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Response to Submissions and Preferred Project Report
Part 3A – Concept Plan Application – MP10_110
Residential Flat Development



74-76 Belmore Street, Ryde
(Also known as 8 Junction Street)

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Belmore Street, Ryde

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Table of Contents

1	Introduction	1
1.1	Purpose of this Report	1
2	Amended Concept Plans	2
3	Department of Planning Key Issues	3
3.1	Social Impact Assessment	3
3.1.1	Relocation and housing Strategies	4
3.1.2	Amendment to Commitment No. 21 (Adaptable Housing)	5
3.1.3	Response to Submission 84	6
3.1.4	Consultation with Crowle Community	6
3.2	Traffic Generation, Road Capacity and Vehicular Access	7
3.2.1	RTA's comments and further traffic modelling	7
3.2.2	Driveway widths	9
3.3	Residential Amenity	9
3.3.1	Building separation	9
3.3.2	Building envelopes - solar access and cross ventilation	11
3.3.3	Amenity of future residential flat building at 2-4 Porter Street	12
3.3.4	Site coverage and deep soil area	14
3.4	Built Form	15
3.4.1	Review of Block C, D and E envelopes along Porter Street	15
3.5	Heritage Impacts	15
3.5.1	Reduction in Block A envelope	15
3.5.2	Review of building heights adjoining curtilage to Tellaraga house	16
3.5.3	Clarification of intended use of Tellaraga house and Conservation management plan	17
3.6	Public Domain	17
3.6.1	Through site link	17
3.6.2	Dedication of public pathway along Porter Street frontage	18
3.6.3	Schedule 2 – Updated Statement of Commitments	19
4	Local and State Government Agency Submissions	21
4.1	City of Ryde Council (submission 86)	21
4.1.1	Height	21
4.1.2	Floor space ratio	21

4.1.3	Building envelopes	22
4.1.4	Environmental and residential amenity	22
4.1.5	Traffic implications	22
4.1.6	Car Parking	23
4.1.7	Vehicular access	23
4.1.8	Ecologically sustainable development	25
4.1.9	Contributions	25
4.1.10	Heritage	25
4.1.11	Drainage and flooding	25
4.1.12	Waste	26
4.2	Ryde Council submission dated 15 February 2012	26
4.3	Department of Transport (submission 87)	27
4.3.1	Bicycle parking	27
4.3.2	Pedestrian / bicycle through site link	27
4.3.3	Travel plan	27
4.4	Sydney Water (submission 88)	27
4.4.1	Water main/wastewater and Sydney Water servicing	27
4.5	Roads and Traffic Authority (submission 89)	27
4.6	NSW Heritage Council (submission 90)	27
4.6.1	Enhancing the heritage setting/transition area	27
4.6.2	Future management of the heritage item	27
4.6.3	Locally significant archaeology	28

5	Public Submissions	28
----------	---------------------------	-----------

5.1	Meadowbank West Ryde Progress Association	28
5.1.1	Traffic congestion	28
5.1.2	Lack of public transport capacity	28
5.1.3	Road safety	28
5.1.4	What is being approved	28
5.1.5	Lack of useable open space	28
5.1.6	Facilities for disabled	29
5.1.7	Ecologically sustainable development (ESD)	29
5.2	Public submissions (objections)	29
5.3	Public submissions (in support)	39

6	Updated Statement of Commitments	41
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Figures

1. North Eastern elevation of approved 2-4 Porter Street development

Tables

1. RFDC - Building Separation Rules of Thumb
2. RFDC – Residential Amenity Rules of Thumb
3. Recommendations of Ambrose Flora and Fauna Assessment Survey
4. Public Submissions - Pro-Forma Email Issues
5. Other Public Submissions

Appendices

1. Amended Concept Plans and Supporting Plans, prepared by NBRSPartners
2. Social Impact Review prepared by Elton Consulting
3. Communication Engagement Outcomes Summary prepared by Elton Consulting
4. Transport and Accessibility Impact Assessment, Supplementary Modelling Analysis, prepared by Halcrow (note: SIDRA modelling accompanies this attachment which is only available in electronic format)
Response to Submissions – Traffic and Transport Issues, prepared by Halcrow
5. Approved Plans of mixed use development at 2-6 Porter Street
6. Annotation ground floor and first floor (typical) plans of the approved development at 2-6 Porter Street
7. NBRSPartners response to Heritage Issues
8. Sparks and Partners response to water management issues
9. Equatica responses to water quality and WSUD issues
10. Updated Statement of Commitments without tracked changes

1 Introduction

1.1 Purpose of this Report

Concept Plan MP 10_0110 has been publicly exhibited with the exhibition period closing on 23 September 2011. A number of submissions have been received from local and State government agencies and the public.

Section 75H of the now repealed provision of Part 3A of the Environmental Planning and Assessment Act, 1979 requires a response to the issues raised in the submissions and any other matters raised by the Department of Planning and Infrastructure.

The purpose of this report is to provide a response to the submissions and the key issues and additional information required by the Department of Planning and Infrastructure (DP&I) as set out in the Department's letter dated 9 November 2011.

In response to the review of the issues raised in the submissions the Concept Plan has been amended. This has largely arisen due to a review of the proposed building envelopes against the more details building design components of the Residential Flat Design Code (RFDC) as well as a decision by the proponent to review the building envelopes to improve their efficiency.

This report contains the following sections:

- Section 1** Describes the amended Concept Plan application. The amended Concept Plan together with the amended statement of commitments form the Preferred Project Report
- Section 2** Addresses the key issues identified in Schedule 1 of the DP&I's letter;
- Section 3** Addresses the issues raised in the local and State government agency submissions;
- Section 4** Addresses the issues raised in the public submissions; and
- Section 5** Provides an updated statement of commitments

Where necessary the specialist consultants who prepared reports forming part of the Environmental Assessment (EA) have contributed to preparing responses to the issues raised. Their reports and documentation are appended to this report and referenced where necessary.

This report including the supporting documentation, plans and updated statement of commitments comprises Achieve Australia's Preferred Project Report (PPR) being the application for which approval is sought.

2 Amended Concept Plans

As noted above, amendments to the Concept Plan have been made partly in response to the submissions received during the exhibition period and partly in response to more detailed test of building envelopes that was necessary to respond to the DP&I's key issues.

The amended Concept Plans are contained in **Appendix 1** to this report. The site layout is unchanged to retain the original design principles and intent (e.g. creating a heritage curtilage, tree retention, large central open space area, vehicular access points, pedestrian access points, building envelope orientation and solar access principles). The building envelopes remain in their original locations, but are altered in the footprint size and profile. The total gross floor area of 35,000m² (as defined under the Standard Instrument) is maintained.

The principal changes are a review of the "wedding cake" building envelope form, reduction of the envelopes in their short dimension and a slight redistribution of heights in certain locations. The amendments are generally summarised as follows:

Block A

- Removal of the 2 storey stepped element on the northern end of the envelope to respond to the NSW Heritage Office comments regarding the heritage curtilage and further opening up views of Tellaraga House (further discussion is provided in Section 3.5.1).
- Building envelope has been narrowed by approximately 2m to improve future apartment layout efficiency in accordance with the Residential Flat Design Code (RFDC).
- Removal of stepped (wedding cake) envelope form – except on the northern edge of the envelope along Belmore Street creating a uniform height to the envelope.
- 7th storey element has been rotated 90 degrees to an east-west alignment rather than a north-south alignment. This results in a reduction in height along Belmore Street, but an increased height in the east-west component of the envelope.
- Increased southern setback from 7m to 12m to compensate for the increased height and manage shadow impacts to the south.

Block B

- Narrowing of the envelope along the eastern (internal) elevation.
- Removal of stepped (wedding cake) envelope form – except on the northern edge of the envelope along Belmore Street creating a uniform height to the envelope.
- Extension of the 7th storey element towards the north.

Block C

- Narrowing of the envelope along the southern (internal) elevation.

Block D

- Narrowing of the envelope along the western (internal) elevation.
- Removal of stepped (wedding cake) envelope form – except on the northern edge of the envelope along Belmore Street creating a uniform height to the envelope.
- Removal of the stepped footprint at the southern end of the envelope and the transfer of this footprint to create a small wing projecting into the internal courtyard.
- Extension of the envelope towards the north, setback from Porter Street.
- Increased building separation from the envelope of Block E.

Block E

- Narrowing of the envelope along the western (internal) elevation.
- Removal of stepped (wedding cake) envelope form – except on the northern edge of the envelope along Belmore Street creating a uniform height to the envelope.
- Removal of the stepped footprint at the northern end of the envelope and a transfer of this footprint to create a small wing projecting into the internal courtyard area.
- Increased building separation from the envelope of Building D.

Block F

- Removal of eastern part of Block F closest to Block D.

Block G

- One storey envelope between Blocks C and D has been removed.

In addition to the Amended Concept Plans, NBRSP+Partners has prepared supporting material including indicative apartment layout plans, isometric shadow analysis and deep soil and public accessway plans which are all included in **Appendix 1**.

3 Department of Planning Key Issues

This section provides responses to the key issues contained in Schedule 1 of the DP&I's letter dated 9 November 2011.

3.1 Social Impact Assessment

The issues raised in the DP&I's Key Issues schedule in relation to social impacts are:

- *"The Department raises concern over the social impacts as a result of relocating existing residents of the Crowle Home and users of the day care facility. Further details of the relocation and housing strategies are required including:*
 - *Detailed housing and care options available to relocated residents giving consideration to specific care needs;*
 - *Demonstration of how the strategy complies with relevant NSW Guidelines;*
 - *Demonstration of appropriate consultation with residents and relevant agencies over the relocation and housing strategies; and*
 - *Details providing evidence of how the strategies will be successfully implemented including any transition plans.*
- *Greater commitment to the number of dwellings to be provided on site for existing Crowle residents including the type of dwellings to be dedicated and intended levels of care to be provided.*
- *Detailed response to the social impact review undertaken by Judith Stubbs and associates is required (submission number 84).*
- *Evidence of an appropriate and justified level of consultation with the current Crowle Home community regarding future development of the site and proposed relocation and housing strategies."*

The above comments were made by the DP&I prior to receiving a response from the NSW Government's Ageing and Disability and Home Care (ADHC) (Department of Family and Community Services). The important elements of the ADHC response are summarised below:

- Stronger Together is part of the State Government's 10 year plan for disability services, including a funding package to redevelop or close large residential care centres.
- ADHC has been investigating how Crowle might be replaced with contemporary accommodation that meets the standards and principles outlined in the Disability Services Act, 1993 and the United Nations Convention on the Rights of Persons with Disabilities.
- Achieve Australia has developed a business case with support from ADHC to construct several new dwellings and the business case presumes redevelopment of the subject site, including an option for residents to live in the completed development. The cost of providing the new accommodation would be funded by proceeds of the redevelopment.
- ADHC believes the Concept Plan proposal will have a positive social impact.
- Congregate housing similar to that offered on the Crowle site has been described by the NSW Ombudsman as being incapable of complying with the key principles of the Disability Services Act, 1993.
- New housing in the community replacing current accommodation at Crowle Home will be required to conform to the ADHC Design Standards for disability accommodation, but they note that not all people with disabilities require specialist disabled housing (we note that adaptable housing provides flexibility to fulfil this objective).
- Achieve Australia has committed to developing and implementing a person-centred approach to Individual Planning Policy (a best practice guideline to ensure a person-centred approach to individual planning for clients).
- ADHC has worked extensively with Achieve Australia regarding change management and stakeholder management plans. ADHC notes that Elton Consulting assisted Achieve Australia in preparing such plans encompassing residents, staff and family in the transition to new arrangements. ADHC notes that the plans have clear objectives, key performance indicators, stakeholder engagement principles and approaches to the engagement of stakeholders.

In relation to social impact ADHC states as follows:

"ADHC believes that the redevelopment of the Crowle site will have a positive social impact on the current residents because they will receive improved living conditions and accommodation options that are more integrated in the community and which greatly enhance their capacity for exercising choice and achieving personal goals."

3.1.1 Relocation and housing Strategies

Elton Consulting has assisted Achieve Australia in responding to the social impact issues raised by the Department and in submission No. 84 including the Judith Stubbs & Associates report of September 2011. A copy of Elton Consulting's Social Impact Review is attached at **Appendix 2**. We have not attempted to summarise the Social Impact Review as the document needs to be read in its entirety to understand:

- Housing options considered by Achieve Australia and why the selected approach is appropriate;
- How Achieve Australia is responding to Government policy (including 1988 State wide plan, Stronger Together: A New Direction for Disability Services 2006-2011, Disability Services Act, 1993; and United Nations Convention on the Rights of Persons with Disabilities),
- How Achieve Australia has been working with the NSW Government's Ageing and Disability and Home Care in relation to this site; and

- How Achieve Australia has engaged and consulted with residents of the site and their families as part of the devolution process.

As noted in the EA submitted with the Concept Plan application, the relocation of existing residents and the day program is a transition process that has been occurring for many years and is not a process that is occurring because of the Concept Plan application. This is clearly illustrated in the graph in the Social Impact Review which illustrates the gradual relocation of residents from 98 people in 1991 to 22 people in 2012. Since the preparation of the EA the number of residents has reduced from 31 to 22. Also, since the preparation of the EA, Achieve Australia has completed the refurbishment of Araluen at Epping and the transition of the day programs from the site to Araluen was completed in January 2012.

As part of the Social Impact Review, Elton Consulting has reviewed internal and external documents including transition plans and Achieve Australia's Housing Plan (January 2012). These are internal management documents not available in the public domain.

The transition plans are individually based plans tailored to the individual's needs (they are not fixed or prescriptive) and are adaptable as the plan is implemented. The transition plans are developed having regard to the Lifestyle Planning Policy and Practice Guide, March 2011 prepared by ADHC. The Lifestyle Planning Policy has been prepared as part of the *Stronger Together: A new direction for disability services in NSW 2006 – 2016*. A video produced by Achieve Australia has been forwarded separately to the DP&I to illustrate and understand how these transition plans are developed and implemented.

Having regard to the transition plans and Housing Plan Elton Consulting has formed the view that the procedures they have reviewed have been well thought-out and are close to best practice.

