted on 1 May 2012 by the PAC.

This Project Approval involves the demolition of the existing RRCS buildings required to be removed to facilitate Stage 1 Phase 1 works, staged construction and occupation of a residential development including 47 apartments, 55 semi detached/terraced and 14 detached dwellings, basement car parking to the residential flat building, public domain works including roads and utilities, tree removal and landscaping, staged construction of vehicular access to the site from Charles Street and Victoria Road, and extension / augmentation of the physical infrastructure / utilities required.

This Project Application was declared a Part 3A application and 'transitional' project in its own right. The application was still prepared to be generally consistent with the Concept Plan in regards to the key development standards of height, FSR and dwelling types. The application was acknowledged in the Director General's Assessment Report as being generally consistent with the Concept Plan.

A Section 75W Modification is currently under assessment by the Department for the changes to the approved apartment building including the addition of seven apartments. If approved, this will result in the Stage 1 Phase 1 development comprising 123 dwellings.

2.2 Need for the Modification

Change in site ownership

The BSA scheme developed on behalf of the Royal Rehabilitation Centre, Sydney was developed without the involvement of any nominated residential developer for this portion of the site. The BSA scheme was not put to the market for feasibility

testing. This was noted in the Director General's Assessment Report for the original Concept Plan application, which noted that:

It should be reiterated that the proponent is yet to approach a residential developer(s) so the concept plan proposal remains untested by market forces.... Given the uncertainty associated with the implementation of the residential element of the concept plan proposal, it is recommended that a series of broad development controls be approved that are based upon the revised concept plan proposal (i.e. the control plans).

All future applications will be generally in accordance with the concept approval irrespective of the consent authority nominated in Schedule 3 of the Major Projects SEPP. Notwithstanding this, the Department also recognises that a future developer(s) of the site may wish to deviate from the approved planning parameters set out within Condition A1. The Department has built some flexibility into the concept plan approval which will avoid the need for submission of a concept application afresh in the event that this occurs.

Since this time, Frasers Putney has purchased the site from RRCS and progressed the planning of the site to achieve a Concept Plan that is feasible and achieves a superior design outcome for the site within the context of the general development parameters established under the Concept Plan approval (and subsequently incorporated into the *Ryde Local Environmental Plan 2010*).

Modification envisaged in consent

Whilst any departure from the parameters of a Concept Plan approval would usually require a formal modification application in accordance with Section 75W of the *Environmental Planning and Assessment Act 1979*, Condition B1 of the Concept Plan approval provides scope for amendments to the BSA scheme to be lodged with the Director General for sign-off on amended plans without the need for any formal modification. The following excerpts from the Director General's Environmental Assessment Report for the Concept Plan approval illustrate the background and rationale for this flexibility:

The Department considers urban design to be the main point of contention between the proponent, local residents and Council. It should be reiterated that the proponent is yet to approach a residential developer(s) so the concept plan proposal remains untested by market forces. The concept plan proposal is simply one interpretation of how the site could be developed and demonstrates that the site could accommodate up to 900 dwellings. Given the uncertainty associated with the implementation of the residential element of the concept plan proposal, it is recommended that a series of broad development controls be approved that are based upon the revised concept plan proposal (i.e. the control plans). The approval will outline the overall form of development by controlling the overall number of dwellings, land use distribution, building heights, densities and dwelling mix (Condition A1) and supporting documentation which future applications for development must generally be consistent with (Condition A2). Condition A3 provides contingency in the event of any inconsistency between the approved concept plan, supporting documentation and recommended conditions of approval.

...

All future applications will be generally in accordance with the concept approval irrespective of the consent authority nominated in Schedule 3 of the Major Projects SEPP. Notwithstanding this, the Department also recognises that a future developer(s) of the site may wish to deviate from the approved planning parameters set out within Condition A1. The Department has built some flexibility into the concept plan approval which will avoid the need for

submission of a concept application afresh in the event that this occurs. Condition B1 provides that departures from Conditions A1 and A2 will require lodgement of further plans and documentation addressing, and where required, revising the internal road network and associated development envelopes in accordance with several good practice urban design principles:

- *An urban design strategy, including detailed analysis of the physical, environment, social, cultural and economic aspects of the site informing opportunities and constraints, resulting in an agreed urban design outcome.*
- *An analysis of existing buildings, significant vegetation, existing building heights and footprints, surrounding street and block pattern, existing delineation of public and private open space, topography and view corridors.*
- *An appropriate street pattern, built form, building height, open space, view corridors, density, vegetation strategy, entry points, detention basin, car parking and traffic management and road hierarchy.*

The Director General will solely be responsible for determining whether any proposed departure can be addressed through the submission of revised plans and documentation (i.e. whether Condition B1 can be applied) or is significant enough to warrant submission of an application for concept plan approval afresh under Part 3A of the Act.

These conditions envisaged a situation whereby amended plans could be submitted to the (then) Department of Planning for approval directly by the Director General, without the need for a formal modification application. Given the amount of time which has passed since this consent was issued, however, and the changes to the planning assessment regime for major projects in NSW since this time, it is considered that a formal modification application is now a more suitable pathway for the approval of an amended scheme.

Repeal of Part 3A

The *Environmental Planning and Assessment Amendment (Repeal of Part 3A) Bill 2011* (the Bill) was introduced into Parliament by the NSW Government on 16 June 2011. The Bill, which has now been passed by Parliament, replaces Part 3A with an alternative system for the assessment of projects of state significance whilst providing for appropriate 'transitional provisions' for projects already being assessed under the provisions of Part 3A.

The amended Act contains provisions for the assessment of further applications for development to which Part 3A does not continue to apply (such as residential development which is not State Significant Development). Under these provisions, and subject to the new Regulations, development which is covered by a Concept Plan approved under Part 3A but is subject to assessment under Part 4:

- is taken to be development which may be carried out under Part 4, despite anything to the contrary in an environmental planning instrument;
- must be consistent with any development standard within the terms of the Concept Plan approval;
- must be generally consistent with the terms of approval for the Concept Plan;
- the provisions of any environmental planning instrument or development control plan do not have effect to the extent of any inconsistency with the approved Concept Plan.

Future applications for the residential development of the site will be assessed under Part 4 by the City of Ryde Council, in accordance with the development parameters established under the Concept Plan (MP05_0001). The Stage 1 Phase 1 Project Application (MP10_0189) was subject to transitional provisions and therefore continued to be assessed by the NSW Department of Planning and Infrastructure.

Clause 3c(2) of Schedule 6A of the EP&A Act stipulates that Section 75W continues to apply for the purpose of modifying Concept Plans approved before or after the repeal of Part 3A. As such, the proposed modification is submitted in accordance with the provisions of Section 75W or the EP&A Act.

Change in assessment and determination procedures

The repeal of Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) as described above has the effect of making the City of Ryde Council the relevant consent authority under Part 4 of the Act for all future applications for the residential development of the Royal Rehabilitation Centre, Ryde site. This follows a period of six years during which the Department of Planning has had primary carriage of the project including the assessment and determination of the Concept Plan and Project Applications for subdivision, the health facility and the initial residential release.

In light of the changes to the development assessment system described above, the current Concept Plan approval requires amendment to provide sufficient clarity and certainty relating to the Cox Richardson Architects Concept Plan to permit Frasers to prepare future applications for development across the site for assessment by Council. A modification to the current Concept Plan provides the opportunity to achieve a suitable handover of responsibility from the Department of Planning and Infrastructure to the City of Ryde Council and ensure that the parameters for the future assessment of applications for this site are clearly defined and appropriate to the site.

3.0 Site Description and Analysis

3.1 Site Location and Context

The Royal Rehabilitation Centre Sydney (RRCS) site is located at 600 Victoria Road and 55 Charles Street, within the Ryde Local Government Area (LGA).

The overall site to which Concept Plan MP05_0001 applies is 17.7 hectares in area. The residential component of the site is 11.52 hectares in area across two parcels of land which are separated by the approved detention basin and wetlands, with pedestrian and vehicular linkages via internal roads and footpaths. These two parcels are known as Stage 1 and Stage 2 as shown in **Figure 1**. The Stage 1 Phase 1 Project Application has been approved and it relates to a central portion of the site with a vehicular link connecting to Victoria Road, with a total area of 35,767m².