The relocation and housing strategies are explained in the Social Impact Review. Elton Consulting's review of the Housing Plan (January 2012) explains how the proceeds from the development will be used to move residents from rented group home properties to housing owned by Achieve Australia. Achieve Australia is also proposing to purchase additional properties in the local area that can be redeveloped or converted to accommodate up to 8 residents. In addition, Achieve Australia will also commit to retaining a minimum of 15 adaptable dwellings in the finished development (refer to discussion in Section 3.1.2). The combination of these strategies will provide a housing pool that Achieve Australia can use to accommodate their clients. The care options available will be provided through the existing care services and determined on a case by case basis.

In relation to social impacts, Elton Consulting concludes as follows:

"In our opinion Achieve Australia has put in place and implemented strategies aimed at ameliorating the social impact of the move from Crowle Home on various stakeholder groups. The groups most affected are the residents and their families, and it is here where careful and individualised plans are in place. Support levels appear to have been maintained at Crowle Home, despite the decrease in the number of residents. Care has been taken to try and maintain continuity for the residents, by encouraging them to move to the community in friendship groups, and for staff members to also transition to a community setting.

Even with careful planning by Achieve Australia, it is understandable that residents and their families will be concerned about a substantial change in their lives. Many have had a close association with Crowle Home for much of their lives. Whether the transition had been to a new cluster home on-site, or to community living, concerns would have been raised. The objections to Achieve Australia's proposals to community living, which have the backing of State Government through ADHC, need to be seen in this light."

3.1.2 Amendment to Commitment No. 21 (Adaptable Housing)

The Social Impact Review has noted that Achieve Australia intends to retain a number of properties in the finished development to house people living with disability. Elton Consulting notes that this intention will create a mixed community in line with the State

Government's 'Stronger Together' policy. A minimum of 15 apartments in the finished development are to be retained and these will be adaptable dwellings. Whether the dwellings need to be fitted out in an adaptable configuration will depend on the end user. Elton Consulting note that by retaining a minimum of 15 apartments a minimum of 25 and potentially up to 30 people living with disability could be accommodated (depending on room configuration and occupancy). Elton Consulting also note that with the implementation of this commitment it will be possible for all 22 existing Crowle Home residents to have the option to remain on the site. As such, residents would be able to retain an association with a site where they have lived for most of their lives. However, due to the disruption that will be caused during construction, many residents may choose to move to purpose built accommodation in surrounding neighbourhoods.

Commitment No.21 is proposed to be amended as follows:

Achieve Australia commits to providing 'adaptable housing' at the rate of 10% of the total dwellings and to be distributed around the development. The adaptable housing will be provided in accordance with Australian Standard AS4299 – Adaptable Housing. Achieve Australia also commits to retaining a minimum of 15 adaptable dwellings (from the 10%) in the finished development.

3.1.3 Response to Submission 84

The Social Impact Review has been prepared to respond to the social impact issues raised in the submission. In addition to social impact issues raised in the Judith Stubbs & Associates report, Submission 84 also comprises a submission from Design Collaborative and Blake Dawson.

Design Collaborative submission

This component of the submission forms the view that the Concept Plan has not given consideration to the provision of on-site accommodation for existing residents and associated social impacts.

The rehousing of existing residents has been occurring since 1991 as part of the devolution of large residential institutions, in line with Government policy as documented in the Elton Consulting Social Impact Review. The relocation of existing residents is not a consequence of the Concept Plan application. As detailed above an additional commitment has been proposed Achieve Australia also commits to retaining a minimum of 15 adaptable dwellings (from the 10%) in the finished development.

Blake Dawson submission

The submission incorrectly states that as recently as two years ago Crowle Home accommodated 90 residents. The Elton Consulting Social Impact Review has set out the progress of moving residents to community living. Figure 1 in their report is a graph illustrating the resident numbers since 1991 based on Achieve Australia's records. This graph indicates that in 1993/94 there were 90 residents. However two years ago (2010) there were some 35 residents.

The submission asserts that Achieve Australia is not honouring Bed Bonds (described as being agreements between the former Sub-Normal Children's Welfare Association and residents of the Crowle Home to provide accommodation at Crowle Home for life). Achieve Australia is aware of the Bed Bonds and considers this to be outside the scope of the Concept Plan application. Achieve Australia has considered these Bed Bonds and does not believe that is in breach of the agreements.

3.1.4 Consultation with Crowle Community

The Social Impact Review has also reviewed the consultation that has been undertaken by Achieve Australia with the Crowle community including:

- Early consultation prior to 2009 indicates that families of Crowle Home were informed of the de-institutionalisation and Achieve Australia advise that half of the board comprised family members of Crowle Home and therefore they would have been aware of the strategy for de-institutionalisation of the then Crowle Foundation;
- Consultation on moving to community care during 2009-2010 which included meetings with immediate families of Crowle Home residents in June and October 2010 and other interested stakeholders in 11 information sessions held over 4 days during August 2010;
- 33 exploratory meetings with families of Crowle Home residents during August and September 2010. Of these 31 meetings were face to face, and 2 were by telephone for interstate families;
- Transition meetings with families including 11 meetings between late 2010 to June 2011 and a further 21 meetings between July and December 2011 to prepare the individual transition plans;
- Community Information Session held on 8 September 2011 in which 2300 flyers were distributed to residences around the Crowle Home site reflecting the DP&I's notification distribution area; and
- Presentation to the Meadowbank West Ryde Progress Association on 14 September 2011.

The results of the Community Information Session and presentation to the Meadowbank West Ryde Progress Association are documented in the Community Engagement Outcome Summary prepared by Elton Consulting and attached at **Appendix 3**.

Upon reviewing the consultation undertaken by Achieve Australia, Elton Consulting has formed the opinion that Achieve Australia has consulted with key Stakeholders since 2009 in a variety of formats. Elton Consulting disagrees with the statement by Penklis Lawyers that there has been "serious deficiencies with consultation in general and in relation to the Relocation Strategy in particular."

3.2 Traffic Generation, Road Capacity and Vehicular Access

In preparing a response to the traffic issues Halcrow has prepared the following two documents

- Transport and Accessibility Impact Assessment – Supplementary Modelling Analysis and;
- Response to Submissions – Traffic and Transport Issues.

Both documents are attached at **Appendix 4**. This issues raised by the then Roads and Traffic Authority (now Roads and Maritime Service (RMS)) are addressed in this section of the report.

3.2.1 RTA's comments and further traffic modelling

Further traffic modelling has been undertaken by Halcrow using the traffic generation rate of 0.4 trips per dwelling. The distribution assumptions of traffic to and from the proposed Achieve Australia development remain unchanged from those presented in the *Transport and Accessibility Impact Assessment* (Halcrow, 9 August 2011).

An electronic copy of the aaSIDRA model has been provided which can be forwarded to the Roads and Maritime Service (RMS) by the DP&I.

As requested by the RTA, the traffic modelling has reassessed the following intersections using the higher traffic generation rate:

- Victoria Road / Bowden Street

- Constitution Road / Belmore Street

The findings regarding these two intersections are discussed below. In addition to the above, the key intersections along the primary vehicle access routes to and from the Achieve Australia site were reassessed, including:

- Junction Street / Church Street
- Belmore Street / Junction Street

In relation to these two intersections, Halcrow's revised modelling has found that the operating conditions are not significantly different under the two scenarios.

Victoria Road /Bowden Street

In relation to this intersection Halcrow considers that the intersection is not located such that it provides the most direct or convenient access to and from the Achieve Australia site and other more convenient routes to access the regional road network are Junction Road, Belmore Street and Constitution Road (which have also been reassessed). Halcrow's modelling has found that the proposal is estimated to generate some 8 vehicles per peak hour through this intersection which will not trigger the need for intersection upgrades.

Constitution Road/Belmore Street

Halcrow's modelling has found that this intersection will experience a high degree of saturation. This is the result of the demand for the right turn movement from Belmore Street into Constitution Road. In particular, the lane length of 45 metres for the above right turn is insufficient to accommodate the traffic demands. Halcrow recommends modifications to the intersection to provide additional storage capacity to address the degree of saturation.

Two options are suggested by Halcrow to provide additional capacity:

1. Increase the existing right turn lane length from 45 – 90 metres; or
2. Provide a dual right turn facility at the intersection with additional exit lane on Constitution Road.

Neither option requires altering the carriageway width or road reserve. However they do require removal of on-street car parking in order to provide the additional capacity.

Both alternatives include the removal of 3 to 4 on street car parking spaces on the western side of Belmore Street south of Constitution Road to increase the left turn lane length.

Alternative 1 requires an extension of the right turn lane which will require the removal of 7 to 8 parking spaces on the western side of Belmore Street north of Constitution Road.

Alternative 2 involves a dual right turn lane that in turn requires the removal of on street parking on the southern side of Constitution Road between Belmore Street and Gale Street (approximately 4 spaces).

As the Meadowbank Employment Area (MEA) goes through its transition from an industrial and employment land use to one of a residential land use (as per Council's Local Strategy), there will inevitably be modifications required to traffic conditions in the area. On balance, the removal of on-street car parking is considered to be reasonable in order to facilitate the change in strategic direction for this locality and provide for additional residential accommodation close to major public transport infrastructure, services and facilities.

Halcrow has considered the transport assessment prepared by Urban Horizon (July 2007) for Ryde Council to inform the change in land use from industrial to one which is predominantly residential. This assessment identified a package of traffic improvements that has been incorporated into Council's works schedule in their Section 94 Contributions

Plan. The works to the Belmore Street and Constitution Road intersection did not form part of the package of works. Halcrow has determined Achieve Australia's Concept Plan application proposes an increase in dwelling yield of 286 above the expectations for the MEA as factored into the Urban Horizon transport assessment. Therefore based on a proposed dwelling yield of 470 dwellings, the need for works would be triggered after 184 dwellings (470-286). The following additional commitment has therefore been added to the Statement of Commitments to either pay for or undertake the intersection improvements.

Achieve Australia commits to either paying Council for the improvements to the Constitution Road / Belmore Street intersection involving lane configuration within the existing carriageway width, removal of on street car parking, installation of necessary signage and adjustment to the phasing of the signalised intersection or undertaking these works. This work will be undertaken when the proponent acts upon a development consent that creates the 185th dwelling.

3.2.2 Driveway widths

Issue The proposed 12 metre driveway widths at Porter Street should be reduced to comply with relevant Council and RTA guidelines

We note that this issue has also been raised by Ryde City Council in their submission.

Generally, Drawing EA06 in the EA denotes two "12m Access Zone" entering the site off Porter Street. These are access zones and are not an indication of the width of a future driveway. The use of access zones recognizes that the future building footprints will be located within the proposed building envelopes. Because there is more than one solution to the location of a building footprint within the building envelope, there needs to be a degree of flexibility in the driveway location. Future development applications will accurately design the driveways in accordance with Council's requirements. To provide certainty regarding this approach the following additional commitment has been proposed:

Achieve Australia commits to designing future driveways in accordance with Council's design requirements.

Further traffic related issues are discussed in the response to Ryde Council's comments at Sections 4.1.6 and 4.1.7.

3.3 Residential Amenity

3.3.1 Building separation

Issue: Review and reconsideration of building separation distances between the proposed building envelopes is required to ensure compliance with State Environmental Planning Policy (SEPP) No 65 and the NSW Residential Flat Design Code (RFDC) This shall include consideration of potential future locations of habitable rooms and balconies and identification of potential measures to mitigate privacy and acoustic impacts.

The Residential Flat Design Code (RFDC) states the following in Part 01 – Local Context - Building Envelopes:

A building envelope is not a building, but a three dimensional zone that limits the extent of a building in any direction. It defines the extent of the overall building zone in plan and section within which a future building can be located. (see image 01.49.) The length, depth and height of building envelopes are defined in metres. Building envelopes should be at least 20-25 percent greater than their achievable floor area to allow for building articulation (see Floor Space Ratio)."

The RFDC also states that building envelopes can help *to test that the primary controls are coordinated and produce the desired outcome*". The primary development controls of the RFDC are:

- building height

- building depth
- building separation
- street setbacks
- side and rear setbacks
- floor space.

The Concept Plans were developed having regard to the Building Envelopes and Primary Development Controls sections of the RFDC. Importantly, the envelopes were developed in response to the building height and floor space ratio controls Ryde Council has identified for this site in its local planning strategy. Setbacks have been proposed in response to the surrounding context and tree retention along the three street frontages and the approved development at 2-4 Porter Street (discussed in section 3.3.3).

The building separation guidelines in the RFDC were also used to develop the building envelopes. NBR5 + Partners has prepared plans (**Appendix 1**) that illustrates a potential apartment design and layout to demonstrate how a building could be accommodated within the proposed building envelopes. The RFDC building separation dimensions relate to internal courtyards of a development and adjoining sites. **Table 1** below provides an assessment of the indicative apartment layout against the building separation rules of thumb in the RFDC.

TABLE 1: BUILDING SEPARATION – RFDC RULES OF THUMB				
BLOCKS	HEIGHT	HABITABLE OR NON-HABITABLE SPACE	RFDC RULE OF THUMB	INDICATIVE APARTMENT LAYOUT PLAN
A to B	5 storeys	Habitable to habitable	18m between habitable rooms / balconies	>32m rule of thumb achieved
B to C	4 storeys	Can be non-habitable to non-habitable	6m between non-habitable rooms	6m
	6 storeys	Habitable to non-habitable	13m between habitable rooms / balconies and non-habitable rooms	12m to 15m depending on final design
C to D	6 storeys / 7 storeys	Can be non-habitable to non-habitable	12m between non-habitable rooms	12m to separated portions.
D to E	7 storeys	Possible habitable to non-habitable, but could be non-habitable to non-habitable also.	13m between habitable rooms / balconies and non-habitable rooms	12.5m, minor variance of 500m to envelopes – can be resolved at DA stage.
E to A	7 storeys	Habitable rooms / balconies and non-habitable	13m between habitable rooms / balconies and non-habitable	14m

TABLE 1: BUILDING SEPARATION – RFDC RULES OF THUMB

BLOCKS	HEIGHT	HABITABLE OR NON-HABITABLE SPACE	RFDC RULE OF THUMB	INDICATIVE APARTMENT LAYOUT PLAN
		rooms	rooms	
Internal Courtyard	7 storeys	Habitable to habitable	18m between habitable rooms / balconies	30m+ Rule of thumb achieved
A to 2-6 Porter Street	7 storey / 6 storeys	habitable rooms / balconies and non-habitable rooms	13m between habitable rooms / balconies and non-habitable rooms	15m Rule of thumb can be achieved
E to 2-6 Porter Street	7 storey / 6 storeys	habitable rooms / balconies and non-habitable rooms	13m between habitable rooms / balconies and non-habitable rooms	12m minor variance of 1m which can be resolved at DA stage.

The plan demonstrates that future buildings can be accommodated within the building envelopes to achieve the building separation guidelines in the RFDC and in the instances of apparent non-compliance, these minor variances can be resolved at DA stage.

3.3.2 Building envelopes - solar access and cross ventilation

Issue: Further assessment and analysis demonstrating all proposed building envelopes are capable of meeting the solar access and cross ventilation requirements of the RFDC including indicative potential floor plan layouts for individual buildings.

NBRS + Partners has prepared an indicative layout for typical floors of the amended building envelopes. These contain indicative floor plan layouts and illustrate where habitable rooms and balconies could be located but their location could change depending on the final design. The plans indicate the following:

- The building separation criteria is capable of meeting the rules of thumb contained in the RFDC based on the various building heights.
- The layouts are based on a building depth of 18m where cross through apartments are likely (i.e. face of glass to face of glass) with the remainder of the envelopes used for balconies and articulation.
- A building and apartment layout is capable of being designed within the building envelopes to achieve cross ventilation with many apartments being capable of being corner or cross through apartments.
- Building orientation, habitable room and private open space placement can be designed to maximise the opportunities for solar access.

In terms of the rule of thumb criteria NBRS+Partners has prepared a summary which is provided in **Table 2** indicating how the indicative plans respond to the solar access, single aspect (south facing) and cross ventilation principles.

TABLE 2: RFDC – RESIDENTIAL AMENITY RULES OF THUMB

BLOCK	1 BED	2 BED	3 BED	TOTAL	SOLAR ACCESS	SOUTH FACING	VENTILATION
A	35	53	2	90	68	6	54
B	34	52	2	88	68	13	48
C	29	23	2	54	30	8	32
D	38	35	7	80	52	8	47
E	70	41	7	118	89	22	54
TOTAL	206	204	20	430	307	57	235
	48%	47%	5%		71%	13%	55%

The table demonstrates that:

- At least 71% of apartments can receive a minimum of 3 hours direct sunlight to living rooms and private open space between 9 am and 3 pm in mid winter (the dense urban environment criteria of 2 hours has not be used).
- Approximately 13% of dwellings are single aspect – south facing (SW-SE) dwellings.
- At least 55% of dwellings can be naturally cross ventilated through the use of corner or through apartments.

It is noted that there are some variances from the RFDC rules of thumb in relation to single aspect – south facing dwellings and cross ventilation. However, the indicative plans are only one possible apartment layout solution. The plans demonstrate that the building envelopes are close to meeting the rules of thumb. The percentage outcome will ultimately depend on such factors as the final unit mix which could change dwelling yield, dwelling type and the location of dwelling types.

In addition, the more detailed planning that will occur at DA stage can explore methods or techniques to achieve compliance such as:

- Use of skylight/clerestory/roof lights etc to achieve solar access (only for apartments with exposed roof above);
- Use of ventilated skylights etc to achieve ventilation; and
- Use of ventilation stacks in the building core to improve ventilation.

Some the above measures are recognised in the RFDC as being design solutions that can be explored, but they are all a level of detail beyond the concept plan.

3.3.3 Amenity of future residential flat building at 2-4 Porter Street

Issue: Consideration of the amenity of the future occupants of the approved residential flat buildings adjoining the site to the south. This includes a review of building separation, privacy and solar access impacts from building envelopes A and E

In order to consider this issue the approved design of 2-4 Porter Street (including 80 Belmore Street) needs to be examined and understood.

The proposal to construct buildings on the adjacent site at 80 Belmore Street and 2-4 Porter Street was firstly evaluated by examining the drawings issued by Ryde Council during the public advertising period. The development has since been approved. Figure 1 below is a 3D view illustrating the north east elevation of the building on 2-4 Porter Street which adjoins the interface with the subject site.

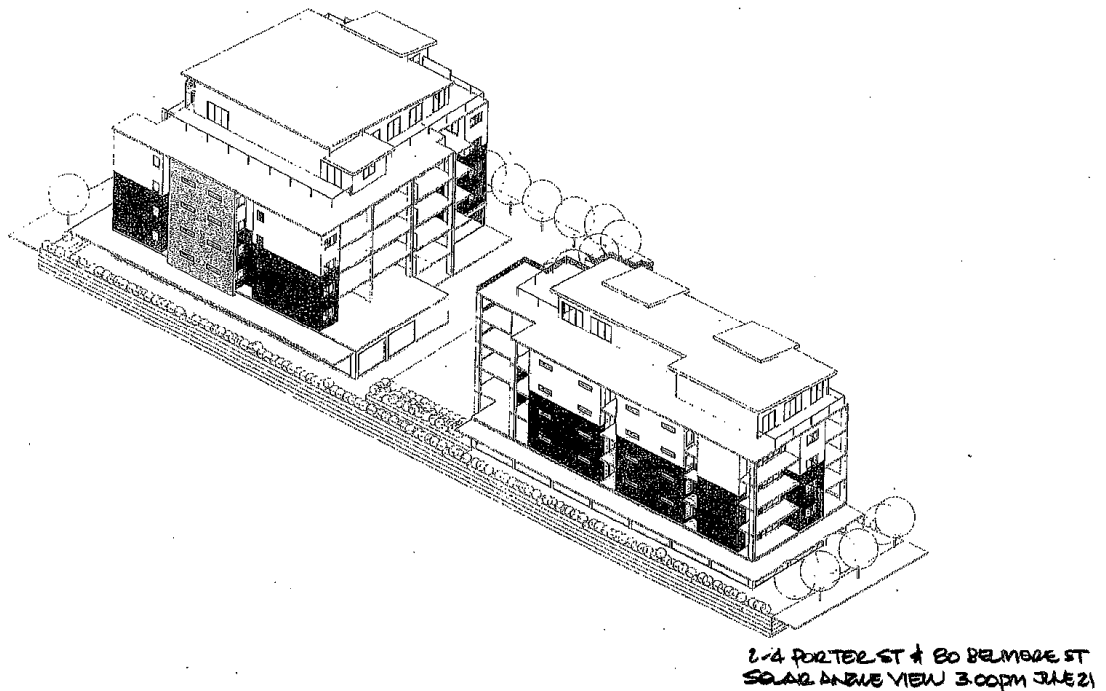


Figure 1: North east elevation of approved 2-4 Porter Street

Plans of the approved development (provided by the owner) are attached at **Appendix 5**. The ground floor and first floor (typical) plans have been annotated to illustrate elements of the proposed building that need to be considered when understanding the building envelopes proposed in the Concept Plan. These are provided in **Appendix 6**.

The main elements of the design that were considered in the development of the building envelopes and boundary setbacks include:

- The building has a 5m front setback to both Porter Street and Belmore Street (i.e. similar to the front setbacks proposed in the Concept Plan).
- The residential levels are setback 4m (western building) and 6m (eastern building) from the common boundary and the upper level is setback 6.5m (western building) and 11m (eastern building).
- The north east wall of the proposal is planned to be parallel to the adjoining boundary.
- The lowest (ground floor) level of the approved development on 2-4 Porter Street comprises commercial or retail tenancies and a colonnade walkway. The more sensitive residential uses that the RFDC relates to commence at first floor level and above. There are however two ground floor dwellings facing the development's internal courtyard.
- The north east facade is generally not relied upon to provide solar access to the habitable rooms and balconies of the development. Instead solar access is achieved using the south east and north west facades.

- Balconies on the internal facade (overlooking the development's central courtyard) are set further in to the site at least 9m and 13m from the boundary with the subject site. The shadow diagrams at **Appendix 1** demonstrate that these balconies receive at least 3 hours of sunlight at the winter solstice.
- No large or full height windows occur in the north east façade for the use of outlook. There are windows indicated that are high level horizontal slit windows only above eye level and will not view directly into any proposed development on 76 Belmore Street. These are evident in Figure 1 and notated on the floor plans in Figures 2 and 3.
- In the centre of the wall there are recesses (800-1000mm) deep set in the walls and windows recessed (1000mm) behind projecting blades in the outer wall which conceal the windows to the boundary. These are evident in Figure 1 and on the floor plans in Figures 2 and 3. The blade walls and screening to these spaces limits solar access and they are effectively self-shaded until about midday at the winter solstice. The shadow diagrams prepared for the proposed building envelopes demonstrate that these recesses are unaffected after 12noon at the winter solstice.

The Concept Plan was developed having regard the design principles exhibited in the now approved development. The proposed building envelopes have been located to allow the building forms to be placed within the envelopes to achieve compliance with the RFDC.

A shadow analysis based on the indicative floor plan arrangement has been undertaken for 2-4 Porter Street. The isometric shadow diagrams are attached at **Appendix 1**. These demonstrate that the solar access criterion of the RFDC (3 hours sunlight to 70% of living rooms and private open space) is capable of being achieved.

The building envelope to Block A has been revised to provide a 12m setback from the common boundary with 2-4 Porter Street for the majority of the envelope. This will ensure an acceptable solar access outcome for 2-4 Porter Street. The envelope to Block E has not been identified as requiring any amendment to achieve solar access objectives. The building envelopes as proposed satisfactorily respond to the building separation requirements, solar access and privacy considerations of the RFDC.

3.3.4 Site coverage and deep soil area

Issue: Clarification of the overall site coverage of the development and the deep soil area to demonstrate compliance with the RFDC including clearly identifying the communal open space areas and a schedule of the amount of communal open space available to buildings

NBRS + Partners has prepared an additional drawing (EA 53) indicating the deep soil areas which are calculated at 6476m². These calculations are based on the building envelopes and exclude areas above the basement envelope and are therefore also reflective of the site coverage. This represents 40% of the site area. The percentages will change depending on the final building footprints and location of pathways.

The RFDC has a rule of thumb that *"a minimum of 25 percent of the open space area of a site should be a deep soil zone; more is desirable."* The above demonstrates that 40% of the site area is available as deep soil. The entire deep soil zone is available for open space. The plans clearly show that the deep soil area will comprise the majority of the potential open space areas and would be well in excess of the 25% rule of thumb. The Concept Plan is more than capable of complying with the RFDC.

The exact communal open space area is not known as this is a Concept Plan application. The communal areas would include the main central spaces between all buildings as well as the recreation building in Block F. Further, in accordance with Part 3.4 of Ryde DCP 2010, the front setbacks to each street will also form part of the communal open space.

The potential communal open space area will therefore be the deep soil area (6476m²) plus Block F and other smaller areas and can therefore exceed 6500m².

The potential communal open spaces can exceed 40% of the site area. The potential areas are more than capable of achieving the RFDC rule of thumb of between 25-30% of the site area. The spaces available are also practical and appropriate for communal open space by providing consolidated areas with good proportions and area facilitating a range of uses, integrating with each building and the recreational building. The spaces also have good solar access opportunities, provide an outlook for each building and provide good landscaping opportunities.

3.4 Built Form

3.4.1 Review of Block C, D and E envelopes along Porter Street

Issue: Review and recommendations of the building length and mass of the building envelope C, D and E presented along Porter Street to provide a better contextual fit with the existing streetscape character. This shall include any additional building separation to comply with the RFDC, referred to above

The separation of the building envelopes along Porter Street has been reviewed. The single storey Block G element connecting Blocks C and D has been removed. A new infill is proposed between these envelopes but is recessed 12.5m from the front building alignment ensuring a visual break in future building mass.

The separation between Block D and E has also been reviewed by removing the stepped footprint widening the building separation from 6m to 12m for the full length of the opposing walls to these envelopes. This degree of separation will also ensure a visual break in the building mass.

It should also be noted that the application is a Concept Plan application for building envelopes and not the final building footprint or form. The buildings when designed in the next stage will be:

- Between 75-80% volume of the proposed envelopes (consistent with the RFDC); and
- Detailed, modulated and articulated to address streetscape considerations.

NBRS + Partners also note that it is important to consider both the existing and future Porter Street streetscape as well as the two storey scale industrial buildings to the south. The area, including Porter Street is an area that is in transition.

The existing streetscape to the eastern side of Porter Street is substantially single storey residential. This building type will have a limited life with the rezoning of the land proposed under draft LEP2011 that proposes a mixed use zone for the eastern side of Porter Street with a proposed building height of 6 storeys commercial/residential. This scale of development will form the future streetscape character. The proposed building form is consistent with the desired future character of the area.

3.5 Heritage Impacts

NBRS + Partners has prepared a response to the key issues raised by the DP&I as well as the comments made by Ryde City Council and NSW Heritage in relation to the heritage aspects of the Concept Plan. Their response is attached at **Appendix 7**.

3.5.1 Reduction in Block A envelope

Issue: Consideration of a reduction to the northern extent of building envelope A to improve views to Tellaraga House from Belmore Street.

The Statement of Heritage Impact noted that views and vistas from the Belmore Street gates to the property have been curtailed by Block A's minor encroachment into the desirable view lines recommended in the Reduced Heritage Curtilage area. NBRS + Partners considered that this issue was capable of being resolved at detailed development stage and commitment 24 was proposed to require this issue to be addressed a detailed design (i.e. DA) stage. Despite this opinion and the commitment, the building envelope at the northern edge of Block A has been reduced by 4m as shown in the amended plans at **Appendix 1**. The reduction in 4m occurs at each level, not just the two storey component of the envelope. This amendment increases the view corridor to approximately 36m, which could be potentially wider depending on the final building form.