This modification relates to the Stage 1 portion of the site fronting Victoria Road. A further modification will be lodged for stage 2 at a further point in time.

The site's locational context is shown at **Figure 1**.

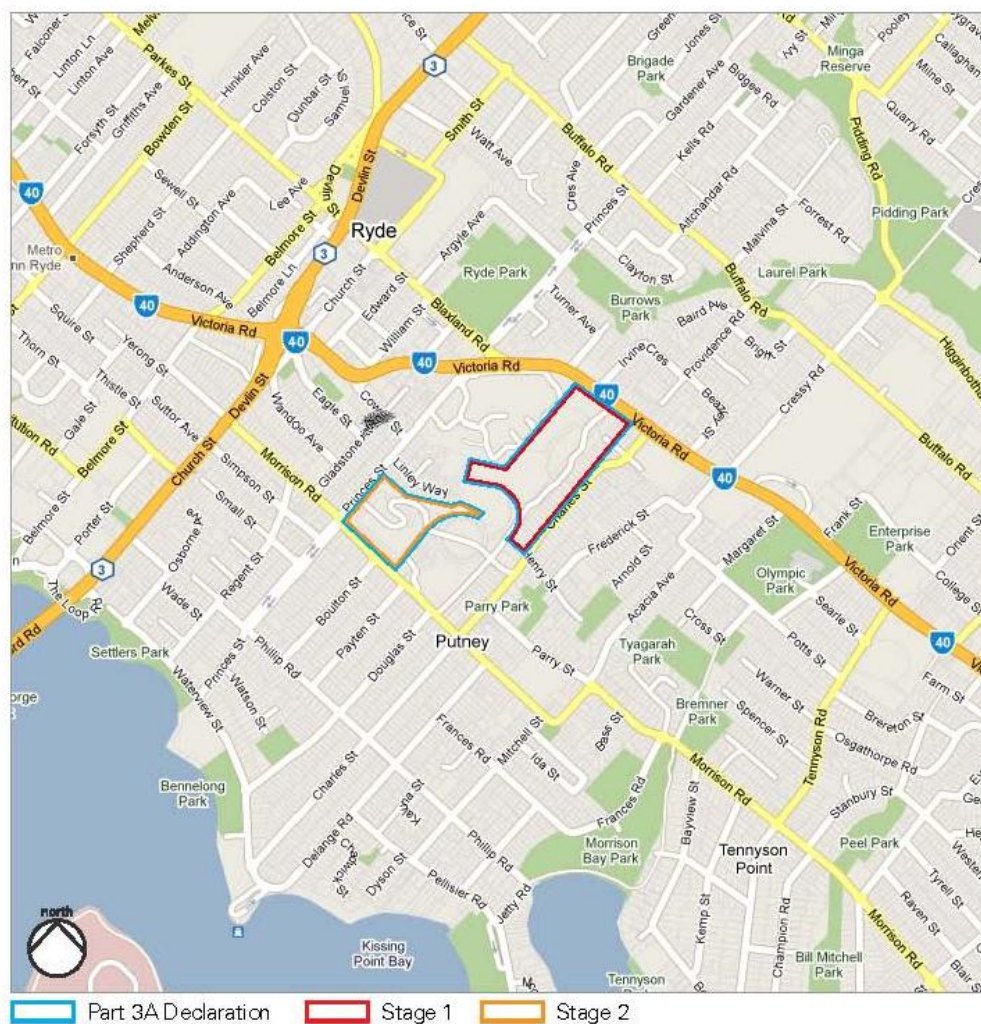


Figure 1 – Locality Plan

3.2 Site Description

An aerial photo of the site is shown at **Figure 2**.



Figure 2 – Site Plan

Existing Development

Across the RRCS Site there are a number of hospital buildings, some which are still in use and others which are disused. The Moorong Spinal Unit (see **Figure 3**) and Nurses Annes, which have been approved for demolition under the Stage 1 Phase 1 Project Application (MP08_0189). The Stage 2 Site is characterised by the Weemala buildings, located in the south western corner of the RRCS Site. There are also several other hospital buildings to the north of the Weemala buildings (refer to **Figure 4**).



Figure 3 – Moorong Spinal Unit



Figure 4 – Weemala Building in the Stage 2 Site

Other key characteristics of the site subject to the Concept Plan modification are summarised below.

Heritage

There is no listing of the RRCS site or any of its components on the NSW State Heritage Register (SHR) or in Ryde LEP 2010.

The Dalton House (Hospital) building located within the Calvary Retirement Community and the 'Great North Road' corridor which adjoin the subject site to

the north are both listed as local heritage items under *Ryde Local Environmental Plan 2010*.

Landform / Vegetation

The subject site slopes steeply to the south/ south-west, with a 14 metre change in levels from north to south and an average gradient of 1(v): 10(h). The topography varies significantly within the site, with several zones of intense grade up to 1 (v): 5 (h), which is particularly evident in the area to the north of the detention basin.

There are a number of existing trees within the Stage 1 site, generally located on the north western boundary (the Little Company of Mary (Calvary Retirement Village)). A number of trees are also located along the Victoria Road entry to the site including a number of palm trees. Additional stands of trees are scattered throughout the land to be developed.

Pedestrian and Vehicular Access

Vehicular access to the site is currently from several locations. There is an existing left in, left out entrance to Victoria Road. Another access point is located on the corner of Princes Street and Morrison Road, and is known as the Weemala Entrance. The Coorabel Entrance is also located on Morrison Road, and a final access point known as the Main entrance is on Charles Street. Due to the current works being undertaken on the site, the internal road network is no longer completely connected. Pedestrian access within the site is generally not formalised through the provision of footpaths, with pedestrians forced to share internal roads, parking areas and driveways with vehicles. Restricted access is available across the site as a result of the works being undertaken. There is currently access to the site from Victoria Road to allow prospective purchasers to access the approved sales and marketing suite for Stage 1 Phase 1.

Access to Public Transport

The subject site is highly accessible to existing public transport services within the locality which service employment destinations, retail, education, and community facilities. The Parramatta to City (via Ryde) Strategic Bus Corridor borders the RRCS site to the north-east, providing direct access to Parramatta and the Sydney CBD. As a result Sydney Buses operate a number of routes which travel directly past the site, providing services to North Sydney (287), Macquarie University (518) and the Sydney CBD (287,500,501,518). Another route runs from Macquarie University to the Sydney CBD (507) via Morrison Rd, Putney along the site's southern boundary. The Kissing Point Ferry wharf is located approximately 1.1km walking distance to the south-west of the Frasers Putney site which provides services to Parramatta and Circular Quay.

Utilities and Infrastructure

The site is supplied with electricity, sewer, water, telephony, and gas. Services are generally provided in all surrounding streets.

3.3 Land Ownership and Legal Description

The larger RRCS site is made up of several allotments known as Lots 1, 2, 3, 4, 5, 7 DP1129793. The current subdivision plan as approved with the Stage 1 Phase 1 Project Application is shown at **Figure 5**. This revised plan is yet to be registered. The current legal title for the purpose of this modification is as Lots 1, 2, 3, 4, 5 and 7 DP1129793.



Figure 6 – Single storey dwellings and the RFB on Victoria Road

Charles Street

Bordering the site on the west is Charles Street, which is predominately low density residential (refer to **Figure 7**). The residential properties share a fence line with the site. Also included on Charles Street to the south west of the site is Putney Village, which is a small strip of speciality shops. The northern end of Charles Street is characterised by St Charles Catholic Church and primary school.



Figure 7 – Detached dwelling houses and villas facing Charles Street

Princes Street

The Little Company of Mary (Calvary Retirement Village) adjoins the site along the north western boundary and has a frontage to Princes Street . The remainder of Princes Street is characterised by low density residential dwellings as shown in **Figure 8**. The topography falls from the Victoria Road frontage to the lowest point at Linley Way before rising steeply to Morrison Road. Linley Way is a cul-de-sac of single to two storey dwellings and villas which border the site.



Figure 8 – View of Princes Street to Morrison Road

Morrison Road

The surrounding locality of Morrison Road is characterised by low density residential dwellings. There is a decrease in gradient from Princes Street to Charles Street. The corner of Charles Street and Morrison Road is the beginning of Putney Village; containing a service station, a Liquorland and various commercial uses (Figure 9).