The letter from NBRS + Partners at **Appendix 7** notes that the historical analysis and consultation with Council undertaken during the preparation of the Concept Plan informed the heritage curtilage as proposed and the location of the building envelopes. The important historical cues and site attributes that informed the heritage curtilage are:

- Views of Tellaraga being strongly defined by the mature trees along Belmore Street. These trees are to be retained consistent with the requirement stated in Council's submission which states that *"the avenue of trees along Belmore Street must be retained as part of the significance of the listing."*
- Having regard to the above, NBRS + Partners note that the primary view is from the existing gateway along the length of the existing palisade fence.
- Former hedges also defined the immediate curtilage of the house with paddocks lying to the north on the opposite side of the hedges. The Statement of Heritage Impact and Heritage Assessment and Curtilage Study submitted with the EA show the location of the hedges and as noted by NBRS + Partners are to be re-established. These hedges also define the curtilage and public views.

Having regard to the above NBRS + Partners considered that amendment to Block A maintains the full view to the house and removes any concerns in relation to setting and public visibility to the heritage item. Drawing EA09-B illustrates the Belmore Street elevation and the increase in exposure of Tellaraga House to Belmore Street. Depending on the final building form proposed within the revised building envelope, the viewing opportunity could increase.

Commitment No. 24 is also no longer necessary having regard to this amendment to the Concept Plan and has been deleted accordingly.

3.5.2 Review of building heights adjoining curtilage to Tellaraga house

Issue: Further consideration of building heights adjoining the curtilage of Tellaraga House to provide an appropriate transition between Tellaraga House and proposed buildings in accordance with NSW Heritage correspondence dated 5 October 2011.

NBRS + Partners has considered the comments made by NSW Heritage (refer **Appendix 7**). As noted above the heritage curtilage was developed in consultation with Council. NBRS + Partners offer the following opinions regarding the curtilage and separation to building envelopes

- The area of land proposed to be retained in the reduced curtilage for the heritage item is 2,840m² which is substantial for a single house in a suburban setting. The increase in curtilage area suggested by NSW Heritage would add another 400m² to the curtilage forming a significantly large area of over 3200m².
- A substantial curtilage with a minimum of 12 metres separation of the proposed envelopes has been provided which is considered an appropriate level of separation for a Local heritage item and provides a substantial setting for the house which approximates with its original formal garden areas.

- The curtilage exposure to Belmore Street is approximately 32 metres and coincides with the existing property boundary lines defined by hedge lines (see aerial photograph at page 2 of **Appendix 7**). As noted above, the reduction in the building envelope to Block A will increase the view lines from Belmore Street, and development contained within the proposed revised building envelopes and conforming to SEPP 65 requirements and Council controls would increase the available view corridor to the house and its garden setting to Belmore Street.
- The curtilage proposed appropriately responds to the historic elements of the site and provides for substantial public appreciation of the item within its historic garden setting.
- The areas of further substantial enlargement of the curtilage proposed by NSW Heritage Branch would not provide any substantial additional benefit to the public and would not reflect the historic boundaries and garden features of the site.
- The transitions proposed by NSW Heritage will largely be achieved by development constraints arising from compliance with SEPP 65 and Council controls for residential development without any necessity to alter the considered building envelopes which allow for some degree of flexibility in design.

3.5.3 Clarification of intended use of Tellaraga house and Conservation management plan

Issue: Clarification of the future intended use of Tellaraga House and development of a conservation management plan in accordance with the Heritage Council's guidelines and Council's correspondence dated 22 September 2011.

NBRS+Partners has advised in their response(**Appendix 7**) that Tellaraga House would be used as a common facility available to all users of the site incorporating such uses as a Library, Function Room, Management Office, Gymnasium and attached indoor swimming pool. The final uses would be further documented at DA stage.

NBRS + Partners recommend that prior to adaption works being undertaken a Conservation Management Strategy should be prepared including plans for the conservation of the surviving fabric of the building and restoration of missing elements based on archival records of the place.

However, NBRS + Partners consider that the preparation of a Conservation Management Strategy or a Baseline Archaeological Assessment at the present time is not warranted and would only result from any future development approvals as a condition of approval. An additional statement of commitment is proposed as follows:

Achieve Australia commits to preparing a Conservation Management Strategy for Tellaraga House including plans for the conservation of the surviving fabric of the building and restoration of missing elements based on archival records of the place. The Conservation Management Strategy is to be submitted with the development application that includes the demolition of the existing additions attached to the house.

3.6 Public Domain

3.6.1 Through site link

Issue: Consideration should be given to the provision of a publicly accessible through site link for pedestrians and cyclists between Porter Street and Belmore Street.

The adjoining site at 2-4 Porter Street, Ryde has development consent for the construction of a mixed use development. A Planning Agreement has also been entered into between Council and the applicant to provide a publicly accessible through site link.

Council in their submission has noted that should the adjoining development not proceed then there would not be a through site link.

Council, in their submission, also note that the Meadowbank Employment Area – Master Plan of DCP 2010, Ryde LEP 2011 and accompany DCP do not identify a through site link on Achieve Australia's site. This is because the through site link is identified on 2-4 Porter Street which provides a more direct and logical connection between the end of Constitution Road and the park connecting to Church Street.

A through site link along the southern edge of Achieve Australia's site is the only location that could achieve a degree of connectivity. If it were located any further north on Achieve Australia's site, then the link would be much less legible, less convenient and accordingly less effective and of questionable benefit.

Achieve Australia commits to providing a 3m wide through site link along the southern edge of the subject site. The 3m width is sufficient for both pedestrians and cyclists. The plan attached at **Appendix 1** shows the location of the link. However, should the through site link on the adjoining development site at 2-4 Porter Street be provided before Achieve Australia's project has commenced, then Achieve Australia propose not to provide an additional link as there is little benefit in providing two parallel through site links in such close proximity to one another. The Statement of Commitments has been amended to include the following additional commitment:

Achieve Australia commits to providing a through site link along the southern edge of the subject site. However, should the through site link on the adjoining development site at 2-4 Porter Street be provided before Achieve Australia's project has commenced, then Achieve Australia will not incorporate a duplicate through site links on the subject site. Should the through site link be provided this will be incorporated into a Voluntary Planning Agreement or provided as a work in kind / material public benefit for works identified in the MEA under City of Ryde Section 94 Development Contributions Plan 2007, subject to the agreement with the City of Ryde Council. The VPA or section 94 offset will be considered as part of the DA that incorporates the through site link as part of its site works (i.e. as part of Blocks A or E).

3.6.2 Dedication of public pathway along Porter Street frontage

Issue: The Department considers is appropriate to provide and possibly dedicate a publicly accessible pathway along the Porter Street frontage.

The Concept Plans illustrate a boundary adjustment along part of the length of Porter Street. This additional width will enable the provision of a footpath along the Porter Street frontage. The location of the land and potential pathway is illustrated on the plan at **Appendix 1**. The boundary adjustment will create a separate parcel of land which is intended to be transferred to Council. The construction of a path and transfer of the land could occur as part of a voluntary planning agreement or a section 94 offset. An additional commitment will be added as follows:

Achieve Australia commits to transferring the strip of land along Porter Street (as identified on Drawing EA54-A prepared by NBRS + Partners) and to construct a pedestrian footpath along the full length of the Porter Street frontage. The dedication of the land and construction of the pathway and other associated embellishments such as street trees will be incorporated into a Voluntary Planning Agreement or provided as a work in kind / material public benefit for works identified in the MEA under City of Ryde Section 94 Development Contributions Plan 2007. The VPA or section 94 offset will be considered as part of the DA that involves development along the Porter Street frontage (i.e. Blocks C, D or E).

3.6.3 Schedule 2 – Updated Statement of Commitments

Issue: The Statement of Commitments shall be updated to include recommendations of the relevant supporting documentation in the Environmental Assessment.

An updated Statement of Commitments is provided at Section 6 of this Report. The following summarises the additional commitments specifically requested in Schedule 2 of the Department's letter.

Council's stormwater and drainage requirements

An additional commitment is proposed which will generally provide as follows:

Future DAs will comply with Council's Stormwater and Drainage requirements including the following specific requirements:

- Future stormwater designs will provide on-site detention for the northern part of the site's catchment and not the southern portion of the site's catchment.
- The OSD volume that would have otherwise been required for the southern catchment will be added to the rainwater tank volume.
- A water cycle plan and WSUD strategy will be further documented in future DA(s) including water quality targets to comply with Council's draft criteria.

Council's waste design guidelines

Waste collection is proposed to be undertaken via Porter Street with bins transported to the street from basement access points. The location of bin placement for collection and the implications with vehicle access to the basement car park will need to be considered as part of the DA process.

Halcrow notes that as an interim measure on street parking along the site's frontage to Porter Street would be restricted thus providing the opportunity for bin collection to occur at a desirable location along the site's frontage to Porter Street.

ESD principles

The EA has identified through specialist reports 4 commitments relating to ESD initiatives which are included as commitment numbers 13, 14, 15 and 16. These relate to:

- Using the Environmentally Sustainable Design Report prepared by NBRS + Partners to guide the future ESD initiatives for future stages of the project.
- Further studies regarding energy use.
- Tap ware.
- Rainwater tanks.

We understand that DP&I is looking for more clarity regarding the commitment to the Environmentally Sustainable Design Report as a guiding document by incorporating a reference to 9 principles contained in the Report. The commitment has been reviewed to address this issue and also address other ESD comments made by Ryde Council. The new commitment will read as follows:

Achieve Australia will use the *Environmentally Sustainable Design Report*, dated 24 March 2011, prepared by NBRS + Partners to guide the future ESD initiatives for the subsequent stages of the Project to achieve a benchmark equivalent to a 4 Star Green Star rating. Specifically future DAs will need to consider the objectives, initiatives and implementation measures into the design of each building for each of the following 9 principles:

1. Innovation
2. Management

3. Emissions
4. Ecosystems
5. Community
6. Water
7. Energy
8. Materials
9. Waste

Recommendations from the Wind Impact Study

The Wind Impact Study concluded that the development is not likely to generate wind conditions in excess of the recommended criteria provided there are plantations at the northern and southern entrances to the gap between Blocks E and F. The following additional commitment is proposed.

Plantings will be used at the northern and southern entrances to the gap between Blocks E and F to control wind impacts at this location. The means of controlling wind impacts and plant selection is to be validated and detailed as part of the future DA(s) for either Block E or F.

Recommendations from the Flora and Fauna report

The Ambrose Flora and Fauna Assessment Survey made several recommendations. All but one has been incorporated into the draft statement of commitments as set out below.

TABLE 3: Ambrose Flora and Fauna Assessment Survey Recommendations

Recommendation	Commitment Number
<i>Pre-demolition & Pre-construction</i> Trees or shrubs that will be cleared from the subject site, will be checked beforehand for the presence of active nests of birds (that is, those nests containing fertile eggs or nestlings) and arboreal mammals (such as possums). These plants will not be removed or pruned until animals that are nesting in them have completed their breeding cycle.	Commitment No. 4(i)
Trees or shrubs that will be cleared or pruned will be checked for animals before and after felling or pruning. Injured animals will be taken to a local vet or the local wildlife rescue service should be notified.	Commitment No 4(ii)
<i>Demolition and Construction Periods</i> Silt fences and sediment ponds will be appropriately placed around demolition and construction areas on the subject site to prevent runoff of sediment and nutrient-enriched waters into nearby bushland areas and nearby drainage lines. The effectiveness of these traps will be closely monitored during construction, ensuring that treated site run-off meets EPA guidelines and those of the Ryde DCP 2010.	This commitment was not added because sediment and erosion control measures will form part of future DAs and conditioned as part of development consents – as explain in Table 9 in Section 6.10.3 of the EA The Statement of Commitments has nevertheless been amended to incorporate this recommendation.
Trees and other vegetation that will be removed from the subject site for the proposed development will be conducted with minimal disturbance to the soil.	Commitment No 4(iii)
Construction and demolition wastes will be managed appropriately to prevent accidental discharge of chemicals or other pollutants into waterways and vegetation down-slope of the	Commitment No 9

TABLE 3: Ambrose Flora and Fauna Assessment Survey Recommendations

Recommendation	Commitment Number
subject site. Demolition and construction materials will not be stored in garden areas of the subject site once construction has been completed so that the risk of weed outbreaks is minimised.	
Post-construction Period It is highly desirable that locally-native plant species be used to landscape the subject site. This will help attract locally-native wildlife species to the urban environment.	Commitment No 5

4 Local and State Government Agency Submissions

This section provides responses to the issues raised in the local and state government agency submissions.

4.1 City of Ryde Council (submission 86)

Council has stated that they have concerns regarding built form and urban design, environmental and residential amenity, transport and accessibility, heritage and management of stormwater.

We note that Council's letter also advises that *"whilst Council has some concerns as identified in the attached, subject to minor changes to the concept plan being made by the proponents, the application could be supported."*

4.1.1 Height

Council has requested that any approval express a height in metres to be consistent with the height of buildings development standards in standard instrument LEPs. Although the buildings are described in storeys, the Concept Plan application contains RLs for the heights of each building envelope. The use of RLs is considered to be an accurate height control for the Concept Plan that will apply to future DAs. A height expressed in metres in this instance is not considered to serve an additional benefit.

The height of the building envelopes have been discussed in the EA in relation to the existing development fronting Porter Street and Belmore Street. They have been developed having regard to the emerging character of the surrounding area, the substantial screening benefits afforded by the retained perimeter vegetation and the changing controls documented in the Ryde Local Planning Strategy. Whilst the location of height has changed for some building (and stepping removed) the planning principles of behind the proposed height and location presented in the EA remain valid.

Council also comments that *"heights should be considered on a case by case basis for individual buildings at the time of the approval."* The Concept Plan is proposing building envelopes and a future building will need to be contained within the envelope. This still allows for the height of each building to further considered at DA stage.