Figure 9 – Service Station, corner of Morrison Road and Charles Street

4.0 Description of Proposed Modification

The proposed modification to the approved Concept Plan is described in this section and illustrated in the Modified Concept Plan Drawings provided at **Appendix A**. This proposal seeks to modify the approved layout and configuration of residential dwellings established under the 2005 BSA Architects scheme for the Stage 1 portion of the site with the updated Cox Richardson Architects Concept Plan. Approval for the subdivision of the Stage 1 Phase 2 area is also sought. Several other supporting documents have been provided to support the proposed amendment and provide an update on the current conditions of the site.

4.1 Approval Sought Under the Modification

This modification seeks to amend the Concept Plan scheme prepared by BSA Architects and dated August 2005 and the Preferred Project Report prepared by BSA Architects dated December 2005, as approved by the Minister for Planning on 23 March 2006.

Specifically, this modification is seeking that the Minister:

- Modify Condition A1 and Condition A2 of the Conditions of Approval MP05_0001 to include this report and replace certain approved Concept Plan Control Diagrams by BSA Architects with Concept Plan drawings prepared by Cox Richardson Architects, being:
 - Building Height and Setback – Control [PP09/05]
 - Landscape Space- Control [PP04/05]
 - Road Hierarchy- Control [PP07/05]
 - Public Domain- Control [PP08/05]
 - Building Height and Setback-Control [PP09/05]
 - Indicative Sections – Indicative [PP10/05A and PP10/05B]
 - Car Parking – Indicative [PP11/05]
 - Pedestrian and Bicycle Paths – Indicative [PP12/05A and PP12/05B]
 - Road and Pathway Sections – Control [PP13/05]
 - Indicative Development Proposal– Indicative [PP14/05]
 - Aerial Views – Indicative [PP16/05 and P17/05]
 - Shadow Diagrams – Indicative [PP23/05, PP24/05 and PP25/05]
- Modify Condition C3 of the Conditions of Approval MP05_0001.
- Modify Condition C4 of the Conditions of Approval MP05_0001.
- Modify Condition C10 of the Conditions of Approval MP05_0001.

4.2 Proposed Modified Concept Plan

4.2.1 Built Form

The Cox Richardson Architects Concept Plan provides for the following:

- Indicative development structure, including:
 - Dwelling mix
 - Building layout, heights and density
 - Internal road layout and hierarchy
 - Indicative car parking locations
 - Site sections and elevations
 - Planning principles

- Public Domain
- Staging
- Development controls, including:
 - Maximum Building Heights
 - Maximum Floor Space Ratio (FSR)
 - Minimum Setbacks

Dwelling Mix

The approved 2005 BSA Architects Concept Plan made provision for up to 900 dwellings, which was reduced to 791 dwellings through the maximum dwelling density control (50 dwellings per hectare) specified under Condition of Approval A1. The **Putney Hill – Indicative Residential Numbers** prepared by Cox Richardson Architects demonstrates the indicative distribution of dwellings across the site that can be achieved within the parameters set out in the control drawings and the overall site density control of 50 dwellings per hectare. The proposed amendments relate only to Stage 1. Stage 2 will be subject to a later Section 75W Modification. **Table 3** illustrates the envisaged number of dwellings in the BSA scheme and the proposed range of dwellings to be provided in the amended scheme.

Whilst it is proposed for the Stage 1 area to provide a marginally higher dwelling number, this will be offset with marginally lower dwelling numbers in the Stage 2 area. This is consistent with discussions Frasers have conducted with the various stakeholders including the community, Council and the Department. The overall limit of 791 dwellings across the site is not proposed to be amended.

Table 3 – Dwelling mix – approved and modified

Dwelling Type	BSA Concept Plan	Amended Cox Richardson Scheme (Stage 1)
Apartments	398 dwellings	334 – 374 ¹
Detached Houses	22 dwellings	15
Semi-Detached Houses	-	46 – 48
Town Houses	25 dwellings	26
Total	445	421 - 463²

Building Layout, Height and Density

The amended Concept Plan proposes to concentrate areas of medium density residential development towards the site's Victoria Road frontage, with maximum building heights of 21.5 metres. The location of higher densities within this location is consistent with the approved Concept Plan in that it provides for higher densities within walking distance of public transport, shops, open space and community services. The placement of higher density on Victoria Road will not result in any adverse overshadowing or privacy impacts on surrounding dwellings and delivers a built form outcome which is generally consistent with the approved building envelopes.

The amended layout proposed for the Stage 1 Phase 2 area has been designed in direct response to the approved Road 5 which provides access to the site from Victoria Road. The Cox Richardson layout is simpler than the approved BCA

¹ Includes current modification for 7 new apartments to be included in the Stage 1 Phase 1 Project Approval (MP10_0189)

² Remainder of 791 dwellings to be made up in Stage 2

scheme in that it proposes four simple envelopes which each gain access from local roads off Road 5.

Due to the amended layout of the building envelopes in particular the alignment of the long axis of the apartment buildings away from Victoria Road, the modified scheme varies slightly from the height and FSR boundaries established in the Ryde LEP for this portion of the site. The current height and FSR demarcation was based on the layout of apartment buildings in arcs fronting Victoria Road. The 21.5 metre height limit for the two buildings fronting Victoria Road now slightly shifts back to the south west to accommodate the higher density on Victoria Road. The FSR boundaries (0.33:1) and (3.5) are also consequently varied to reflect the proposed layout and building envelopes.

Setbacks

The proposed building setbacks to the site's boundaries have been generally increased from those shown on the approved Height and Setback Control Drawing (PP 09/05). These setbacks provide for a suitable transition from areas of higher density within the site to areas of lower density surrounding the site.

Whereas the BSA scheme proposed a long, arched building addressing Victoria Road along the site frontage to the west of the site access road, the amended Cox Richardson Concept Plan provides for apartment buildings which address Road 5 with only minimal building frontage to Victoria Road.

Table 4 – Building setbacks – approved and modified

Location	Approved BSA Architects Setback	Amended Cox Richardson Setback
Calvary Retirement Village	Not Specified	9 metres
Charles Street dwellings	6 metres	9-15 metres
Victoria Road	0 to 17 metres (variable)	5 metres

4.2.2 Street Layout, Access and Parking

Site Access

No modification is sought to the approved site access point arrangements as described in the July 2005 *Transport Report for Proposed Rezoning of Royal Rehabilitation Centre Site, Ryde* prepared by Colston Hunt Budd & Kafes.

This modification updates the location of the internal Road 5 access point to Victoria Road as a formality to ensure that the Concept Plan is consistent with the detailed site access design approved by the PAC under the Project Approval for Stage 1 Phase 1 (MP 10_0189).

Strong community concern has been raised over the approved access point to the site at Princes Street. This concern has been noted by Frasers Putney and this access point will be proposed to be removed as part of a subsequent Section 75W Modification which relates to Stage 2.

In direct response to community feedback received during ongoing consultation by Frasers and during the Stage 1 Phase 1 public submissions period, this modification removes the previously approved cul-de-sac at the western terminus of Kenneth Street and associated pedestrian site access.

Internal Street Network

The internal street network as modified is characterised by a straightened access road running from Victoria Road to the Recreation Circle and connecting to Charles Street and Morrison Road (refer **Figure 10**). From this central access road, a

number of collector roads provide street frontages for houses and residential flat buildings. All roads marked on the Road Hierarchy Plan as either Access Road or Collector Road will be dedicated to the City of Ryde Council or will be burdened by the necessary rights of way for residential access, as per the approved Deed of Agreement between Ryde Council and the proponent.

Private roads will provide rear lane access to the basements of the residential flat buildings located in proximity to Victoria road. These roads will be managed by way of a Community Title scheme over the affected buildings.

No modification is sought to the overall number of dwellings approved within the site (791) and as a result the site trip generation rates remain unchanged.



Figure 10 – Internal street network hierarchy

Parking

A Car Parking Plan is provided at **Appendix A** which shows indicative locations of consolidated basement parking for multiple apartment buildings, parking for dwelling houses within building envelopes and locations of on-street visitor parking. This indicative parking plan is generally consistent with the approved Concept Plan, with the locations of parking amended to reflect the modified layout.

4.2.3 Landscaping

This modification seeks to update the approved landscape report and drawings. An updated Landscape Report and Landscape Plans have been prepared by Environmental Partnership (**Appendix B** and **Appendix C**). The Landscape Plans have updated the proposed landscaping scheme for the site to be consistent with the proposed site layout. The Landscape Report has examined the overarching principles for the site and illustrated the consistency of the proposed landscaping amendments with the approved Concept Plan.

Specifically, this modification seeks to amend Condition C4 of the Concept Plan Approval relating to the specific landscape design recommendations. It is proposed to remove the requirement to provide landscaped roof tops for use as private open space, which is discussed in further detail at **Section 5.4**.

Landscaped Open Space

As a result of the proposed modifications to the layout of the site, the amount of landscaped open space has been modified. **Table 5** outlines the amount of landscaped open space approved under the BCA scheme and the proposed amount of landscaped open space. Overall there has been a reduction of 641m² equating to a decrease of 0.4% of landscaped open space across the site, mainly relating to the inclusion of landscaped rooftop spaces in the original Concept Plan. It is notable that these landscaped rooftop spaces would not have been accessible to all residents. There has been an increase in landscaped open space available in the public domain (at ground level) from 52,354m² to 67,630m² (a 30% increase).

Table 5 – Landscaped Open Space – approved and modified

	Approved BSA Architects Scheme	Amended Cox Richardson Scheme
Landscaped Open Space	52,354m ²	67,630m ²
Roof-top Open Space	15,917m ²	-
Total Open Space	68,271m ² (42.5% of residential site area ³)	67,630m ² (42.1 % of residential site area)

4.2.4 Project Implementation

A Staging Plan is included in the Cox Richardson Architects scheme, which illustrates the project divided into two stages. A Project Application (MP08_0189) was lodged in April 2011 for Phase 1 of Stage 1 and was subsequently approved on 1 May 2012. Development Applications for remaining Phases of Stage 1 will be lodged with the City of Ryde Council in 2012, with construction anticipated to follow immediately from Phase 1.

Works for Stage 2 are not expected to commence prior to 2014, and this stage is expected to be constructed over a period of approximately 3 years. A modification to this Stage will be prepared and lodged at a later time.

4.3 Plan of Subdivision

It is proposed as part of this modification to include the community subdivision of the Stage 1 Phase 2 area. The approval of the overall super lot layout is entirely consistent with recent practice of DP&I, with a super lot subdivision approved in 2008 and most recently the subdivision included as part of the Stage 1 Phase 1 Project Approval. As this modification relates to Stage 1 (Phase 2) fronting Victoria Road, the proposed super lot subdivision plans is included for approval.

A Subdivision Plan has been prepared by Denny Linker and Co and is provided at **Appendix D**.

4.4 Proposed Modifications to Conditions of Approval

The proposed modifications described above necessitate amendments to the approved conditions which are identified below. Words proposed to be deleted

³ 'Residential site area' specified in the approved BSA Architects Landscaped Space Control Drawing includes the Central Parkland, Wetlands and Recreation Circle which have since been approved as part of the Health Facility Project Application (MP 08_0054). In order to compare 'like for like' the original calculation has been used as the basis for this modification.

are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

PART A – ADMINISTRATIVE CONDITIONS

A1. Development Description

Concept approval is granted only to the carrying out the development described in Volume 1: Urban Design Principles Site Analysis and Development Plan and Volume 2: The Preferred Project Revised Concept Plan, prepared by BSA Architects (December 2005), ***as amended by the Concept Plan Drawings by Cox Richardson Architects dated March 2012 and the Concept Plan S75W Modification Report prepared by JBA Planning dated May 2012*** including:

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

A2. Development in Accordance with Plans and Documentation

The development shall also be generally consistent with the following plans and documentation:

- ~~1) Concept Plan and Environmental Assessment for the Redevelopment of Royal Rehabilitation Centre Sydney Site, prepared by BSA Architects (August 2005).~~
- ~~2) The Redevelopment of Royal Rehabilitation Centre Sydney Site – Secondary Consultant reports for Concept Plan Submission to DIPNR, prepared by BSA Architects (August 2005).~~
- ~~3) Preferred Project Report and Statement of Commitments and Proponent's Responses to Exhibition of the RRCS Concept Plan, prepared by BSA Architects (December 2005).~~
- 1) ***Concept Plan Drawings by Cox Richardson Architects dated March 2012.***
- 2) ***Concept Plan S75W Modification Report prepared by JBA Planning dated May 2012.***

Except for otherwise provided by the plans and documentation described in Condition A1, Part A, Schedule 2 and the Department's conditions of approval as set out in Schedule 2, Part B and the proponent's statement of commitments as set out in Schedule 2, Part C.

4.5 Proposed Modifications to Statement of Commitments

The modification has necessitated a number of additional and revised commitments to be incorporated with the Statement of Commitments originally approved as part of the Concept Plan (MP 05_0001).

Proposed Modification to Approved Commitments

C3. Urban Design

The proponent will accord with the maximum heights, maximum number of dwellings, maximum floor space and minimum setbacks in the development parcels in the plans and documentation described in Condition A2, Part A, Schedule 2.

The proponent will submit subsequent applications in accordance with the maximum development parameters in the plans and documentation described in Condition A2, Part A, Schedule 2 and in accordance with the urban design principles set down in State Environmental Planning Policy 65 – Design Quality of Residential Flat Development, Residential Flat Design Code (DIPNR) and the Residential Flat Design Pattern Book (DIPNR).

The proponent will adopt the following urban design principles which:

- *Maximise the northern aspect for solar access to dwellings.*
- *Respond to the microclimate of each location and to the varying topography.*
- *Set back buildings from the street frontages to create landscaped settings.*
- *Introduce view corridors through the subject site to maximise visual permeability.*
- *Share views by stepping buildings down the slope.*
- *Diversify building forms to create variety and visual interest.*
- *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.*

The proponent will adopt a design philosophy to create a traditional Australian residential living setting in a contemporary urban environment, through:

- *Articulated buildings with an interplay of planes, with balconies and pergolas.*
- *An interplay of self-finishing building materials, brick, stone and tiles.*
- *Variations in colour and texture.*
- *Human scale in the design of facades and spaces between buildings*
- ~~*— Accessible, planted rooftops*~~
- *Ceiling height of the parking areas beneath residential flat buildings not to exceed 2.1m above natural ground level at any point*

The proponent will create a leading-edge architectural design for the new RRCS centre and associated health facilities. This will establish an urban design benchmark for development over the remainder of the subject site.

The proponent will encourage the broader community to use the open space and community facilities on the subject site, by ensuring that the design of the pedestrian network encourages access to these facilities.

The proponent will include a condition of sale for the residential stages of the subject site, which states that gates are not permitted on the access roads to Charles Street, Morrison Road, Princes Street and Victoria Road.

C4. Landscaping

The proponent will adopt landscaping designs being in accordance with the following principles:

- *To create a variety of landscaped public open spaces which respond to the existing topography and landscaped features, and are appropriate for the intended purpose of each area of open space.*
- ~~*To create accessible, landscaped roof tops for use as private open space.*~~
- *To create a unique sense of place in different precincts of the development, and landscaping on the collector roads which harmonises with Council's public domain landscape strategies.*
- *To preserve mature trees and landscaping features.*

- *To provide shade along pedestrian pathways and streets through the planting of street and park trees. When selecting species, consideration to be given to drought tolerance, winter solar access, summer shade and provision of habitats.*
- *To provide a high quality, low maintenance suite of street furniture that is located to provide amenity for walkers and park users.*
- *To provide shade for parking areas so that cars can be parked in the shade - ideally reducing the need for intensive air conditioning.*
- *To reduce crime in public places by creating safe open spaces that are overlooked by dwellings and that have at least two access points.*
- *To minimise water usage and maintenance by selecting hardy, drought tolerant native and exotic plants, including those listed on the Sydney Water Plant Selector.*
- *To reduce environmental weeds by selecting plants that are non-invasive or indigenous.*
- *To treat stormwater on subject site through landscape techniques such as wetlands and planted swales.*
- *To provide a range of habitats for indigenous fauna including birds and arboreal mammals, insects, reptiles and amphibians through selection of plant species and planting composition.*
- *To increase water penetration by the use of permeable car parking bays.*
- *To provide accessible paths of travel wherever possible as an integrated part of the open space network;*
- *To provide a landscape that can be maintained without excessive labour, water or nutrient inputs.*
- *In the event that approval is given for a wet detention basin, the design to avoid the need for fencing, by maintaining a depth of less than 300mm for the first two metres from the edge of the permanent water line. Plant species along the edges of the detention basin to be selected for the ability to withstand periodic inundation and periods of prolonged drought. Species in areas that will be permanently wet to be selected with consideration given to provision of habitat for birds, frogs and insects.*

The proponent will adopt a design philosophy for elements in the public domain, including landscaping and street furniture, which will reflect the character of Putney, to be developed in consultation with Council to the satisfaction of the Department.