4.1.2 Floor space ratio

Council has acknowledged the future FSR controls for the site are 2.0:1 (for the northern part of the site) and 2.3:1 (for the remainder of the site). These FSR controls have been applied to the Concept Plan application; however, the FSR has been averaged across the site. Given the large size of the site (16,143m²) this is considered to be an appropriate approach where the bulk and mass can be best distributed according to context and potential impacts. The lower 2:1 FSR at the northern end of the site is assumed to reflect the lower height control also applying to that part of the site. The lower height control is 4 storeys which is a response to the one and two storey detached housing on the northern

side of Junction Street (noting that the character and scale of that housing is not proposed to change under the Ryde Local Planning Strategy). Height is considered to be more relevant than FSR when considering the lower scale residential interface. The Concept Plan has proposed a 4 storey height along the full length of Junction Street with the 6 storey components setback some 16m from the building envelope below. This large stepping in scale is a direct response to the housing on the opposite side of Junction Street to require the future building form to provide a transition in height to the housing opposite.

The Concept Plan complies with the FSR controls applying to the site, but the FSR is distributed across the site. Complying with the 2:1 FSR at the northern end of the site will not necessarily change the built form outcome. It is not considered necessary to amend the Concept Plan in relation to FSR distribution.

4.1.3 Building envelopes

Council comments that some of the building envelopes are greater than the 10-18m depth identified in the RFDC. The 10-18m depth referred to in the RFDC relates to the building depth, not the building envelope width which needs to be greater to accommodate balconies, articulation and modulation. As noted earlier in this document, the testing of the building envelopes against the Building Design provisions of the RFDC has resulted in amendments to the envelopes. The envelopes have been narrowed in most cases and are designed to suit future building depths in the order of 18m, to achieve this RFDC rule of thumb.

4.1.4 Environmental and residential amenity

The Council is concerned that the use of the retained circular driveway for service vehicles will result in negative impacts on the amenity of the landscaped area and detract from the heritage item. Council also states that the use of this space for service vehicles is not identified in the landscape plan.

The central driveway has long been associated with Tellaraga House and its continued use as a driveway is not considered to detract from the heritage item. The driveway will be used infrequently by service or maintenance vehicles. Its use can be controlled by the use of gates or bollards. The Landscape Architecture Concept Plan Report at Appendix 5 of the EA notes at page 5 that the existing driveway will be retained and refurbished as a shared zone for service and emergency vehicles. There is no need to update this report.

4.1.5 Traffic implications

Ryde Council has commented that the Transport and Accessibility Impact Assessment has not considered the cumulative impact of the Shepherds Bay Urban Renewal Concept Plan application (Major Project MP09_216 and MP09_219). The Concept Plan application for that Major Project has not been determined at the time of preparing this report.

Halcrow in the *Response to Submissions – Traffic and Transport Issues* at **Appendix 4** notes that the EA Transport and Accessibility Impact Assessment considered the cumulative implications of the proposed development and other development within the MEA as envisaged under the MEA transport planning assessments. The Shepherd's Bay Urban Renewal Project (undetermined) was considered to the extent of what was envisaged as part of the MEA.

Halcrow note that the EA has considered that implications of the Concept Plan over and above the levels of development set out in the MEA for the Achieve Australia site.

Halcrow also note that the MEA transport planning assessment identified a package of road network improvements (and other infrastructure improvements) which form part of the MEA Section 94 Plan for which Council will receive contributions from development of the Achieve Australia site and other sites in the MEA.

The proposed Achieve Australia site development represents an increase in dwelling yield of 286 apartments compared with the MEA expectations. The traffic implications of this increase has been further modelled as discussed earlier. This further modelling has found that intersection improvements are required Belmore Street / Constitution Road intersection to overcome capacity constraints and an additional commitment has been included to this effect (refer to Section 3.2.1).

4.1.6 Car Parking

Council has foreshadowed that a draft DCP has been placed on public exhibition that reduces the car parking rates from the current DCP 2010. The lower rates would require the provision of between 460-621 car parking spaces for the proposal. Council recommends that the draft DCP rates are applied to the proposal.

The Concept Plan proposes 584 car parking spaces (residential and visitor) and clearly this provision fits within the range contemplated by Council in the draft DCP. The car parking rates were lowered from Council's current DCP control (requiring 690 spaces) in light of the site's good accessibility to public transport (trains, buses and ferries) which is consistent with the DGRs and the NSW Transport's comment. No amendment to the Concept Plan is considered necessary.

The basement has been sized to be capable of providing the car parking required for the proposed number of dwellings. Layouts of the basement have not been provided as this is a Concept Plan. The layouts can only be developed having regard to such matters as placement of columns, lift and stairwell zones in relation to the floor plan layouts of each building. This is a level of detail beyond that of the Concept Plan.

Council has raised issues regarding bicycle parking and "end facilities" for cyclists. The future DAs will be required to provide details regarding the location of bicycle parking. End trip facilities are assumed to mean the likes of showers and change rooms. There is no need for communal facilities of this nature as it is residential development, not commercial or retail where staff might require such facilities.

The Council's suggestion of monetary incentives from the Owner's Corporation for monthly or annual bus and train tickets is not considered feasible. To ensure equitable access would require monetary incentives to be available to all residents. This would impose unreasonable costs upon the Owner's Corporation and most likely only result in higher levies for owners thereby negating any benefit. The proximity to multiple forms of transport is in itself an incentive to use public transport. This has been borne out in the Transport and Accessibility Impact Assessment prepared by Halcrow (Appendix 9 of the EA) which surveyed the trip generation rates for the existing apartment buildings in Belmore Street. Halcrow found that existing developments have a lower traffic generation rate at approximately 0.3 to 0.33 trips per dwelling (in AM/PM peak) compared to the generic RTA rate of 0.4 trips per dwelling.

4.1.7 Vehicular access

Widening of Porter Street

Council notes that Porter Street is proposed to be widened on its eastern side (i.e. the opposite side to the subject site). The widening will presumably be undertaken when the land on the opposite side of Porter Street is redeveloped, unless Council acquires the land. In any event, the acquisition of this land is outside the scope of the Concept Plan application.

Halcrow acknowledges that the road widening is required in order to accommodate two way flows and also allow for on-street car parking. Halcrow recommends that in the interim (i.e. before Porter Street is widened) that on street parking on the western side of Porter Street along the site's frontage be restricted to enable two way flow. This outcome is consistent with Council's submission wherein they state that "*it is likely that Council will*

require 'No Parking' along the Belmore Street and 'No Stopping' along Porter Street and Junction Street"

Achieve Australia is proposing the following additional commitment

Achieve Australia commits to paying for the installation of No Stopping signs along the western side of the Porter Street frontage of the site.

Driveway width

The 12m wide access zones have been discussed in Section 3.2.2 of this report. The 12m is a zone to provide flexibility in the future driveway location, it is not the final driveway width.

On street car parking restrictions

Council has commented that they are likely to require 'No Parking' along Belmore Street and 'No Stopping' along Porter Street and Junction Street. There are already parking restrictions applying along the eastern side of Belmore Street and southern side of Junction Street, so there is no change in circumstance arising. The No Parking along Porter Street does not impact upon the development as the Concept Plan makes provision for resident and visitor car parking.

Pedestrian through site link

The provision of a through site link is discussed in Section 3.6.1 of this report.

It is also noted that the connections to the proposed public right of way through 2-4 Porter Street is not possible as the proposed right of way does not extend to the boundary. The aspect of the proposal will therefore not be proposed. This however would not preclude discussions with the adjoining land owner or developer to obtain a further right of way to connect to the adjoining through site link, if it proceeds. These negotiations can occur at DA stage.

Footpaths

Council has suggested that public domain upgrades such as new footpaths and lighting be provided around the site as part of the redevelopment of the site. Part 4.2 of DCP 2010 relates specifically to the MEA – Master Plan contemplates that improvements to public domain, new footpaths or bicycle paths in the MEA can be considered as part of a Voluntary Planning Agreement (VPA). Further the Ryde Section 94 Development Control Plan 2007 also includes in its works programs civic and urban improvements for the Meadowbank area identifying such items as improvements to walkways and footpaths and local and regional cycleways as per the Ryde Bike Plan 2007. It is therefore appropriate and equitable that the same approach be applied to future development (i.e. either Section 94 contributions with the option of offsets or a VPA including works and monetary contributions).

The provision of new footpaths and associated public domain improvements could therefore be implemented via a VPA or via Section 94 contributions and this can be determined at DA stage.

Pedestrian/bicycle connectivity

Council has commented that the EA or Transport and Accessibility Impact Assessment do not identify site access arrangements for bicycles. This application is a Concept Plan and this level of detail is most appropriately incorporated into future DAs in conjunction with more detailed site and building layouts.

Encouraging the use of bicycles as a mode of transport will relate to the provision of bicycle storage facilities within the site as well as bicycle routes within the area.

Appropriate storage for bicycles is a detailed matter relevant to future DAs. The local and

regional bike routes are beyond the scope of the Concept Plan application and are something that is best implemented at a LGA wide level. In this regard it is noted that the Part 4.2 of DCP and the Ryde Contributions Plan 2007 both contemplate the provision of local and regional cycle routes.

4.1.8 Ecologically sustainable development

The statement of commitment requiring Achieve Australia to use the *Environmentally Sustainable Design Report* for the subsequent stages of the Project has been reviewed and amended to address comments made by DP&I and Council.

4.1.9 Contributions

As noted in the EA developer contributions will be either payment of Section 94 contributions with any offsets for dedication of land, works in kind or material public benefits. Alternatively, a Voluntary Planning Agreement is another option if the parties are mutually agreeable. Possible offsets could include:

- Public domain improvements around the site (such as new footpaths, new lighting, undergrounding of electricity)
- Dedication of the strip of land along Porter Street to provide a widened road reserve
- Provision of a through site link (depending on the timing of the through site link on the adjoining site at 2-4 Porter Street).

These potential offsets and the potential for others can be considered further with the future DA(s) for the site.

4.1.10 Heritage

Discussion regarding the appropriateness of the heritage curtilage has been discussed in Section 3.5. Council has raised some further specific comments regarding view corridors to the heritage item:

4.1.11 Drainage and flooding

Council has made comments in relation to drainage, flooding and water sensitive urban design (WSUD) matters. The comments raised have been considered by Sparks and Partners (regarding drainage/flooding) and Equatica (regarding WSUD).

Drainage and flooding

Sparks and Partners response to Council's comments is attached at **Appendix 8**. The comments raised relate to provision of on-site detention (OSD), volume of OSD, stormwater discharge and compliance with Council's stormwater and drainage requirements.

The following provides a summary of the main issues, further details are provided in the Sparks and Partners letter at **Appendix 8**:

- The OSD provided in the northern catchment on the site and draining north can be retained. The OSD volume at the southern catchment on the site can be removed as per Council's suggestion. A new statement of commitment has been included to clarify this design parameter.
- Where OSD removed for the southern on-site catchment will be added to the rainwater tank volume. An additional commitment has been included to clarify this amendment.
- OSD volume.

Water sensitive urban design

As noted by Council the Concept Plan contains WSUD features, however they considered that targets fall short of typical total suspended solids, total nitrogen and total phosphorous

targets. Equatica has provided an updated Integrated Watercycle Plan (attached at **Appendix 9**) that outlines the WSUD initiatives that can be implemented to achieve the targets contained in Ryde DCP 2010. The original commitment (Commitment No. 10) is to be deleted and replaced with a new commitment, as set out below, which commits to achieving the percentage reductions as set out in Ryde DCP 2010.

Achieve Australia commits to further developing the WSUD strategy for the site including a water cycle management plan for the whole site with the first DA for the site. The WSUD strategy will be designed to meet the total suspended solids, total phosphorous and total nitrogen targets contained in the Ryde DCP. The WSUD strategy will also consider the use of additional treatment drains and water re-use option to meet the water quality targets.

4.1.12 Waste

The waste storage rooms would be located in the basement and would therefore be transported from the basement via the vehicle entry points along Porter Street. Waste collection would therefore be undertaken via Porter Street. The location of bin placement for collection and the implications with vehicle access to the basement car park will need to be considered as part of the DA process.

It is noted that as an interim measure on site parking along the site's frontage to Porter Street would be restricted thus providing the opportunity for bin collection to occur along the site's frontage.

4.2 Ryde Council submission dated 15 February 2012

Ryde Council has lodged a late submission with the DP&I following representations made by the Friends of Crowle Homes Inc at a Council meeting on 14 December 2011. Council resolved, in part, to pass on the concern of the residents. The Council's submission agrees with certain components of the Judith Stubbs and Associates Social Impact Statement which are itemised in Council's submission.

The Council considers that Achieve Australia should cease the relocation of residents until plans are provided indicating how the relocation issues will be managed in the future. Whilst it is understandable that a connection is made between the relocation of the residents and the Concept Plan application, the relocation of residents is not a direct consequence of the Concept Plan application. The relocation of the residents is a process that has been occurring since 1991.

Council considers that proposals should be developed for the relocation of residents (including those already recently relocated). Council also considers that details should be provided as to how the transition of residents (including those recently relocated) is managed. As discussed in Section 3.1.1 Achieve Australia prepares transition plans for each resident being rehoused. There is no single document that can be provided as they are plans developed and tailored to the individual's needs. The video produced by Achieve Australia and forwarded to the DP&I helps illustrate how such a plan is implemented.

Elton Consulting's Social Impact Review has documented Achieve Australia's strategy for the relocation of residents (refer page 16 of the Social Impact Review).

Service provision is documented in the Social Impact Assessment prepared by GML and included as Appendix 20 to the EA. Achieve Australia will continue to provide services to its clients which is a core part of its business.

The Social Impact Review by Elton Consulting also documents the accommodation options available to Achieve Australia clients.

4.3 Department of Transport (submission 87)

4.3.1 Bicycle parking

The Department of Transport (DoT) supports the inclusion of bicycle parking for residents and visitors. The DoT has recommended that provision be made for at-grade bicycle parking in weather protected locations, near entrances and subject to casual surveillance.

This is a level of detail beyond the scope of the Concept Plan, however a new commitment is proposed to provide visitor bicycle parking at grade and conveniently accessible to the entrances of the buildings.

4.3.2 Pedestrian / bicycle through site link

As noted in the response to Council's submission, Achieve Australia commits to providing a through site link. However, should the through site link on the adjoining development site at 2-4 Porter Street be provided before Achieve Australia's project has commenced, then Achieve Australia propose not to provide an additional link as there is little benefit in providing two parallel through site links in such close proximity to one another.