The proponent will design the proposed Central Parkland area to function as both usable public open space and a stormwater detention basin.

C10. State Environmental Planning Policy Building Sustainability Index (BASIX)

The proponent will comply with the NSW Government Building Sustainability Index targeting 40% reduction for potable water consumption, 25% reduction for greenhouse gas emissions and improvement in the thermal performance of all new residential buildings.

The proponent will commit to sustainability initiatives, including:

- *Subject to approval by Council, creation of a detention basin for stormwater management and the retention of part of the water in this basin for the irrigation of the Central Parkland.*

- Landscaping in accordance with the ~~Oculus recommendations~~ **Environmental Partnership Landscape Report dated April 2012** with nominated water resistant plant species suited to the Wianamatta Shale soils, and soft landscaping to be minimised.
- Building envelopes oriented to maximise solar access and cross ventilation, in order to minimise heating and cooling costs.
- Use of WSUD initiatives – permeable car parking spaces, grassed swales in place of kerb and guttering.
- Rainwater harvesting, collected on the subject site with rainwater tanks in houses and townhouses and detention tanks in apartments.
- ~~Solar access—photovoltaic electricity generation and solar panels for water heating.~~
- Fittings and whitegoods to reduce energy and water usage.
- Use of recyclable materials.

5.0 Environmental Assessment

This section of the report describes and assesses the potential environmental impacts associated with the proposed modification.

As demonstrated in the following assessment, there are very few potential impacts from the revised Concept Plan and none that cannot be managed. Potential impacts in relation to the following are associated with the proposed works:

- Consistency with Conditions of Approval;
- Consistency with relevant EPIs, Policies and Guidelines;
- Built Form;
- Landscape;
- Transport and Access;
- Subdivision; and
- Services and Infrastructure.

5.1 Consistency with Conditions of Approval

5.1.1 Part A – Administrative Conditions

By its nature, this modification seeks to amend a number of the development controls established under the approved documentation described in the Part A – Administrative Conditions. Justification for the proposed amendments to these development controls is provided at **Section 5.3** of this report.

5.1.2 Condition C3 – Urban Design

Condition C3 establishes the framework for the assessment of detailed applications on the site within the broad framework of development controls established under the approved concept plan. As demonstrated in **Table 6** below, the amended Concept Plan is consistent and supportive of these design principles.

Table 6 – Consistency with Condition C3 urban design principles

Condition	
Urban Design Principles	
Maximise the northern aspect for solar access to dwellings.	Dwellings have been sited to maximise solar access whilst responding to the site's topography and views.
Respond to the microclimate of each location and to the varying topography.	The positioning of the buildings has been selected to respond directly to the topography of the site with views maximised.
Set back buildings from the street frontages to create landscaped settings.	Buildings have been appropriately set back from street frontages to allow for the incorporation of landscaped settings, whilst also allowing for strong ties between the streetscape and dwellings to promote casual surveillance and public safety.
Introduce view corridors through the subject site to maximise visual permeability.	The amended internal road network provides for improved legibility within the site, with a straighter direct link from Victoria Road running through the site.
Share views by stepping	The Cox Richardson Concept Plan responds to

Condition	
buildings from the street frontages to create landscaped settings.	the site's varied topography to create a built form which sits comfortably within the natural landscape. Building forms will follow natural contours to create a built form which promotes view sharing to the central parklands, the Parramatta River and the Sydney CBD. Transitional zones within landscaped settings are incorporated towards sensitive surrounding uses, particularly along the Charles Street, Linley Way and Princes Street site boundaries.
Diversify building forms to create variety and visual interest.	The amended Concept Plan provides for a range of dwelling types and layouts. Detailed applications for development will be designed to a high architectural standard to create variety and visual interest.
Limit overshadowing to 50% for 2 hours per day for private open space.	Noted.
Minimise overshadowing of public open space.	Overshadowing of public space is minimised through the careful siting and design of buildings, as shown in the shadow diagrams provided at Appendix A .
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.	All apartment buildings provide for a minimum separation distance of 12 metres or suitable alternate measures to safeguard privacy at the detailed design stage.
Design Philosophy	
Articulated buildings with an interplay of planes, with balconies and pergolas.	Noted. The Cox Richardson Concept Plan provides for envelopes for buildings, within which shall sit articulated building forms to be designed as part of the relevant detailed application for development.
An interplay of self-finishing building materials, brick, stone and tiles.	Noted. These considerations shall be incorporated in future detailed applications for development.
Variations in colour and texture.	
Human scale in design of facades and spaces between buildings.	
Accessible, planted rooftops.	It is proposed to remove accessible planted rooftops. The provision of communal landscaped open space has been made throughout the development. The amended layout of the buildings has resulted in an optimised use of space with an increase of open space at ground level. The provision of these communal areas at ground level will make them more accessible and legible open spaces.

Condition	
Ceiling heights of the parking areas beneath residential flat buildings not to exceed 2.1m above natural ground level at any point.	Noted. This shall be incorporated in future detailed applications for development.
Community Consultation	
The proponent will encourage the broader community to use the open space and community facilities on the subject site by ensuring that the design of the pedestrian network encourages access to these facilities.	Frasers Putney is committed to a residential development which is integrated and open to the local community, with public access along road through to the site and a number of additional pedestrian-only linkages to promote public use of the central parklands and recreation area.
The proponent will include a condition of sale for the residential stages of the subject site, which states that gates are not permitted on the access roads to Charles Street, Morrison Road, Princes Street and Victoria Road.	See above.

5.1.3 Condition C4 – Landscaping

The amended landscape scheme is generally consistent with the principles prescribed in the original Oculus report. An updated Landscape Report prepared by Environmental Partnership NSW and provided at **Appendix B** details the landscape principles and strategies to be adopted in the amended Concept Plan. The updated Landscape Plans (**Appendix C**) illustrate the proposed landscape scheme to complement the revised Cox Richardson Scheme for the Concept Plan.

It is proposed to remove the principle of creating accessible, landscapes roof-tops. A justification of the removal of this requirement is contained in **Section 5.4** of this report.

5.1.4 Condition C7 – Traffic and Transport

The overall number of dwellings approved under the original Concept Plan (791) is not proposed to be modified. Therefore the traffic generation of the concept plan will not change. This is confirmed in the Traffic Report prepared by CBHK which is provided at **Appendix E**.

5.2 Consistency with Relevant EPIs, Policies and Guidelines

The Modification's consistency with the relevant strategic and statutory plans and policies is located in **Table 7** below.

Table 7 – Consistency with key strategic and statutory plans and policies

Instrument/Strategy	Comments
NSW State Plan	<p>The proposed modification is consistent with the Plan in that it will:</p> <ul style="list-style-type: none"> Provide a range of dwelling types and sizes, contributing to improved diversity in local housing stock;

Instrument/Strategy	Comments
	<ul style="list-style-type: none"> ▪ Provide new housing stock which meets the industry standards for ecological sustainable development and residential amenity; ▪ Provide infill housing in a location with good access to community services, open space and public transport.
Draft Inner North Subregional Strategy	<p>The proposed modification is consistent with the Strategy in that it will:</p> <ul style="list-style-type: none"> ▪ provide greater housing supply and housing choice; ▪ contribute to achieving the targets for the Ryde LGA which require 12,000 additional dwellings by 2031; ▪ better utilise land for residential purposes which is currently underutilised; and ▪ fulfil the objectives of encouraging urban consolidation.

5.2.1 SEPP 32 – Urban Consolidation

SEPP 32 aims to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development.

In determining a proposal for urban consolidation ‘Each council must consider and the Minister must consider whether urban land is no longer needed or used for the purposes for which it is currently zoned or used, whether it is suitable for redevelopment for multi-unit housing and related development in accordance with the aims and objectives of this Policy and whether action should be taken to make the land available for such redevelopment.’

In the assessment and approval of the Concept Plan (MP05_0001) the Minister has already determined that the designated residential portion of the site is no longer needed for use by the Royal Rehabilitation Centre, Sydney and that the site is suitable for redevelopment with an average density of up to 50 dwellings per hectare across the residential portion of the site.

5.2.2 SEPP 65 – Design Quality of Residential Flat Development

SEPP 65 aims to improve the design quality of residential flat development in New South Wales. It sets out 10 design quality principles relating to built form and amenity.

As the modified Concept Plan identifies building envelopes and floor space areas for residential flat development, the SEPP’s design principles of context, scale, built form and density apply.

Principle 1: Context

“Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

Responding to context involves identifying the desirable elements of a location’s current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.”

The site is surrounded by several different contexts, ranging from high rise development at Ryde Town Centre to low scale residential development within

Putney. The Putney Hill development responds to these different contexts by ensuring appropriate transitions to lower scale surrounds whilst providing strong connections to local destinations including the Central Parklands and the Recreation Circle within the site.

The design principles adopted for the site in the Urban Design Statement prepared by Cox Richardson Architects (**Appendix F**) contribute to ensuring the development responds well to the existing context.

Principle 2: Scale

“Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.”

The proposed modified concept plan provides an appropriately scaled built form generally consistent with the Ryde LEP 2010 height controls which relates positively to the differing scale of development both within the RRCS site and in Putney and Ryde. The modified layout and building envelopes have been designed to respond to the topography of the site whilst not creating unacceptable bulk or massing.

Principle 3: Built form

“Good design achieves an appropriate built form for a site and the building’s purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.”

The proposed amendments seek to create building envelopes which are positioned to maximise the amenity of the public domain. The buildings follow the topography of the site and are strategically positioned to minimise overshadowing to open space. The grouping of the dwellings and stepping of height across the site creates variety and a level of interest in the design.

The proposed layout of the roads will ensure that views and vistas are captured and maximised. Buildings are oriented north where possible to maximise views and to achieve the solar and ventilation requirements of SEPP 65. Privacy and building separation will be achieved through the proposed siting of the buildings. The placement of the buildings also leads to positive casual surveillance over the public domain.

Principle 4: Density

“Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.”

The proposed modified development will result in no change to the overall approved average residential density of 50 dwellings per hectare or dwelling yield on the site of 791 dwellings. The Cox Richardson Architects Concept Plan concentrates some density towards the site's Victoria Road frontage, a space which is characterised by high accessibility and corridor development.

Principle 5: Resource, energy and water efficiency

"Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction."

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water."

Fraser's Putney is committed to providing a high level of sustainability in the delivery and during the post development phase of the development. All development across the site will achieve the BASIX requirements. The proposed modification will not impact on the development achieving any sustainability targets.

Principle 6: Landscape

"Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain."

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character."

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management."

The proposed landscape scheme across the site is consistent with the approved Concept Plan. The design principles and strategies seek to optimise the useability, privacy and social opportunity, equitable access and respect for neighbours' amenity.

The proposed layout of the residential development will also optimise the opportunity for an improved use of space. The proposed layout will provide for smaller building footprints which allow for more useable spaces. The building envelopes have been strategically placed to allow for a high amenity to be experienced by all future occupants.

Principle 7: Amenity

"Good design provides amenity through the physical, spatial and environmental quality of a development."

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility."

The amended scheme includes the fundamental elements required to support the achievement of good residential amenity which will be addressed in detail at the relevant application for development. The modified layout of buildings optimises the relationship between internal and external spaces.

Principle 8: Safety and security

“Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.”

The design of the Cox Richardson Concept Plan optimises safety and security, both internal to the development and for the public domain. The amended Concept Plan adopts appropriate design principles to minimise the incidence of crime by addressing the principles outlined in the Department of Planning’s guidelines titled ‘*Crime prevention and the assessment of development applications*’ (2001), being surveillance, access control, territorial reinforcement and space management.

Safety and security has also been considered in accordance with CPTED principles of surveillance, access, territorial reinforcement and space management. The proposed development makes the following positive contribution in terms of safety and security, in accordance with the recommended design principles of CPTED and SEPP 65, by:

- The design and structure of the buildings on the site will provide a clear distinction between private and public spaces, employing architectural features such as entry awnings, fences and walls to encourage this distinction;
- Living areas will generally be orientated over public and communal open spaces to encourage casual surveillance;
- Opportunities for concealment will be minimised. Blind or dark alcoves will be avoided in proximity to lifts, stairwells, entries, within basement car parks or along corridors and walkways;
- Clear sightlines between spaces including public and private interfaces will be established through building design, orientation and landscape treatments;
- Public open space areas will be designed to promote broad use by the wider community and as a result achieve high levels of active surveillance; and
- Optimise visibility, functionality and safety of buildings by orientating entrances towards the internal roads and providing clear lines of sight between entrances, foyers and the street.

Principle 9: Social dimensions and housing affordability

“Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs."

The proposed amendments to the Concept Plan continue to provide for a modern, integrated development of the RRCS site which promotes outdoor living with substantial areas of public open space, high quality pedestrian and cyclist facilities and close access to services and shops. The proposed amendment to the Concept Plan is generally consistent with the approved dwelling mix for the site comprised of a range of houses, townhouses and apartments which shall improve the range of housing options available within the Putney locality to cater to the differing budgets, needs and lifestyles of future residents.

Principle 10: Aesthetics

"Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area."

Throughout the design process there has been a focus on responding to the existing context of the site and creating a development which is well integrated with its surrounding environment. This is visible through the proposed layout of the site, with well positioned transitional zones and the development controls, which have been designed to facilitate a well-integrated built form. The amended Landscape Plans and objectives for the site (**Appendix C**) illustrate the high quality streetscape and character which will be achieved throughout the site.

5.2.3 SEPP Building Sustainability Index 2004

BASIX Certificates will be required to be provided to the relevant consent authority prior to the determination of any application for residential dwellings.

No change is proposed to the requirements under Conditions B13 of the Concept Plan approval which would prevent future dwellings from achieving BASIX certification.

It is proposed that Condition C10 is modified to remove the requirement to use photovoltaic electricity generation and solar panels for water heating. A review of the BASIX scheme for Phase 1 Stage 1 found that compliance could be achieved without the use of these techniques. The removal of this requirement will allow for more flexibility in the techniques used to achieve the BASIX requirements. The requirement that each future development must achieve BASIX compliance will still be maintained and adequate measures will be adopted to achieve this compliance.

5.2.4 Ryde Local Environmental Plan 2010

The *Ryde Local Environmental Plan 2010* incorporates the development controls for the former RRCS site which were adapted from those previously contained within Part 3 of Schedule 3 of *State Environmental Planning Policy (Major Development) 2005*.

Strict compliance with the Ryde LEP is not required as the RRCS is covered by an approved Part 3A Concept Plan. Schedule 6A (Transitional Arrangements – repeal of Part 3A) of the *Environmental Planning and Assessment Act 1979* provides for special provisions relating to development subject to concept plans. Notwithstanding this, the relevant controls are addressed below.

Height

The proposed amendments to the Concept Plan are generally consistent with the maximum height controls specified under Ryde LEP. The LEP specifies a height limit of 21.5 metres over the portion of the site fronting Victoria Road. Behind this to the south west the height limit is 18.5 metres. As earlier stated, these controls were generally translated into the SSS listing for the site and later translated to Ryde LEP 2010 based on the approved Concept Plan for the site which provided an arc of apartment buildings fronting Victoria Road. The modified layout of the Concept Plan has sought to concentrate more density towards Victoria Road, whilst optimising the amenity for future residents. The approved long curved building with a continuous frontage to Victoria Road has been substituted for two buildings with the smaller façade of each building presented to the noise source of Victoria Road.

In order to improve the amenity of these future residents, the long façade of each apartment building will face Road 5, minimising the potential of noise effects from Victoria Road. To achieve this consolidated density at the Victoria Road frontage whilst improving the residential amenity, the buildings have become longer (north east to south west) and therefore enter into the 18.5 metre height zone established in the SSS listing for the site and later translated into Ryde LEP.

Figures 11 and 12 illustrate the varied height of the modified buildings to the Ryde LEP Height map.