4.3.3 Travel plan

The DoT supports the inclusion of site specific Travel Plans referred to in the Traffic and Accessibility Impact Assessment (Appendix 9 of the EA). These identify a range of measures that could be incorporated into a travel plan. An additional commitment is proposed as follows:

Achieve Australia commits to preparing a Travel Plan with future DA(s) for the site. Such Travel Plan shall consider the range of measures identified in the Traffic and Accessibility Impact Assessment dated 9 August 2011 and attached as Appendix 9 to the EA and to also consider the Travel Access Guide prepared by the Roads and Traffic Authority.

4.4 Sydney Water (submission 88)

4.4.1 Water main/wastewater and Sydney Water servicing

As noted by Sydney Water the amplification works for supply of water to the site will be advised as part of the Section 73 Certificate which will occur as part of future development application and construction certificate processes.

The need to extend the waste water system from the site is known and documented in Appendix 15 to the EA. This will be undertaken as part of future development application and construction certificate processes and no commitment is warranted at this stage.

It is standard practice for development consents to require Section 73 Certificates and no additional commitments are warranted at this stage.

4.5 Roads and Traffic Authority (submission 89)

The RTA's issues have been addressed in Section 3.2 of this report.

4.6 NSW Heritage Council (submission 90)

4.6.1 Enhancing the heritage setting/transition area

The building envelope to Block A has been reduced to increase the viewing lines from Belmore Street to Tellaraga House. Discussion on the reasonableness of the proposed heritage curtilage and proposed building envelopes is provided in NBRS + Partners response at **Appendix 7** and in Section 3.5 of this Report.

4.6.2 Future management of the heritage item

This issue has been addressed in NBRS + Partners response at **Appendix 7** and in Section 3.5.3 of this Report.

4.6.3 Locally significant archaeology

NBRS + Partners response at **Appendix 7** has considered this comment. They note that there is unlikely to be any significant archaeology in the areas outside the reduced curtilage as much of this area has previously been redeveloped.

5 Public Submissions

This section provides responses to the issues raised in the public submissions.

The submission prepared by Penklis Lawyers has already been discussed as part of the DP&I's key issues and is not rediscussed in this section. A presentation was provided to the Meadowbank West Ryde Progress Association and their comments are addressed separately from the remainder of the public submissions.

5.1 Meadowbank West Ryde Progress Association

5.1.1 Traffic congestion

Traffic impacts have been addressed in Section 3.2 of this Report.

5.1.2 Lack of public transport capacity

The Concept Plan is consistent with strategic planning directions including the NSW State Plan (2010), the Sydney Metropolitan Plan 2036 (incorporating the Metropolitan Transport Plan – Connecting the City of Cities) and the draft Inner North Subregion Strategy. All of these strategic planning policies have common aims particularly in relation to increase housing in existing urban areas to take advantage of existing public transport infrastructure. The consistency with the relevant strategies is discussed in Sections 6.7 to 6.10 of the EA and in the Transport and Accessibility Impact Statement (Appendix 9 of the EA) which deals with transport related objectives.

5.1.3 Road safety

The concerns raised in relation to road safety relate to location of access points. The Concept Plan application proposes vehicle access from Porter Street as this was considered better than using Belmore Street and/or Junction Street as access points. The existing vehicle entrance off Belmore Street is retained for infrequent use (e.g. maintenance) and does not provide vehicle access to the basements.

The Association also raised road safety issues in relation to the width of Porter Street. As noted earlier Council proposes to widen Porter Street at its northern end. In the interim an additional commitment is proposed to install "No Stopping" signs along the western side of the Porter Street frontage of the site to accommodate two way traffic.

5.1.4 What is being approved

The Concept Plan application is a valid process and the Part 3A provisions continue to apply to this application. Further opportunities for the community to comment on the design of the buildings will be provided when DAs are publicly notified for the future buildings.

5.1.5 Lack of useable open space

The writer comments that there is no provision of active open space for children's play ground and local parks are too far away.

A local park is available at the southern end of Belmore Street that would provide suitable facilities for younger children. It is common for more active open space areas to be located further away and this applies for most residential developments in urban areas. The Concept Plan makes provision for significant open space within the site. The Landscape Architecture Concept Plan Report (Appendix 5 to the EA) notes that the central Village Green around which the buildings are sited is an active space for community gatherings and a space for active recreation and play. Further, as noted earlier in this Report, Block F is proposed as a community building can accommodate a gymnasium and indoor

swimming pool providing active recreational facilities for the residents. Active spaces are provided for in the Concept Plan application.

5.1.6 Facilities for disabled

The writer comments that the site was bequeathed for the purpose of creating a facility for the care of disabled children and cites that 100 disabled persons formerly resided on the site. The Social Impact Review documents that 98 people resided on the site just over 20 years ago in 1991 and the number has gradually been reducing. The numbers reduced to just under 50 residents when run by the Crowle Foundation and at the time of preparing this report there are 22 residents.

The Concept Plan proposes to retain a minimum of 15 adaptable dwelling as part of the completed development which can accommodate Achieve Australia's clients.

The writer also questions the mix of "able bodied residents" with a "minority with disabilities" and raises a concern about conflicts that might arise between the two "groups of residents". The integration of people with disability into the community is central to the social inclusions policies of Achieve Australia and the Stronger Together 2 policy of the State Government. The Concept Plan achieves this policy initiative.

5.1.7 Ecologically sustainable development (ESD)

The Concept Plan application includes an ESD framework (Appendix 10 of the EA) that will form the guiding principles for future DAs. A Statement of Commitment has been proposed that requires the *Environmentally Sustainable Design Report, dated 24 March 2011*, prepared by NBRS + Partners to be used to guide the future DAs for the site. Other commitments are made in relation to ESD initiatives for the development in addition to the legislative requirements of BASIX.

5.2 Public submissions (objections)

The public submissions contain many issues in common and we grouped the issues to assist in preparing the responses below. A total of 82 submissions were received objecting to the proposal. Of these a total of 10 did not state any grounds of objection but simply stated that the documents had been reviewed.

A total of 26 submissions were pro-forma letters/emails citing the same grounds of objection. Table 4 provides a summary of the issue and a response.

TABLE 4: PRO-FORMA EMAIL ISSUES

Issue	Comment
Land was donated by Crowle family for disabled persons	The land was donated by the Crowle Family for disabled persons. Achieve Australia commits to retaining a minimum of 15 adaptable dwellings on the site. As noted in the Social Impact Review prepared by Elton Consulting (Appendix 2), this will enable remaining residents to retain an association with a site where they have lived for most of their lives. Elton Consulting do however note that " <i>the disruption that will be caused during construction, many residents may choose to move to purpose built accommodation in surrounding neighbourhoods.</i> " Achieve Australia will continue to work with existing residents to determine the most

TABLE 4: PRO-FORMA EMAIL ISSUES

Issue	Comment
	appropriate accommodation for those remaining residents.
Residents of Crowle were given a guarantee of a bed on site for life	This issue is discussed in Section 3.1.3.
Government should ensure that people with disabilities do not get forced from the site	The devolution of the site is occurring in response to other government policy requirements as discussed in Section 3.1 of this Report. This process is not a function of the Concept Plan application.
Northern end of site should be villas/cluster housing for people with disabilities	One of the purposes of the devolution of the existing residential facility is to integrate the existing residents into the community. Large cluster style housing developments are considered by Achieve Australia to be contrary to the objective of integrating residents into the community. However, as noted in the Social Impact Review (Section 1.1 of Appendix 2) Achieve Australia is proposing to purchase other properties to develop a smaller cluster housing development of up to 8 residents. This is separate to the Concept Plan application.
Land belongs to residents of Crowle	The land is in the ownership of Achieve Australia Limited.
Proposal offering small units is not suitable for people with disabilities. People with disability should be entitled to a homelike environment as they know it.	The application is a Concept Plan including a variety of dwellings sizes. The allocation of dwellings to persons with disability will be undertaken by Achieve Australia to match the client's needs with the most appropriate dwelling type.
Residents will feel isolated in a 1 bedroom unit	The Concept Plan does not propose that all housing retained by Achieve Australia will be the 1 bedroom dwellings. The dwellings to be retained will be determined later in the development process.
Fewer people in one location means reduced supervision by staff which is unacceptable for care needs of the residents	The staffing of services offered by Achieve Australia is an operational issue. Individual clients will be assessed according to their needs.
Nature of large scale development would not be friendly or family oriented. Crowle residents would not have support or consideration afforded to them by current neighbours	Residents who reside within the development will form part of the on-site community as well as the wider existing community.

TABLE 4: PRO-FORMA EMAIL ISSUES

Issue	Comment
Residents would be open to abuse from outsiders	One of the purposes of the devolution of the existing residential facility is to integrate the existing residents into the community. Protecting people from “outsiders” could only be achieved if gated community approach with controlled access was proposed. This result in a more institutional character to the residential accommodation. This is contrary to Achieve Australia’s over-riding objectives to integrate residents into the community.
Living in isolated units increases risk of abuse and negligent staff	This is an operational issue and not one that is relevant to the assessment of the Concept Plan application.
Infrastructure and access	Infrastructure augmentation will be required as documented in the EA. The Social Impact Assessment at Appendix 20 of the EA has also examined other local infrastructure capacity. Access arrangements are discussed in the EA and further commentary has been provided in Section 4.1.7.
Reducing density at northern end of site will reduce risks of traffic and drivers competing for parking	Car parking is provided on site for residents and visitors. Traffic impacts have been further addressed in Section 3.2 of this report.
Department of Aging, Disability and Homecare does not provide the type of housing proposed and when devolving their large scale residential facilities have allowance for village style accommodation.	One of the purposes of the devolution of the existing residential facility is to integrate the existing residents into the community. One of Achieve Australia’s over-riding objectives to integrate residents into the community which is occurring irrespective of this Concept Plan application. The Concept Plan application and future residential buildings will add to the housing available to Achieve Australia to housing their clients.

Other public submissions

A response to the issues raised in the other public submissions is provided in Table 5.

TABLE 5: OTHER PUBLIC SUBMISSIONS	
Issue	Comment
Insufficient information provided to the community	The EA including appendices and this response to submission provides a level of documentation that is appropriate and warranted for a Concept Plan application.
Land should be used for people with disability	Achieve Australia propose to retain a minimum of 15 of adaptable dwellings to accommodate people with disability.
Overdevelopment	The Concept Plan is not considered to be an overdevelopment of the site. The total GFA for the site complies with the controls proposed by Ryde City Council in its Local Planning Strategy which will ultimately inform the comprehensive LEP for the Ryde LGA.
Change to streetscape	The streetscape character will change to a certain extent. However, the retention of the mature avenue of trees along Belmore Street and other trees along Junction Street and Porter Street will assist in integrating the future built form into the existing context. The visual impacts have been considered in a Visual Assessment undertaken by Richard Lamb and Associates and attached at Appendix 7 to the EA.
Traffic & road capacity	Issues of traffic and road capacity have been further addressed by Halcrow in response to RTA and Council issues. Commentary is provided in Section 3.2 of this Report.
Why can Part 3A be used when MP11_038 was revoked?	MP11_038 related to a Project Application for one component of the site. The Concept Plan was not revoked and Part 3A continues to apply.
Meadowbank station reached its peak	Refer to Section 5.1.2
Insufficient information regarding impacts on parks, stormwater drainage, public transport, child care and schools	Impacts on and availability to local infrastructure has been considered in the EA.
Residents of Crowle Home not consulted	Refer to Section 3.1 and Appendix 2.
Impact on well being of existing Crowle residents	Refer to Section 3.1 and Appendix 2.

TABLE 5: OTHER PUBLIC SUBMISSIONS

Issue	Comment
10% of adaptable housing does not guarantee accommodation for existing Crowle residents	Achieve Australia is proposing an additional commitment to retain a minimum of 15 of the 10% of the adaptable dwellings.
Economics of providing alternative housing for Crowle residents not addressed – financial feasibility study needed	The financial feasibility of a project is not a planning consideration under Part 3A of the Act, or even under Part 4 of the Act.
Existing buildings capable of refurbishment and retention and allow redevelopment elsewhere on the site	<p>As noted in the EA, many of the buildings are dilapidated and have outlived their useful purpose. Significant works would be required to upgrade the building to meet the relevant standards. The Concept Plan application has the advantage of being able to deliver new self contained housing that would be superior in quality and function to retaining and converting existing buildings.</p> <p>ADHC's letter to the DP&I states that congregate housing similar to that offered in the Crowle Home has been described by the NSW Ombudsman as being incapable of complying with the key principles of the Disability Services Act, 1993. The Concept Plan would allow new housing to be provided that is capable of meeting the principles of the Disability Services Act, 1993, as well as complying with other legislation such as the Commonwealth Disability Discrimination Act, 1992 and the Building Code of Australia and relevant Australian Standards in relation to adaptable housing and disabled access.</p>
Alternative arrangements for suitable accommodation and care for existing Crowle residents is required	The Concept Plan application will provide alternative accommodation in the form of a minimum of 15 adaptable dwellings in a community setting. This approach is consistent with the State Government's policy of community inclusion.
Loss of sunlight from buildings along Porter Street	Shadow impact to Porter Street has been addressed in Section 7.1.2 of the EA. Updated shadow diagrams for the amended Concept Plan have been provided in Appendix 1 to this report. The diagrams relate to the building envelope not the final building. The shadows would

TABLE 5: OTHER PUBLIC SUBMISSIONS

Issue	Comment
	not affect the properties opposite until 12noon (front yards only) and 1pm (for one house) and 2pm (for the other two houses) during the winter solstice. The dwellings opposite can achieve greater than 3 hours of sunlight at mid winter complying with Council's DCP.
Buildings along Porter Street do not have breaks	The building mass along Porter Street is broken into 3 envelopes. The amended Concept Plan has removed Block G providing building separation. Blocks D and E have been amended providing a separation of 12.5m ensuring a break in building mass. Future buildings will be contained within the proposed building envelopes providing for further modulation and articulation to break down building mass.
Parking already an issue. Adequate visitor parking required	Visitor car parking is to be provided at the rate required under Ryde DCP 2010.
Car park exits on Porter Street an issue with parking on both sides and hard to negotiate with trucks and vans. Queues to exit to Junction Street or Wells Street.	Ryde Council has commented that they will impose a "No Stopping" restriction on the western side of Porter Street outside the subject site. This will enable two way traffic movements. Halcrow also recommends this approach as discussed in their additional reports at Appendix 4 .
Removal of trees along Belmore Street	The trees along Belmore Street are proposed to be retained.
Removal of 'clients' away from people who watch and care for them.	Residents who remain on site will be part of the residential community that eventually develops on the site. The care that Achieve Australia's clients receive will continue to be assessed on an individual basis.
Insufficient open space in the area	A local park is available at the southern end of Belmore Street that would provide suitable facilities for younger children. It is common for more active open space areas to be located further away and this applies for most residential areas in urban areas. The Concept Plan makes provision for significant open space within the site including a central Village Green which can provide active space for community gatherings and a space for active recreation and play. Further, Block F is