Figure 11 – RLEP 2010 Height Map

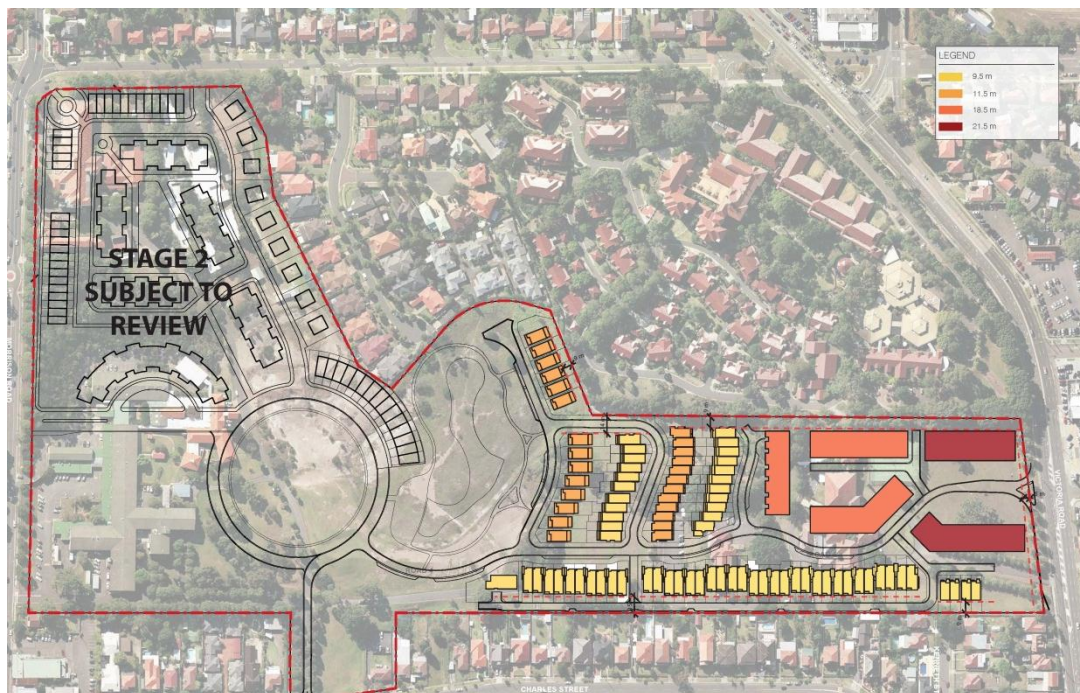


Figure 12 – Cox Richardson Height Control

Floor Space Ratio

The maximum floor space ratio (FSR) controls which apply to the subject site under RLEP 2010 are also an adaptation of the BSA Architects Floor Space Control Drawing PP 05/05 which was approved under the terms of the Concept Plan approval (MP 05_0001) and translated into the site's SSS listing. The LEP specifies a total of nine different maximum FSRs which apply to the residential portion of the subject site ranging from 0.3:1 to 3.5:1 (refer Figure 13).

Whilst the FSR controls contained within the LEP relate directly to the internal road network and development envelopes approved under the approved BSA Architects Concept Plan drawing, they do not reflect the terms of approval of the Concept Plan that foresee future amendments may be required to the residential Concept Plan.

The **Floor Space Ratio Control** drawing prepared by Cox Richardson Architects dated March 2012 (refer Figure 14) is generally consistent with the FSR controls contained within LEP 2010, with the exception of the adjustment of the boundary between A4 and U2 being shifted slightly to reflect the centreline of the amended Road 5 and the "W FSR boundary" shifting to reflect the proposed building envelopes. The slight variation to the A4 and U2 boundary will ensure that the boundary of lower density development established in the Stage 1 Phase 1 approval (MP10_0189) is continued through Stage 1 Phase 2. It is also noted that the movement of this boundary will minimise the area covered by the higher FSR of 2.9:1 (i.e. the "U2 zone"). This will result in development being spread more evenly across the site. The movement of the "W FSR boundary" is the result of the modified building envelopes fronting Victoria Road. As outlined earlier, these modified building envelopes will improve the amenity of future residents and the developments interface with Victoria Road. The amended FSR boundaries or variation to the current LEP 2010 FSR boundaries will not alter the maximum amount of dwellings across the site, and will overall result in a better built form.



Figure 13 – RLEP 2010 Floor Space Ratio Map

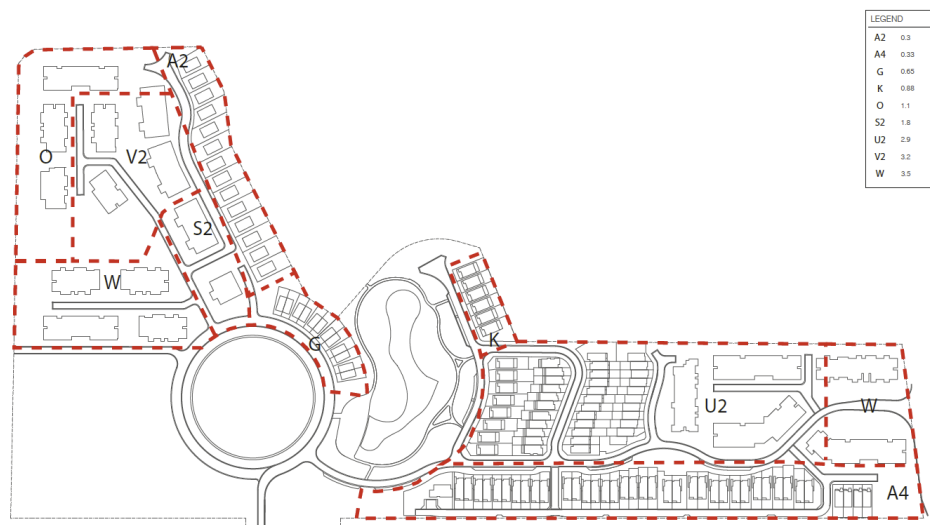


Figure 14 – Cox Richardson Floor Space Ratio Control

Density

Clause 4.5 D of RLEP 2010 requires that the consent authority must not consent to the erection of a dwelling on the land to which Concept Plan MP 05_0001 applies if the consent would result in an average density of more than 50 dwellings per hectare on the site. This clause is consistent with Condition A1 of the Concept Plan approval and allows for up to 791 dwellings across the site. No amendment is sought to the approved number of dwellings.

5.3 Built Form

The Cox Richardson Concept Plan is generally consistent with the built form of the approved Concept Plan. This is reflected in the proposed height and FSR controls remaining generally consistent with the approved controls across the site. A modification to the layout of the apartment buildings is sought and therefore the general built form across the site will change from that envisaged in the approval. The proposed layout has taken into consideration the topography of the site and

has adopted a simple design for individual buildings. There is a stepping of buildings across the site with transition zones identified in the **Cox Richardson planning principles drawing** provided at **Attachment A**.

5.3.1 Layout

The layout of development on the site is proposed to be modified to reflect the current planning principles adopted for the site. The proposed layout has been designed to provide a better transition of development across the site, provide clearer sight lines and maximise the use of space.

The approved layout of Road 5 under the Stage 1 Phase 1 Project Approval has guided the design of the proposed layout. A simple layout for the Stage 1 Phase 2 area has been proposed with four building envelopes positioned around Road 5. Two private roads will be constructed on either side of Road 5 providing access to the residential flat buildings, with the long spine of these buildings no longer oriented towards Victoria Road.

This modified layout will establish a substantial improvement in terms of amenity for future residents in reducing the direct dwelling exposure to traffic noise and establishing clear entry threshold with views into the site from Victoria Road. A better use of space at ground level has also been achieved. The proposed building envelopes have been positioned to allow for open, useable spaces to be created at the base of the buildings. The position of this open space around the buildings will improve the casual surveillance over communal open spaces. The simplified and straightened road layout will also maximise local and district views.

A significant improvement to the Victoria Road frontage of the site has been made through the presentation of two simple façade in place of the long curved façade of the apartment building in the approved Concept Plan. The two buildings allow for a gateway to be created at the Victoria Road frontage of the site, with the approved Road 5 dissecting these two buildings.

The Shadow Diagrams provided at **Appendix A** illustrate the potential overshadowing which may occur from the proposed building envelopes. It is noted that the proposed layout of the apartment buildings will not result in any significant overshadowing issues.

5.3.2 Density and Dwelling Mix

The amended distribution of dwelling types is consistent with the approved BSA Architects Concept Plan scheme in that it concentrates density within the central portions of the site and towards Victoria Road.

The proposed number of dwellings ranging from 421 - 463 in the Stage 1 area is similar to that of the approved Concept Plan number of 445. The potential for more dwellings to be located in Stage 1 will allow for a lower distribution of dwellings in Stage 2. The concentration of density at Victoria Road is consistent with the surrounding area and will not result in any adverse environmental impacts.

The mix and density of dwellings has also been amended by the addition of semi-detached houses. This is a result of the current housing market and an effort to create a mix of density across the site which allows for the best possible use of the space. A degree of flexibility in the Concept Plan approval was evident in the Director General's Assessment Report which acknowledged that the Concept Plan proposal had been untested by market forces.

The proposed modification to density across the site also remains consistent with the Statement of Commitment located at Condition C2:

The proponent will implement the State Government's objectives for a sustainable and compact city by adhering to the following design elements:

- *The mix of dwelling types, to provide for a range of housing choice;*
- *The maximum densities in the development parcels, to ensure that there is a sustainable and environmentally sensitive distribution of residential density across the subject site;*
- *The location of detached houses and town houses in the peripheral transition zones, to create a buffer to the surrounding residential communities, maintaining a good amenity, solar access, light and privacy for the existing residents;*
- *The location of medium density residential development in the interior of the subject site, to afford increased opportunities for liveable communities within the metropolitan fabric, close to regional employment opportunities and to existing retailing, educational and community facilities, and well serviced by public transport.*
- *The integration of open space, recreational facilities, childcare and community and health facilities with the residential development, to ensure that not only will the newly created communities be sustainable, both socially and environmentally, but that existing residents in the local community will also benefit from the total development.*

5.3.3 Setbacks

The proposed amendments to the approved setbacks across the site will improve the overall amenity for future residents and will create built form which responds better to the surrounding context. Overall there has been an increase in setbacks, specifically to the Calvary Retirement Village and the Charles Street dwellings. These increased setbacks will facilitate a more consistent built form with the surrounding context.

The reduced setback to Victoria Road will also be consistent with the surrounding context. Surrounding development in the Victoria Road corridor has a similar setback. The concentration of development along this frontage will allow for more usable and legible open space within the site. The proposed layout and siting of the building envelopes has been designed to present a single façade to Victoria Road (i.e. the short spine of the building presents to Victoria Road). This is an improvement to the BSA scheme which involved presenting Victoria Road with a long curving façade.

5.4 Landscape

Amended Landscape Plans for the site (**Appendix C**) have been prepared to respond to the approved Stage 1 Phase 1 layout, continuing these approved themes in Phase 2. The Landscape Report (**Appendix B**) for the proposed Concept Plan modification has demonstrated that the majority of the original principles for landscaping across the site have been maintained.

The landscaped rooftop requirement in Condition C4 of the Concept Plan Project Approval is proposed to be removed as part of this modification. This requirement relates to the accessible landscaped rooftops which were originally approved to be incorporated into all apartment buildings.

The amended Concept Plan scheme seeks to replace these 'green roofs' with more open space located around the residential flat buildings. This ground level open space will be accessible to all residents and it is envisaged that the provision of this space at ground level will result in the space being used more regularly. These 'green roofs' would have been limited to residents within each building. The amended layout and siting of the building envelopes has allowed for a 30%

increase in the amount of open space provided at ground level. This will provide a more useable public domain with the development of larger open spaces.

The removal of accessible rooftop open spaces and provision of ground level open space will result in a continuation of the landscaping principles throughout the whole site. Ground level planting will also allow for a consistent canopy to be developed throughout the site, further contributing to the streetscape.

5.5 Transport and Access

Site Access

This modification seeks a number of minor amendments to the existing site access arrangements; however the Cox Richardson scheme retains the fundamental site access principles approved under the 2005 Concept Plan. Specifically, the site retains vehicular access points to Victoria Road, Charles Street and Morrison Road. Frasers Putney has carried out ongoing consultation with the community and through this consultation strong opposition has been voiced over the approved access to Princes Street. As this modification does not relate to Stage 2, this access is not proposed to be removed at this time. It is stated though that the intention of Frasers Putney is to propose to remove this access as part of a later Section 75W Modification relating to Stage 2.

Internal Street Network

The amended internal street network achieves more legible lines with clearer connections from the site's surrounds to the central public open space area. A straightened and more defined road hierarchy from the Victoria Road site access creates a clear path between Victoria Road and the central detention basin and parklands

All roads will be designed in accordance with the AMCORD guidelines and will be constructed in accordance with the Deed of Agreement between Frasers, Council and RRCS. Typical cross sections of these roads are provided in the Engineering Drawing prepared by Meinhardt (**Appendix G**). These are submitted for approval to update the previously approved sections prepared by BSA with the original Concept Plan.

Traffic Generation

An assessment of the traffic impacts of the proposed modifications has been carried out by CBHK in the Traffic Report (**Appendix E**). It has been determined that the proposed modifications will create a similar traffic generation to the approved Concept Plan, therefore not resulting in any additional traffic impact. The site is located close to public transport and it is envisaged that the development will strengthen the demand for public transport in the area. The following works to manage traffic generation will be completed prior to the completion of Stage 1 in accordance with the Deed of Agreement:

- Thresholds and entry statements on Morrison Road and Charles Street on approaches to Putney Shopping Centre;
- Traffic calming device (threshold treatment) on Charles Street between Parry Street and Kenneth Street;
- Roundabout in Charles Street at the existing site access (Road 1); and
- Line marking on Charles Street, between Parry Street and Kenneth Street, to separate the traffic and parking lanes.

Parking

The amended Car Parking Plan (**Appendix A**) is considered to be generally consistent with the approved BSA Concept Plan drawing – Car Parking – Indicative (PP 11/05) – in that the amended parking concept:

- continues to provide for consolidated basement car parking for multiple apartment buildings within the site in vicinity to Victoria Road and Princes Street, with access to these basements via internal roads only; and
- continues to provide for visitor parking in designated on-street areas in the vicinity of apartment buildings and dwelling houses.

5.6 Subdivision

A Subdivision plan has been prepared by Denny Linker and Co and is provided at **Appendix D**. Approval for the subdivision of the Stage 1 Phase 2 site is sought as part of this modification. This Subdivision Plan has been included for the holistic assessment of the project and to prepare the site for future development.

5.7 Services and Infrastructure

An Updated Engineering Drawing prepared by Meinhardt (**Appendix G**) has been provided to reflect the current design of future road within the site. This section provides detail in relation to the design of the roads. These roads have been design to AMCOR standards in accordance with the Deed of Agreement with Ryde Council.

The Electrical Infrastructure Report (**Appendix H**) and the Civil Engineering Design Report (**Appendix I**) provides a description of the proposed utilities which will service the development. Due to the progression of investigations on the site, these reports provide an update to the approved Concept Plan documentation and outline the availability of existing utilities and those proposed to be installed to service the development.

6.0 Conclusion

The proposed modifications relate to the updating of the approved Concept Plan to provide greater certainty for Frasers Putney, the City of Ryde Council and the general public to guide future detailed applications for the residential development of this site. These modifications relate to Stage 1 and a subsequent modification application will be made to amend the Stage 2 area of the approved Concept Plan.

An acknowledgement of the need to modify the approved Concept Plan was included in the Director General's Assessment Report of MP 05_0001. The report acknowledged that the Concept Plan scheme had been untested by market forces. The proposed modifications are in direct response to market forces as they propose a dwellings mix which caters to the current market. This has resulted in amending the approved layout to enhance the use of space across the site. and responds to current standards of urban design.

The amendments proposed in this modification will have no adverse environmental impacts that cannot be managed or mitigated and will ultimately improve the amenity of future residents. The proposed changes are generally consistent with the philosophy of the Concept Plan for the Royal rehabilitation Centre, Ryde (MP05_0001). Despite the proposed amendments to the site layout and Concept Plan, the concept plan will remain consistent with the relevant development principles and density controls detailed in the Concept Plan Approval (MP 05_0001) and the *Ryde Local Environmental Plan 2010*.

In light of these planning merits and in the absence of any adverse environmental impacts, we therefore request that the Minister or his delegate approve the modification.