TABLE 5: OTHER PUBLIC SUBMISSIONS

Issue	Comment
	proposed as a community building can accommodate a gymnasium and indoor swimming pool providing active recreational facilities.
7 storeys exceeds the 13.5m and 9.5m heights allowed in this zone	The Concept Plan application reflects the Council's local planning strategy with regard to height and FSR for this site. The EA explains the rationale for the proposed height of building envelopes.
Height will detract from heritage listed house	The letter from NBRS + Partners attached at Appendix 7 explains that the curtilage, building separation and stepped envelope form are acceptable in terms of heritage impact. In addition the northern end of the envelope for Block A has been reduced by 4m increasing the exposure of Tellaraga House to Belmore Street to greater than is currently available.
Heritage curtilage is minimal and reduced from the Heritage Curtilage Study	The heritage curtilage is not minimal as it comprises a substantial area of some 2840m ² which is a large parcel of land in a suburban context.
Car parking for 584 cars will greatly increase traffic, noise and danger adjacent to the school	Issues of traffic and road capacity have been further addressed by Halcrow in response to RTA and Council issues. Commentary is provided in Section 3.2 of this Report.
Only 10% of existing residents planned to be moved back into the development	The Concept Plan does not nominate the percentage of existing residents in Crowle Home that will be accommodated in the future buildings. The accommodation of Achieve Australia's clients is based on an assessment of their individual needs.
Land should not be sold	The Concept Plan application does not propose the sale of the land.
Workers at Crowle will lose their jobs	The day program services have been relocated to a new facility at Araluen. The Social Impact Review (Appendix 2) also notes that a transition process is in place for Crowle Home staff to remain as Achieve Australia employees, and to retrain to work in direct support of clients.
Other means of devolution in terms of development options	The different forms of community living alternatives (group homes, cluster homes and individual housing) have been

TABLE 5: OTHER PUBLIC SUBMISSIONS

Issue	Comment
	considered in the Social Impact Review prepared by Elton Consulting (Appendix 2). Based on the relative merits of each alternative, Elton Consulting forms the opinion that Achieve Australia's policy of mainly using group homes, with the occasional use of individual homes or small cluster housing, is reasonable.
No legislative imperative for the people with disability to be moved from the site and relocated in the community.	The Concept Plan application will provide a minimum of 10% adaptable dwellings in a community setting. 15 dwellings of the 10% will be retained by Achieve Australia. This will replace the existing housing and provide an opportunity for the remaining 23 residents to be rehoused on site, if appropriate for that individual's needs. The approach of providing housing for people with disability within an existing community is consistent with the State Government's policy of community inclusion.
History of origins of Crowle through to Achieve Australia. Proposal, is approved, is contrary to wishes of Crowle members	Elton Consulting note in their Social Impact Review at Appendix 2 that early consultation prior to 2009 involved families of Crowle Home residents and that half of the board comprised family members of Crowle Home and therefore they would have been aware of the strategy for de-institutionalisation of the then Crowle Foundation
<p>Questions regarding social impact</p> <ul style="list-style-type: none"> • Social inclusion question • Dislocation of existing residents – more than 31 people affected • Question whether Achieve Australia has enough trained, experienced and committed staff to promote social inclusion • Are proposed dwellings tailored for needs of residents • Clients not being placed with their friends and being mis-matched or separated 	<p>The Social Impact Review attached at Appendix 2 has addressed the social impact issues regarding the question of social inclusion, arrangements for the remaining residents (now 22) and staffing.</p> <p>The dwellings proposed to be retained by Achieve Australia will be adaptable dwellings and therefore capable of accommodating disabled persons. The design of the dwellings is a matter of detail that will be documented in future development applications.</p> <p>The rehousing of existing clients is an operational issue that falls outside the Concept Plan application.</p>
10% of adaptable housing is not unusual. Unclear if this is for Achieve Australia clients or any elderly or disabled person.	The Concept Plan application proposes 10% of the dwellings as adaptable dwellings. Achieve Australia propose to

TABLE 5: OTHER PUBLIC SUBMISSIONS

Issue	Comment
Also cited to be 5%.	retain a minimum of 15 of these dwellings to accommodate their clients.
5% of the development will be for disabled persons – the plan is unacceptable for these people to be able to navigate around.	<p>The Concept Plan proposes 10% of dwellings to be adaptable dwellings and Achieve Australia will retain a minimum of these 15 dwellings.</p> <p>Future DA(s) will provide a higher level of information to demonstrate that access around the site and within the buildings complies with Australian Standard AS1428.1:2009 – Design for Access and Mobility Part 1 – General requirements for access – new building work. A statement of commitment is already proposed to this effect.</p>
There is an increasing demand for age-in-place for people with disability and Crowle land must be used for this type of facility	Achieve Australia propose to retain a minimum of 15 of adaptable dwellings to accommodate their clients and which can allow 'age in place' for their clients.
Life members of Achieve Australia that have been denied access to the process and documentation that has lead to the proposal.	The Social Impact Review documents the consultation that has occurred over many years and in particular, prior to 2009 half of the board comprised family members of Crowle Home and therefore they would have been aware of the strategy for de-institutionalisation of the then Crowle Foundation.
Achieve Australia has not lived up to promise at the time of the merger to honour earlier board decisions that the southern 1/3rd of the site would be sold to finance purpose built cluster housing.	This is a matter which lies outside of the Concept Plan application.
Voting rights of Crowle members have not been given back.	
Achieve Australia did not notify family members of the Concept Plan exhibition	Consultation processes with residents and family members is documented in the Social Impact Review prepared by Elton Consulting and attached at Appendix 2 . They have concluded that Achieve Australia has consulted with key stakeholders since 2009.
Individual needs of residents not addressed	
Social impacts and individual needs of Crowle residents and users of the day time facilities not adequately addressed	
Enough apartments being built or planned for Meadowbank	The Concept Plan is consistent with Ryde Council's Local Planning Strategy. The Strategy nominates an increase in height

TABLE 5: OTHER PUBLIC SUBMISSIONS

Issue	Comment
	and FSR for this site. The density of the development is a function of FSR (i.e. gross floor area) and the Concept Plan complies with the controls nominated in the Strategy.
Traffic already bad and will become worse	Issues of traffic and road capacity have been further addressed by Halcrow in response to RTA and Council issues. Commentary is provided in Section 3.2 of this Report.
Porter Street is very narrow and will need to be widened with two entrances.	Ryde Council has commented that they will impose a “No Stopping” restriction on the western side of Porter Street outside the subject site. This will enable two way traffic movements. Halcrow also recommends this approach as discussed in their additional reports at Appendix 4 .
Peak hour ferries already at capacity	The Concept Plan is consistent with the NSW State Plan (2010), the Sydney Metropolitan Plan 2036 and the draft Inner North Subregion Strategy. All have a similar aim of increasing housing in existing urban areas to take advantage of existing public transport infrastructure.
Trees along Belmore Street are not tall enough to screen the seven storey buildings.	The majority of trees along Belmore Street are 20m in height. The 7 th storey envelope components are approximately 23m in height. The trees will therefore be capable of screening the buildings’ height. Detailed assessment of the potential visual impacts has also been carried out by Richard Lamb and Associates (refer to Appendix 7 of the EA). Their assessment concluded that visual impacts were acceptable.
Transfer of day programs to Araluen not suitable.	The transfer of the day programs to Araluen is a separate process to the Concept Plan. The relocation of day programs to Araluen was completed in January 2012.
Funding has been allocated for devolution on site for government and NGOs and devolution should occur on this site.	ADHC’s letter to the DP&I states that congregate housing similar to that offered in the Crowle Home has been described by the NSW Ombudsman as being incapable of complying with the key principles of the Disability Services Act, 1993. This would support the case for the provision of new accommodation rather
Crowle does not comply with the definition of a “large residential centre” as part of the NSW Government’s initiatives to close LRCs.	

TABLE 5: OTHER PUBLIC SUBMISSIONS

Issue	Comment
	than the retention of the existing form of accommodation.
Existing buildings have deteriorated since Achieve Australia tenure.	As noted in the EA, many of the buildings are dilapidated and have outlived their useful purpose. Significant works would be required to upgrade the building to meet the relevant standards. The Concept Plan applicant has the advantage of being able to deliver new self contained housing that would be superior in quality and function to retaining and converting existing buildings.
Concept Plan does not present any information on the security for present and future care of the Crowle Home residents.	<p>The Social Impact Review (Appendix 2) notes that Crowle Home continues to be staffed. Whilst the absolute number of staff has reduced over recent years, so too has the number of residents. The Social Impact Review notes that the level of direct support per person was 38.8hours per fortnight in 2009 and is now 55 hours per fortnight.</p> <p>The Social Impact Review also documents that two full time registered nurses at Crowle home have been maintained through the period of moving to community care. This has recently reduced to one full time registered nurse in January 2012 which corresponds to the halving of on-site resident numbers. There are also 2 full time Assistant Managers for Crowle Home. Residents who remain or are rehoused on site will continue to have access to support services provided by Achieve Australia.</p>
Concept Plan reduces the stock of residential accommodation and day time facilities for intellectually and physically disabled persons in the Ryde area and Sydney.	The relocation of the day program to Araluen retains the day program facilities. The Concept Plan and future DAs will provide additional housing stock that Achieve Australia can use to house its clients.

5.3 Public submissions (in support)

A total of 7 submissions were received in support of the proposal. The grounds of support are summarised below.

- Supportive of Achieve Australia's rehousing of their son into a house in the community.

- The Concept Plan provides a means to provide Achieve Australia with an income stream and provide an opportunity for intellectually disabled persons to integrate into the community.
- Impressed by Achieve Australia's smooth transition of previously institutionalised people into the community.
- An initiative to facilitate and fund the work of Achieve Australia would be a great step forward.
- Enable people with intellectual disability to live in a community.
- Need for more supported accommodation.
- Original heritage house and gardens retained.
- Proposal of residential flat buildings of 2 to 7 storeys in height is in line with Council's plans for medium density housing in the area. [DFP notes that the Ryde Council's Local Planning Strategy proposes 6 storeys for the site and the inclusion of some 7 storey components has been addressed in the EA].
- There is a need for people with disabilities to be supported.
- Redevelopment of the site will bring modern facilities and retain accommodation in an area well serviced by public transport which in turn provides good access to employment and retail centres.
- Heritage aspects and green space opportunities have been well catered for in the planning.
- Intent of the project to assist in funding the ongoing work of Achieve Australia to provide housing and development of the disabled is clear.
- Profit from the development will bring substantial long term benefits to the disabled housing and care programs.
- The housing and care policies of Achieve Australia are in line with the NSW Government direction for the welfare of disabled.

6 Updated Statement of Commitments

The following table is an updated Statement of Commitments. For ease of comparison the original Statement of Commitments has been annotated as follows:

- Underlined text relate to new commitments or additional wording to existing commitment
- Strikethrough text relates to deleted text.

Appendix 10 is a copy of the updated commitments without the annotated edits.

Commitment Number	Commitment	Timing
Soil Contamination		
1. Further soil testing	<p>Achieve Australia commits to undertaking further soil sampling targeting the former location of the above ground storage tank in the southern corner of the site to determine if the soils are impacted with petroleum hydrocarbons.</p> <p>If unacceptable soil impacts are found at levels that do not make this portion of the site suitable for residential use with minimal opportunities for soil access, then Achieve Australia commits to the remediation of the area and the preparation of a site audit statement following completion of the remediation.</p>	<p>The sampling will be undertaken at the time of redevelopment when the buildings in the southern corner are demolished.</p> <p>If contaminants are found in excess of the levels suitable for residential use with minimal opportunities for soil access that requires remediation then the site audit statement will be prepared prior to the issue of a construction certificate for buildings in that location.</p>
Geotechnical		
2. Further geotechnical assessment	<p>Achieve Australia commits to further geotechnical assessment of the site to determine the most appropriate excavation methods and mitigation measures such as noise and vibration impacts.</p>	<p>To be undertaken prior to the issue of a construction certificate for the buildings on a stage by stage basis.</p>

Commitment Number	Commitment	Timing
Tree Management		
3. Tree retention	<p>Achieve Australia commits to the retention of the following feature trees identified on the Aboricultural Implications Plan prepared by Tree Wise Men, dated 19 November 2010 (Revision A):</p> <ul style="list-style-type: none"> i. The Pin Oak labelled as Tree 92 ii. The Camphor Laurel labelled as Tree 105 <p>Achieve Australia also commits to designing future buildings within the nominated building footprint zones so as to retain as many trees as possible elsewhere on the site. Future applications for earthworks or construction of buildings will be accompanied with more detailed aboricultural assessment to ascertain which trees can be or should be retained or pruned.</p>	<p>Details of retained trees are to be indicated on future development applications involving earthworks or construction of residential buildings.</p>
4. Tree management	<p>Achieve Australia commits to the following mitigation measures for trees or shrubs that will be removed or pruned,</p> <ul style="list-style-type: none"> i. Trees will be checked beforehand for the presence of active nests of birds (that is, those nests containing fertile eggs or nestlings) and arboreal mammals (such as possums). These plants will not be removed or pruned until animals that are nesting in them have completed their breeding cycle. ii. Trees will be checked for animals before and after felling or pruning. Injured animals will be taken to a local vet or the local wildlife rescue service should be notified. iii. Removal of vegetation from the subject site will be conducted with minimal disturbance to the soil. 	<p>Prior to the commencement of demolition, earthworks or construction for items (i) and (ii).</p> <p>During the course of earthworks and construction for item (iii).</p>
5. Replanting	<p>Achieve Australia commits to the use locally-native plant species in the future landscaping of the subject site.</p>	<p>Details to be included on the landscape plans for future development applications for the proposed residential buildings.</p>
6. Wind Impact	<p><u>Plantings will be used at the northern and southern entrances to the gap between Blocks E and F to control wind impacts at this location. The means of controlling wind impacts and plant selection is to be validated and detailed as part of the future DA(s) for either Block E or F.</u></p>	<p><u>Wind impact assessments will be submitted with future development applications on a stage by stage basis.</u></p>

Commitment Number	Commitment	Timing
Acoustic		
7. Plant and equipment	Achieve Australia commits to undertaking further acoustic assessment for each building on a stage by stage basis to determine the specific environmental noise limits for new plant once the plant types and locations are known for each building. Achieve Australia also commits to utilising environmental noise control methods such as in-duct attenuators, acoustic louvres for plant rooms, and enclosures for noisy plant items, if required to meet the determined environmental noise limits.	Further assessment to be undertaken for each building on a stage by stage basis when plant has been selected and prior to the issue of an occupation certificate for each building.
8. Dwelling	<p>Further acoustic assessment will be required for each building to determine the implications of noise levels on the apartment facade and ventilation options. The future assessment will take into account the internal background noise level targets set out in Table 9 of the <i>Concept Plan Acoustic Report</i>, dated 12 April 2011 and prepared by Acoustic Studio include:</p> <ul style="list-style-type: none"> • Further measurement of background noise levels around the site (as required). • Further measurement of traffic noise levels around the site (as required). • Consideration of the required internal noise levels in the living areas and sleeping areas of the apartments. • Calculations to determine requirements for façade construction (particularly glazing) and natural ventilation to achieve the internal noise levels. 	Further acoustic assessment is to be undertaken as part of each future development application and on a stage by stage basis.
Construction and Environmental Management Plan		
8. Management Plan	<p>Achieve Australia commits to preparing a Construction and Environmental Management Plan to:</p> <ul style="list-style-type: none"> • Address potential noise and vibration impacts for the construction of each future stage of the development having regard to the legislation, policies and guidelines current at the time of preparing the management plan(s). • Determine the most appropriate excavation methods having regard to the surrounding properties • Manage construction traffic including truck routes. 	Construction and Environmental Management Plan(s) are to be prepared on a stage by stage basis and submitted with the construction certificates for each stage of the project including construction certificates for earthworks and building construction.

Commitment Number	Commitment	Timing
9. Construction and demolition waste	Achieve Australia commits to construction and demolition wastes being managed to prevent accidental discharge of chemicals or other pollutants into waterways and vegetation down-slope of the subject site. Demolition and construction materials will not be stored in garden areas of the subject site once construction has been completed so that the risk of weed outbreaks is minimised.	During the course of earthworks and construction.
10. Sediment and erosion	<u>Achieve Australia commits to installing silt fences and sediment ponds around demolition and construction areas on the subject site to prevent runoff of sediment and nutrient-enriched waters into nearby bushland areas and nearby drainage lines. The effectiveness of these traps will be closely monitored during construction, ensuring that treated site run-off meets EPA guidelines and those of the Ryde DCP 2010.</u>	<u>Details to be submitted with each DA.</u>
Stormwater / WSUD		
11. Stormwater design	<p>Future DAs will comply with Council's Stormwater and Drainage requirements including the following specific requirements:</p> <ol style="list-style-type: none"> <u>Future stormwater designs will provide on-site detention for the northern part of the site's catchment and not the southern portion of the site's catchment.</u> <u>The OSD volume that would have otherwise been required for the southern catchment will be added to the rainwater tank volume</u> <u>A water cycle plan and WSUD strategy will be further documented in future DA(s) including water quality targets will be met to comply with Council's draft criteria.</u> 	<u>Details to be submitted with future development applications relating to the construction of the residential buildings.</u>
12. WSUD strategy	<u>Achieve Australia commits to further developing the WSUD strategy for the site including a water cycle management plan for the whole site with the first DA for the site. The WSUD strategy will be designed to meet the total suspended solids, total phosphorous and total nitrogen targets contained in the Ryde DCP. The WSUD strategy will also consider the use of additional treatment trains and water re-use option to meet the water quality targets.</u>	<u>To be provided with the first development application relating to the construction of the residential buildings.</u>
11. Water quality	<u>Achieve Australia will commit to meeting the water quality targets as set out in the WSUD Concepts prepared by Equatica, dated 23 February 2011, and attached as Appendix 16 to the EA.</u>	<u>Details to be incorporated into the stormwater designs and submitted with future development applications relating to the construction of the residential buildings.</u>
13. WSUD monitoring	Achieve Australia commits to the WSUD and water quality measures being monitored on a regular basis to ensure maximum performance.	During the course of construction and for 6 months after completion of the final stage.

Response to Submissions and Preferred Project Report

Belmore Street, Ryde

Commitment Number	Commitment	Timing
14. Future plans	Achieve Australia commits to preparing detailed stormwater plans generally in accordance with the stormwater concepts contained in the <i>Design Statements for Hydraulic and Fire Protection Engineering Services</i> report dated 17 February 2011 prepared by Sparks Partners and incorporating WSUD concepts prepared by Equatica, dated 23 February 2011.	Details to be submitted with future development applications relating to the construction of the residential buildings.
ESD Measures		
15. ESD guiding document	<p>Achieve Australia will use the Environmentally Sustainable Design Report, dated 24 March 2011, prepared by NBRS + Partners to guide the future ESD initiatives for the subsequent stages of the Project to achieve a benchmark equivalent to a 4 Star Green Star rating. Specifically future DAs will need to consider the objectives, initiatives and implementation measures into the design of each building for each of the following 9 principles:</p> <ol style="list-style-type: none"> 1. <u>Innovation</u> 2. <u>Management</u> 3. <u>Emissions</u> 4. <u>Ecosystems</u> 5. <u>Community</u> 6. <u>Water</u> 7. <u>Energy</u> 8. <u>Materials</u> 9. <u>Waste</u> 	ESD initiatives incorporated into each stage of the development will be documented as part of future development applications, on a stage by stage basis.
16. Further studies	Achieve Australia will undertake further energy use studies and investigate environmental engineering solutions throughout the design development process. As part of this process additional ESD measures will be explored to supplement the passive measures incorporated into the building design. This process will aim to ensure that buildings exceed section J BCA requirements.	Further investigations and feasibility testing of other ESD measures will be undertaken prior to issue of the construction certificate for each building.
17. Tap ware	Achieve Australia commits to the installation of 4 ½ / 3litre dual flush WC cisterns and Wels rated water efficient tap ware throughout the development.	Details to be submitted prior to the issue of a construction certificate for each building and on a stage by stage basis.
18. Rainwater tanks	Achieve Australia commits to installing rainwater harvesting tank(s) with a total capacity of 500m ³ and to reuse the water for irrigation of landscaped areas, maintenance of grounds and car washing.	Details to be submitted prior to the issue of a construction certificate for each building and on a stage by stage basis.

Commitment Number	Commitment	Timing
Social		
19. Resident relocation	Achieve Australia commits to work with the existing on-site residents and their families to ensure that their individual needs and preferences are respected when determining where and how to relocate the existing residents. This might include some residents returning to live in the apartments on the site as stages of the development are completed.	On-going until all existing residents are re-housed.
20. CPTED	Achieve Australia commits to carrying out a CPTED analysis of future buildings.	Details to be provided with each development application on a stage by stage basis.
Accessibility		
21. Adaptable housing	Achieve Australia commits to providing 'adaptable housing' at the rate of 10% of the total dwellings and to be distributed around the development. The adaptable housing will be provided in accordance with Australian Standard AS4299 – Adaptable Housing. <u>Achieve Australia also commits to retaining a minimum of 15 adaptable dwellings (from the 10%) in the finished development.</u>	Details are to be documented in relevant development applications on a stage by stage basis.
22. Access to common areas	Achieve Australia commits to all dwellings and common areas to be accessible for persons with a disability. Access will be provided in accordance with Australian Standard AS1428.1:2009 – Design for Access and Mobility Part 1 – General requirements for access – new building work.	Details to be provided with each development application and Construction Certificates on a stage by stage basis.
Cultural Heritage		
23. Retention of Tellaraga	Achieve Australia commits retaining <i>Tellaraga</i> including its original fabric and to conserve the building in accordance with its significance as detailed in the <i>Heritage Study</i> (September 2009) prepared by NBRS + Partners. Achieve Australia also commits to the removal of the two additions known as Dulcie Johnson Hall and EF Ward Building.	Details of the building's retention and conservation and removal of the two additions will be detailed in future development applications for that stage of the Project.
24. Retention of other element	Achieve Australia commits to retaining of the following features of the site: 1. The circular driveway; 2. The memorial gardens; 3. The palisade fences and gateposts along Belmore Street; and 4. The existing avenue of trees along Belmore Street, where practical.	Details of the retained features will be detailed in future development applications for that stage of the Project.

Response to Submissions and Preferred Project Report

Belmore Street, Ryde

Commitment Number	Commitment	Timing
25. Materials selection	Achieve Australia commits to further heritage input to inform the design, material selection and colours of future residential buildings to ensure the proposed elements do not visually dominate the heritage item and landscape elements.	Design details, material selection and colour palette will be documented in future development applications.
<u>26. Conservation management</u>	<u>Achieve Australia commits to preparing a Conservation Management Strategy for Tellagara House including plans for the conservation of the surviving fabric of the building and restoration of missing elements based on archival records of the place.</u>	<u>A Conservation Management Strategy is to be submitted with the development application that includes the demolition of the existing additions attached to the house</u>
<u>24. Review of northern end of Block A</u>	<u>Achieve Australia commits to reviewing the northern end of Block A to ensure that future buildings are contained within the building envelope so as not to encroach on the "Desirable View Line" as illustrated in Figure 2 of the Statement of Heritage Impact prepared by NBRS + Partners, dated 7 March 2011.</u>	<u>Design details will be documented in future Project or development applications.</u>
Car parking design		
27. Australian Standard	Achieve Australia commits to car parking areas ramps, grades, aisles and manoeuvring areas to be designed to comply with AS2890.1 and AS 2890.2.	Details will be documented with future development applications for each stage of the development (excluding stand-alone applications for earthworks, civil or infrastructure works).
<u>28. Driveway design</u>	<u>Achieve Australia commits to designing future driveways in accordance with Council's design requirements.</u>	<u>Details to be documented with future development applications for each stage of the development.</u>
Waste Management		
29. Hazardous substance audit and management plan	Achieve Australia commits to all demolition work will being carried out in accordance with AS 2601 and if required a Work Plan and a Hazardous Substances Audit and Management Plan will be prepared in accordance with AS 2601	To be submitted before demolition of the buildings.
30. Waste management plan	Achieve Australia commits to establishing waste management procedures and preparing a waste plan for the demolition and construction phases of the development	Documentation to be submitted prior to the issue of a construction certificate on a stage by stage basis.

Response to Submissions and Preferred Project Report

Belmore Street, Ryde

Commitment Number	Commitment	Timing
Pedestrian Connectivity		
<u>31. Porter Street land</u>	<u>Achieve Australia commits to transferring the strip of land along Porter Street (as identified on Drawing EA54-A prepared by NBRS + Partners) and to construct a pedestrian footpath along the full length of the Porter Street frontage of the site. The dedication of the land and construction of the pathway and other associated embellishments such as street trees will be incorporated into a Voluntary Planning Agreement or provided as a work in kind / material public benefit for works identified in the MEA under City of Ryde Section 94 Development Contributions Plan 2007.</u>	<u>The VPA or section 94 offset will be considered as part of the DA that involves development along the Porter Street frontage (ie Blocks C, D or E).</u>
<u>32. Pedestrian connection</u>	<u>Achieve Australia commits to providing a through site link along the southern edge of the subject site. However, should the through site link on the adjoining development site at 2-4 Porter Street be provided before Achieve Australia's project has commenced, then Achieve Australia will not incorporate a duplicate through site links on the subject site. Should the through site link be provided this will be incorporated into a Voluntary Planning Agreement or provided as a work in kind / material public benefit for works identified in the MEA under City of Ryde Section 94 Development Contributions Plan 2007, subject to the agreement with the City of Ryde Council.</u>	<u>The VPA or section 94 offset will be considered as part of the DA that incorporates the through site link as part of its site works (i.e. as part of Blocks A or E).</u>
Traffic and Transport		
<u>32. Constitution Road / Belmore Street intersection upgrade</u>	<u>Achieve Australia commits to either paying Council for the improvements to the Constitution Road / Belmore Street intersection involve lane configuration within the existing carriageway width, removal of on street car parking (including installation of necessary signage) and adjustment to the phasing of the signalised intersection or undertaking these works.</u>	<u>The intersection improvements will be carried out as part of the development consent that creates the 185th dwelling and completed prior to the issue of an occupation certificate relating to that application.</u>
<u>32. Travel Plan</u>	<u>Achieve Australia commits to preparing a Travel Plan with future DA(s) for the site. Such Travel Plan shall consider the range of measures identified in the Traffic and Accessibility Impact Assessment dated 9 August 2011 and attached as Appendix 9 to the EA and to also consider the Travel Access Guide prepared by the Roads and Traffic Authority.</u>	<u>The Travel Plan is to be prepared for future development applications, either at the first development application for the site to set the plan for future applications, or on a stage by stage basis.</u>
<u>33. Bicycle parking</u>	<u>Achieve Australia commits to the provision of at-grade visitor bicycle parking conveniently located to the entrances of the proposed buildings.</u>	<u>Details to be provided with each development application on a stage by stage basis.</u>

Commitment Number	Commitment	Timing
<u>34.Porter Street</u>	<u>Achieve Australia commits to paying Council for the installation of No Stopping signs along the western side of the Porter Street frontage of the site.</u>	<u>Signs to be installed prior to the issue of an occupation certificate for the first stage of the development.</u>